



OFFICIAL REPORT
OF THE
STATES OF THE
ISLAND OF ALDERNEY

HANSARD

The Court House, Alderney, Wednesday, 17th December 2014

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

Volume 2, No. 8

Present:

Mr Stuart Trought, President

Members

Mr Raymond Berry
Mr Matthew Birmingham
Mr Neil Harvey
Mr Louis Jean
Mr Robert McDowall
Mrs Norma Paris
Mr Steve Roberts
Mr Francis Simonet
Mr Ian Tugby

Representative of the Lieutenant Governor:

Colonel Colin Mason

The Greffier of the Court

Mrs Sarah Kelly

Business transacted

Apologies received	133
Billet d'État for Wednesday, 17th December 2014.....	133
I. Saye Beach Campsite Lease – Item approved.....	133
II. Policy and Finance Committee – Annual Report for 2014 accepted	136
III. General Services Committee – Annual Report for 2014 accepted.....	137
IV. Building and Development Control Committee – Annual Report for 2014 accepted	140
V. Questions and Reports	143
Thanks to Mr Berry, other Members and staff; season's good wishes	143
<i>The Assembly adjourned at 6.09 p.m.</i>	143

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

ROLL CALL

The Greffier

Apologies received

The President: I have received apologies from Mr Rowley, due to ill health Madam Greffier.

Billet d'État for Wednesday, 17th December 2014

I. Saye Beach Campsite Lease – Item approved

Item I.

The States of Alderney is asked:

to approve the lease between the States of Alderney and the Saye Beach Campsite operators, and agree that it be entered into as from 1st January 2015.

The Greffier: Sir, Item I is the Saye Beach Campsite Lease. The States is asked to approve the lease between the States of Alderney and the Saye Beach Campsite operators, and agree that it be entered into as from 1st January 2015.

5 Sir, before this Item is proposed and seconded, I would like to say that we issued a correction to the Billet on 11th December. The lease that was attached to the Billet was an incorrect version, and the correction as of 11th December contains the correct lease and the correct plan.

10 **The President:** Thank you very much, Madam Greffier.

The Greffier: We also, sir, after that date received an amendment to this Item, but I understand Mrs Paris may wish to address you on that.

15 **The President:** Okay, thank you very much, Madam Greffier.
Before we get to that, Mr Roberts as Convener, would you care to give the Convener's report, please?

20 **Mr Roberts:** Yes. There was concern regarding the land and the access to the beach. It was confirmed that the lease was for five years, and that the public's right of way to access the beach was not restricted. The amendment of the lease now includes a map of the site. The Chief Executive specified that this map was now available to the public, from his office as needed.

The President: Thank you. Could you also tell us who was attending the People's Meeting please?

25 **Mr Roberts:** Yes, in the public, there were 28 approximately. There were three press and approximately four States' Members, including the Convener.

The President: Thank you very much, Mr Roberts.
Mrs Paris, I believe you wish to withdraw your amendment.

30 **Mrs Paris:** Yes, Mr President, I do.

Given the very understandable public interest that there always is in the campsite, I did feel that because we had a few details incorrect in the original Billet, it should be withdrawn, so that we could be sure that what we were discussing was correct.

35 As we now know that the lease which is here is the correct one, obviously I have no desire to have it withdrawn. I am very content that it should go forward.

The President: Thank you very much, Mrs Paris.
Mr Tugby, I believe you wish to propose this Item I.

40 **Mr Tugby:** The lease for the campsite has been going on for a long time, and we have decided to bring it to the States and get a decision. If there is any more information...

The President: Thank you very much.
Mrs Paris, I believe you wish to actually second this now?

45

Mrs Paris: Yes, I would second this lease. I know it sounds as though I am hunting with the hounds and running with the hare, but I think it is a very straightforward simple lease. It covers everything that we feel is appropriate, and I will put it to everyone that our unanimous backing, or hopefully a great deal of backing for it would help us to settle this issue which has been going on for a very long time.

50

The President: Thank you very much, Mrs Paris.
Does any Member wish to speak on this Item?
Mr Jean.

55 **Mr Jean:** I am slightly confused. I am not sure, from what Mrs Paris said, whether we are actually withdrawing the lease for further consideration or whether we are going to vote on it this evening. I do not know if some of the things that were brought up at the recent policy meeting have been dealt with.

For instance, if we are dealing with the lease this evening, has it been signed by the Haywards? Apparently they did not sign the previous one because it was the wrong one.

60 So there is a lot of confusion here, and I need some clarification.

The President: Can I help you with the clarification if I may?

Mr Jean: Please, if you would, and then I will continue.

65

The President: Yes, Mrs Paris has withdrawn her amendment to withdraw this Item from the Billet. So what we are actually debating here at the moment is Item I as written down in the Billet.

Does that help?

70 **Mr Jean:** It does. But does it now tell me that what we were told at the meeting was that the lease in the Billet was the wrong one?

The President: The lease in the Billet as was distributed on 12th December to everybody, there has been a correction made to it, so that the lease which is in the Billet now is the correct lease.

75 Does that help?

Mr Jean: It helps, but I have not seen the correction.

The President: The correct lease was circulated on 12th December, along with the correction and the amendment.

80

Mr Jean: Ah, I am sorry, I have been busy with the Billet, and I had no chance... I apologise, sir.

The President: That is fine. Does that clarify?

85 **Mr Jean:** I think what I will do is, because I have not seen the correction, I will abstain.

The President: Okay, thank you very much, Mr Jean.
Does any other Member wish to speak on this Item?
Mr McDowall.

90

Mr McDowall: Yes, the campsite is probably one of the most embarrassing episodes of the States for the last three or four years, and I am reminded of a novel written by Gabriel Chevallier in the 1930s, called *Clochemerle*, where they built a urinal. It caused so much controversy they ultimately blew it up! It is absolutely ridiculous that trivia like this takes so much time and effort.

95 I am going to vote in favour of it, on the basis that it will hasten its death.
Thank you.

The President: Thank you very much, Mr McDowall.
Does any Member wish to speak on this Item?

100

Mr Harvey: Thank you, Mr President.

I think only to say that, as my colleague Mr McDowall has said, there have been probably more words exchanged over a few hundred yards of green turf than on anything else on this Island.

105 It should be straightforward. We are leasing a piece of land, subject to all the normal planning regulations, to an operator to run a campsite. We are in a situation where the Island is losing hotel beds, has lost far too many hotel beds during the summertime in particular, and with events such as the Performing Arts Festival, the campsite serves an invaluable purpose, and all of those who feel it is a waste of time, really ought to go down there when it is busy.

110 So I think the campsite is a valuable asset to the States. I realise it is not without its controversial aspects, some of which are of our own making, rather than of the [*Inaudible*] and to move from a concession situation where we had control over the minutiae and details of how they operated, which quite frankly was ridiculous, to a straightforward States' lease, to my mind, is eminently sensible, and as my colleague says, hopefully, the lease can get signed and we can all draw a line under it and move on to more important matters.

Thank you.

115

The President: Thank you, Mr Harvey.

Mr Tugby, you will be able to sum up at the end. Can I just see if anybody else wants to... Does any other Member wish to speak on this Item?

Sorry, Mr Tugby, please go ahead.

120

Mr Tugby: Okay. Yes, this Item has been going on for a long time. There have been vast improvements in the campsite, as the first speakers have said – not with a lot of support sometimes, but the improvements down there have been greatly accepted by the people who have been using the campsite, and it has all got to be positive for tourism in the future, if you have got the right facilities there.

125 So, I hope that this lease will bring it to a conclusion and we can move forward in the future. I hope that the Members vote for it.

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

130

A vote was taken and the results were as follows:

FOR	AGAINST	ABSTAINED
Mr Tugby	None	Mr Jean
Mr Birmingham		
Mr Berry		
Mr Harvey		
Mr Simonet		
Mr McDowall		
Mr Roberts		
Mrs Paris		

The Greffier: Thank you. That is carried, sir.

The President: Thank you very much indeed.

**II. Policy and Finance Committee –
Annual Report for 2014 accepted**

Item II.

The States is asked:

to accept the Annual Report for 2014 of the Policy and Finance Committee.

135 **The President:** We move to Item II, please.

The Greffier: Sir, Item II is the Policy and Finance Committee Annual Report for 2014. The States is asked to accept that Report.

140 **The President:** Thank you.
Mr Roberts, as Convener, were there any comments on this Item, please?

Mr Roberts: Mr President, there were no comments on this Item.

145 **The President:** Thank you, Mr Roberts.
Mr Simonet, I believe you wish to propose this.

Mr Simonet: Yes, sir, this is just the normal end of year report. I do not propose to read it out to my fellow Members, no matter how much they would like me to. *(Laughter)* So therefore, sir, I would like them to accept it as written.

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

155 **Mr McDowall:** Yes, I do, thank you, Mr President.
I have nothing else to add. It is a reasonable size, I think it puts out most of the issues. It presents the challenges, and I hope people will vote in favour of it.

The President: Thank you very much, Mr McDowall.
160 Does any Member wish to speak on this Item? Go ahead, please, Mr Jean.

Mr Jean: I still maintain, a 10-man Finance Committee does not cut the mustard. Many Members dominate it and are unable to make any kind of significant contribution to debate. The minutes constantly reflect the views of the dominant core of this Committee, containing little detail of what goes on in this important Committee.

Many Members who stood to be elected in 2012 talked of open and honest Government. I would like to see more of this belief reflected in the minutes of the Policy and Finance Committee.

The RPI increases in Water Rates is disappointing, when throughout Britain, water rates are coming down. Ours seem to go up, adding steadily to household expenditure.

170 The Alderney Gambling Control Commission is such a wise and capable group of men and women, well respected as a regulatory body – we are grateful to them.

In the P&F Report bottom line, paragraph 4: the surplus funds are retained for our capital projects. This is no longer correct. Over the next three years, at the rate of £300,000 per year, £900,000 has been allocated to spend on business development. I have never quite agreed with this. In my opinion it is too premature. Last year's expenditure yielded very little or nothing, which I believe bears out my case. I need not go any further. My views are well known.

175 In the last paragraph of this Report – that this Committee is intent on improving communication with the public – this has been well received, and I do agree with this. I would be grateful to see this wish for public information to be carried a little further and include a little more detail in the minutes, so the public can also be included here too, as this is a constant source of complaint.

180 Thank you, sir,

The President: Thank you, Mr Jean.
Does any other Member wish to speak on this? Mr Harvey.

185 **Mr Harvey:** Thank you, sir.

Just to respond to one or two of the comments from Mr Jean, we do have very open and honest debate in Policy and Finance. It is the decision of the group as to whether the minutes are an acceptable record of the

190 proceedings. The objections of people are noted, but not necessarily the full dialogue. I think that the minutes of the Policy and Finance meetings are a fair reflection of them.

Just to pick up on the issue raised about surplus funds, the surplus fund in the Economic Development Fund, as it is now being called, are rolled over if they are not used, and in terms of value for money, or impact of that expenditure, there has been fairly limited expenditure in the first year, because we have been trying to resolve a fund with Guernsey, so that is now done.

195 So none of those funds are lost. Any expenditure on that fund has to be again agreed by the entire Policy and Finance Committee, and in some cases by Guernsey, so it receives plenty of scrutiny to ensure value for money. I do not believe that those funds are being or will be wasted in the future.

Thank you.

200 **The President:** Thank you, Mr Harvey.

Does any other Member wish to speak on this issue? No?

In that case, Mr Simonet, would you like to sum up?

205 **Mr Simonet:** Yes, sir, I will not say much more to it really, just to pick up on a point that Mr Jean made about the Policy Committee and lack of discussion. Actually, I think, as older Members will bear out with me, in fact I have always been at great pains to make sure that every States' Member has time to put forward his own comments on any Item that is on the agenda. Every States' Member has an opportunity to speak and discuss it, without restriction on time. I do not think any committee can do more than that. So I do challenge that comment, I think it is quite wrong.

210 As far as the transparency of the States go, in my view, this is probably the most transparent local government in the Western world. It is something I have often said. Where else are minutes produced in the way that ours are? Guernsey do not do it. Where else can you see any of your representatives at any time during the week? A phone call, or meet them in town about their business – nobody ever refuses to discuss the items or any item of States' business.

215 We have a website that provides good communication to the public. We have press releases. Civil servants – that is our senior civil servants – are available at almost any time to any member of the public. This is something that you simply would not get anywhere else in any local government in the UK. It is not available to the public, so in actual fact, ours is the most transparent local government that I know of.

If anyone knows of one that is more transparent, I would be delighted if they would let me know.

220 Thank you, sir.

The President: Thank you, Mr Simonet.

Madam Greffier, if you would find out whether the States accept the Report or not, please, by roll.

A vote was taken and the results were as follows:

FOR	AGAINST	ABSTAINED
Mr Tugby	None	None
Mr Birmingham		
Mr Berry		
Mr Jean		
Mr Harvey		
Mr Simonet		
Mr McDowall		
Mr Roberts		
Mrs Paris		

225

The Greffier: Thank you. That is carried, sir.

The President: Thank you very much.

III. General Services Committee – Annual Report for 2014 accepted

Item III.

The States is asked:

to accept the Annual Report for 2014 of the General Services Committee.

The President: We move on to Item II, please, Madam Greffier.

230 **The Greffier:** Sir, Item III is the General Services Committee Annual Report for 2014. The States is asked to accept that Report

The President: Thank you very much.

235 Mr Roberts, as Convener, were there any comments on this Item, please?

Mr Roberts: Yes, there were, Mr President.

There was a concern in the delay with the Sewage Scheme in the outlet at Fort Doyle. Did the budget include the quote for the outlet? It was confirmed that this was not the case,

240 Complaints regarding the smell from the outlet, and also the sewage that is not below the waterline, causing raw sewage waste to cover the surrounding rocks and beach coastline with the tides.

The Chief Executive confirmed that the issue is in hand, that he personally wants a resolution as he also lives within the area.

The Convener confirmed that the review was in process regarding the cost of the pumping station.

245 There was another question: have the States spent the entire budget, with no money left for the pumping station? The Chief Executive specified that this was indeed incorrect.

The President: Thank you very much, Mr Roberts.

Mr Tugby, I believe you wish to propose this.

250 **Mr Tugby:** Yes, sir, I would like to propose this Item and that is the only thing I have got to say, really. I will sum up.

The President: Thank you very much.

Mr Berry, I believe you wish to second this.

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

The President: Thank you very much indeed.

Does any Member wish to speak on this Item? The General Services Committee.

260 Yes, please do.

Mr Jean: One of the things here that concerns me is the sea wall at Corblets Bay. I have heard of quite expensive solutions being proposed for this, and I think that we should look for something cheaper.

265 I am pleased to see that the Water Board has done so well. I think as well, I ought to declare and interest, because my daughter has got a mention in the Report as one of the new Fire Officers, just trained, so I will declare that interest! (*Laughter*)

I am please to see how the Water Board is doing, with the storage tanks and their installation of new mains, and the chlorine generation system. Although there has been a hold-up, waiting for a part, it is coming on.

270 Here on page 4, a quarter of the way down, paragraph 4 mentions the problems with the voluntary severance scheme launched in 2014:

‘Eleven workers from...’

Am I on the right one? Have we finished the Water Board? (*Interjections*) I am on the Works Department, I am sorry. That is all I have to say on the Water Board, sir. So sorry.

275 **The President:** This is under General Services Committee generally.

Mr Jean: Oh, so I can carry on with that – so sorry.

The President: The General Services Committee Report.

280 **Mr Jean:** Okay, well, let me go through this:

‘... for severance including the Superintendent of Works and the Waste and Agricultural Foremen ... all applications have been accepted leaving a very depleted and untrained workforce.’

Well, as you know, I raised my observations about that and the lack of control over it. I do not understand what happened.

285 Various things have happened since, which seem to have started to plug the breach in various ways, but I do not know if some of it, even by the look of it, it has not worked out that successfully. It is disappointing. And also in terms of cost – £500,000 – that was very disappointing as well.

I do not think I have anything else I wish to raise.

The President: Thank you very much.

290 Does any other Member wish to speak on this? I will take Mr McDowall please.

Mr McDowall: Yes, thank you very much, Mr President, ladies and gentlemen.

295 I would certainly endorse Mr Jean's comments about coastal erosion. King Canute could not hold back the waters, and neither will we. There are one or two areas where one needs to make provision against flooding and so on, but 'tis nature's way, as Thomas Hardy said.

On the second point of the severance, Mr Jean and I are indeed in agreement, Mr President, on that. It is a lot of money and we were, I think, fairly reluctant supporters of it. The implementation has not been very good, and I would agree entirely with Mr Jean on that comment.

That is all I have to say, thank you.

300

The President: Thank you, Mr McDowall.

Mr Harvey, I believe you wish to speak.

Mr Harvey: Thank you, sir.

305 I just wish to commend GSC and Engineers and everybody involved in the renovation of Bray Lodge, and hope that the new occupants are satisfied with their palatial premises.

The President: Thank you very much.

Does any other Member wish to speak on this Item? Mr Berry?

310

Mr Berry: Yes, sir, I will just say one comment. As you know, I was employed by the Works Department for nearly 45 years, and as Members will know, my concern is with the lack of maintenance on public properties and the cost it entails with putting things right which had been properly programmed.

315 Next year, we have a programme going in place, and it was my hope that this programme would be in situ sooner. But the Public Works who have been doing the work and have the qualifications and the capability of doing it, and the major work that we need to do, have been put out to contract, which would be led, not using the level of manpower we have, not using the level of equipment that was needed, and under the health and safety and various other regulations, not having to have people train to do the things they have to do that I used to do without the problem of regulation.

320 I know that next year, the States are going to work on this, and the situation is in safe and sound hands, and that things will pick up. In Alderney, it takes a little time to get into a new system, and this new system is taking place, but it will take a little bit longer. In the spring of next year, I think you will see vast improvements. We are improving already, but with the work that is going to be done by the Committee in due course, with the work that needs to be done on the buildings and given the right level of infrastructure maintenance, big price jobs that we have to do, like we did with this in the Island, will be a thing of the past.

I commend it to the States, sir.

The President: Thank you very much, Mr Berry.

330 Does any other Member wish to speak on this Item? Yes.

Mr Simonet: Just a few words, sir, to follow on from Mr Berry, sir. I would just like to say, really, that Mr Berry has worked tirelessly since he has been a States' Member, to see that the States implemented proper, sound, good maintenance programme for States' property.

335 Finally, just as Mr Berry is leaving, I think he has the support of all States' Members to put one in place, and I hope that will be next year. Thank you, Mr Berry.

The President: Thank you, Mr Simonet.

Does any Member wish to speak? Mr Roberts.

340

Mr Roberts: I would just like to concur with Mr Jean and Mark McDowall's thing, that we can make some major *[Inaudible]* on Corblets wharf. I think it can be done locally. I hope to see that in the future, that we look to saving some costs on a project like that. I really do think it can be achieved in Alderney.

345 **The President:** Thank you, Mr Roberts.
Does any other Member wish to...? Mrs Paris.

Mrs Paris: Thank you.

350 On the issue of coastal erosion, we had a very good report, which gave us 10 areas of concern. We felt
and we spent a lot of time discussing this, that the two most important areas were those where infrastructure
might be affected. Obviously, that is very important at Corblets, because of the quarry, and the possibility in
the medium term – well, let’s say, long term, I do not want to cause a panic – that a breach in the wall at
Corblets will finally lead to a breach in the wall at the quarry, and therefore we will have salt water in our
freshwater supply.

355 The report suggested a real belt-and-braces solution, which is where the figures for the very expensive
solution come from. We are all hopeful that it can be done more cheaply than that, but I do think we have to
be aware that that and the other areas of infrastructure issues with coastal erosion are very, very important.
Other things we may have to let go and be more relaxed about, but as Mr Roberts has said, we are on the
case with Corblets and the original quotation, as I said, for the belt-and-braces approach was horrendous at
360 £800,000, but obviously something needs to be done, and needs to be done quickly. We are trying to
process that as soon as possible.

The President: Thank you very much, Mrs Paris.
Mr Jean or Mr Birmingham, do you wish to speak on this Item? No.
365 In that case, Mr Tugby would you care to sum up?

Mr Tugby: Sir, it has been a very difficult year this year, with things going on at the reorganisation of
the States and everything, and we have not succeeded in doing everything we wanted to do, but we have
been gradually getting things put in place. Hopefully, next year, everything will move much more smoothly
370 forward.

As regards the coastal erosion, well, we will see what happens on that one, but I have got to do it the
way we can afford. That is the way it has to be done, I am afraid.

I would like to thank Mr Berry, because I know he has been pushing for a works plan since he has been
in there. He has bent our ears every meeting about it! (*Laughter*) So I know he has been so keen. It has been
375 difficult getting there, but I think we are finally getting there now, and I would like to thank him for that,
and thank him for all the effort he has put in for the last four years, basically. (**A Member:** Hear, hear.) He
has been a pleasure to work with. (*Interjections*)

I hope that the rest of the States vote for it.

380 **The President:** Thank you very much.
Madam Greffier, would you put that to the call, please.

A vote was taken and the results were as follows:

FOR	AGAINST	ABSTAINED
Mrs Paris	None	None
Mr Roberts		
Mr McDowall		
Mr Simonet		
Mr Harvey		
Mr Jean		
Mr Berry		
Mr Birmingham		
Mr Tugby		

The Greffier: Thank you. That is carried, sir.

385 **The President:** Thank you very much.

IV. Building and Development Control Committee – Annual Report for 2014 accepted

Item IV.

*The States is asked to accept the Annual Report for 2014 of the Building and Development Control
Committee.*

The President: Can we move to Item IV, please.

390 **The Greffier:** Sir, Item IV is the Building and Development Control Committee Annual Report for 2014. The States is asked to approve that Report.

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

395 **Mr Roberts:** There were no comments on this Item.

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

400 **Mr Birmingham:** Thank you, Mr President and fellow States' Members.

It gives me great pleasure to propose the Annual Report of the BDCC for 2014.

Compared to the Chairmen's Reports of both GSC and Policy & Finance, the BDCC Report is relatively short and sweet, which is unusual, because that is quite contrary to some of the speeches usually made by myself as Chairman!

405 I would like to highlight two points from the Report. Firstly, up to the end of November, only three planning applications have been refused by the Committee. Many people hold the erroneous view that the BDCC is just a block to development. These figures actually indicate that that is simply not the case.

Its role more often than not is to protect the public interest, and to act as an independent arbiter on contentious developments, quite often those between neighbours. This is where negotiation and conditioning of the planning approval can help diffuse sometimes tempestuous neighbourly relations.

410 Secondly, in 2015-16, there is going to be a massive period of change around the planning system as recommendations stemming for the ARUP review are progressed in the run-up to the compulsory review of the Island Land Use Plan in 2016. I urge the new States to ensure that the public are kept fully informed and engaged in that ongoing process.

415 Lastly, I would publicly like to thank on behalf of the Committee all the staff of the Planning Department – that includes Rachel, Julie, Bruce, and of course Deidre for their dedicated support over the previous year. Personally I would like to thank all the members of the BDCC for their diligence in sometime what can be technically taxing discussions.

In particular, I would like to pay tribute to Mr Berry who is obviously due to stand down from the States. Mr Berry and I were both elected at the same time, and have served together for four years on the BDCC. I would like to thank him for his hard work over those years. Come hell and high water, from campsite to caravan, Mr Berry has always been a calm, level and considered voice in discussions. Planning is often referred to by politicians as the poisoned chalice, as no matter what decision the members of the committees make, it nearly always is guaranteed to upset someone. Mr Berry has drunk from that poisoned chalice, and has still managed to maintain not just his sanity – well, I hope he has managed to maintain his sanity! – but he has also kept his undoubted passion for the Island, and his good humour, and I would like to wish him well on his political retirement.

425 That just leaves me the opportunity to wish all the Alderney residents festive felicitations, Merry Christmas and a very prosperous New Year on behalf of the BDCC, subject to planning approval of course.
430 *(Laughter)*

The President: I take it that you are proposing this Item?

435 **Mr Birmingham:** Yes. *(Laughter)*

The President: Mr Berry, I believe you wish to second this.

440 **Mr Berry:** I wish to second it, sir, and if I may add, my remarks to thank my Chairman for his kind remarks, and thank the various members of the Building and Development Control Committee. You have a very, very good Chairman, and very good Committee members. The job has not always been easy, but if there has been from... I commend them to the House for next year's Committee...

Thank you, sir. I second this proposal.

445 **The President:** That was the bit we were looking for, thank you very much.
Does any Member wish to speak on this Item?
Mr Jean.

450 **Mr Jean:** One of the main items which concerns me here is the ARUP review of the planning and development control process on Alderney. The publication of this Report following a three-month public engagement, we have gained feedback on the Report and its recommendations.

It is clear that the overwhelming response from the public to the Report has been positive. I believe that is so. I agree with that.

The tricky task of its implementation alongside the preparation of the 2016 Land Use Plan Review will now fall upon the new States. Mr Birmingham referred to that in his previous speech.

455 New building regulations being instructed, but first of all I just want to talk a little bit about the ARUP Review. I cannot help but feel that we have skipped part of the process here, and I am quite worried about it, because I do not know that the public would not have expected this to actually come as a report before the States for debate. I may be wrong in that, but I am putting that forward as a suggestion. This is a fairly serious report, and I have some fairly serious observations which I could raise now in this room, but I am
460 not going to. Instead, what I am going to say: I think we have skipped part of the process, somehow, and the whole Report should have been put in the Billet, and brought forward to debate, so that members of the public could see how we felt in general about the Report. It is well known that I accept that the ARUP Report is a good report, but it is not a report that is fitting very well into Alderney, with our building lists, our applications and what has been on *La Gazette Officielle* in terms of publication of what has been given
465 permission for. In actual fact, some of you know that I have said that under ARUP's Report, where recommendations from minor applications come, in fact many of those reports in the *Gazette Officielle* have only contained applications of a minor nature, which one could argue that there probably was not actually on those months a requirement for B&DC to meet. I know that lately there has been a little more activity.

470 Moving on from that, I would like to lodge that as an observation, and I would actually like somebody to give me an answer as to whether this Report should come before the States of Alderney or not, or whether we have missed out on an opportunity.

I would like to go on now to look at the new building regulations, and say alongside a new fee structure, which is hope may see a reduction in the amount of fees levied on the construction industry. For a moment, I want to take that up.

475 Our construction industry is very sluggish at the moment. It is not having a great time, and we have heard others say this. There is reckoned to be a short and a lean time coming up for work.

As the States, there are things that we can do about that, and I do not think that people are quite aware of the size of our fee structure and how it has grown since the days when I stood in this House in the 1990s and said a particularly old adage – I might say it, this is the thin end of the wedge, and you keep driving it
480 home. I have mentioned, I feel that the fees are that large now that they may, and they should be properly closely examined and looked at from the point of view of whether they are providing a disincentive, in the economy for people to continue work of a development nature. That is a concern.

I must actually congratulate Mr Birmingham for such a short report. It is marvellous to see a short one – well done!

485 Thank you very much.

The President: Thank you, Mr Jean.

Does any other Member wish to speak on this Report?

490 In that case, Mr Birmingham, would you care to sum up?

Mr Birmingham: Yes, please. Thank you, Mr President.

I will just answer a couple of points there, made by Mr Jean. I actually share your opinion, Mr Jean, about actually taking the Report and having a further debate on it. (**Mr Jean:** Good.) I think that is very sensible. I very nearly, in the Report, put something on those lines, but of course, that is difficult for me to
495 say, as the outgoing Chairman of BDCC to actually point the new States to that form of decision, but I certainly agree with you.

It might be a case that it might not be the whole Report, but certainly sections of it, there might be procedural parts in terms of how, when we look at just restructuring within the States itself, which possibly do not need as much consideration; but certainly some parts, particularly that linking toward section 33 of
500 the Law, I definitely believe that we do need to have further discussions within the States, and there is a mechanism through which we can do that, under the Rules of Procedure.

Quickly picking up on fees, my hope was that at the start of the year, the fees structure that we brought in would see a reduction. Again, I very nearly put something in the Report here along the lines of that it appears that there has been a reduction in the level of fees that have been charged so far this year, but I did
505 not want to pre-empt what is likely to happen when we get to the accounting phase earlier next year, we will have a much clearer position of if that is the case.

I certainly agree that we have to be careful with the level of fees that we charge, particularly in building regulations areas, but my hope is, and I believe, that what we will see, when we get to the accounts is that

510 actually the level of fee charge has actually come down *pro rata*, not just because of the number of applications.

Apart from that, I commend the Report to the House.

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

A vote was taken and the results were as follows:

FOR	AGAINST	ABSTAINED
Mr Harvey	None	None
Mr Simonet		
Mr McDowall		
Mr Roberts		
Mrs Paris		
Mr Tugby		
Mr Birmingham		
Mr Berry		
Mr Jean		

515

The Greffier: That is carried, sir.

The President: Thank you very much, Madam Greffier.

V. Questions and Reports

The President: Could we move to Item IV, please.

520

The Greffier: Sir, Item V is Questions and Reports, and I do not have either of those.

The President: And I have received none either.

Thanks to Mr Berry, other Members and staff; season's good wishes

525

The President: So I would just like to sum up by echoing some of the sentiments we have heard earlier this evening, in thanking Mr Berry for his very hard and sincere work over the last four years. I would also like to thank all the States Members and the civil servants for the hard work they have put in over the last year.

530

I would like to finish by wishing everybody a very merry Christmas. I hope you have a very happy and successful New Year.

On that note, if you would be kind enough to close the States.

The Greffier: Sir.

PRAYERS
The Greffier

The Assembly adjourned at 6.09 p.m.