



**OFFICIAL REPORT**

**OF THE**

**STATES OF THE**

**ISLAND OF ALDERNEY**

**HANSARD**

**The Court House, Alderney, Wednesday, 18th March 2015**

*All published Official Reports can be found on the  
official States of Alderney website [www.alderney.gov.gg](http://www.alderney.gov.gg)*

**Volume 3, No. 2**

**Present:**

**Mr Stuart Trought, President**

**Members**

Mr Matthew Birmingham

Mr Neil Harvey

Mr Louis Jean

Mr Robert McDowall

Mr Graham McKinley

Mrs Norma Paris

Mr Steve Roberts

Mr Christopher Rowley

Mr Francis Simonet

Mr Ian Tugby

**The Lieutenant Governor:**

His Excellency Air Marshal Peter Walker, C.B., C.B.E.

**The Greffier of the Court**

Mrs Sarah Kelly

**Business transacted**

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## States of Alderney

*The States met at 5.28 p.m. in the presence 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*

### Welcome to HE Lieutenant-Governor

**The President:** Thank you very much, Madam Greffier.  
Before we move on to Item I, I would just like to open by welcoming His Excellency the Lieutenant-Governor, who is here with us this evening.  
If you could move on to Item I, please, Madam Greffier.

## Billet d'État for Wednesday, 18th March 2015

### I. Chief Pleas

*Item I.*

*Persons whose names are included on the Register of Voters and who have given due notice will address the States on matters of public interest.*

**The Greffier:** Sir, Item I is Chief Pleas.

I can say that I have received no Chief Pleas, certainly in the stated time under the law.

**The President:** And I can confirm that I have received none either.

5 Before we leave Item I, Mr Rowley, as Convener, were there any comments on this at the People's Meeting?

10 **Mr Rowley:** There was one comment, sir. 'There was not enough notice given' was the comment, and you yourself clarified that Chief Pleas was twice a year, in March and September.

**The President:** Thank you very much, Mr Rowley.

**II. The Alderney eGambling (Amendment) Ordinance, 2015 approved**

*Item II.*

*The States of Alderney is asked:*

*to approve 'The Alderney eGambling (Amendment) Ordinance, 2015'.*

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

15

**The Greffier:** Sir, Item II is the Alderney eGambling (Amendment) Ordinance 2015. The States is asked to approve that Ordinance.

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

20

Mr Rowley, as Convener.

**Mr Rowley:** No comments on this.

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

25

Mr Harvey, I believe you wish to propose this.

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

Your Excellency, Mr President and States Members, the Alderney Gambling Commission is a significant Alderney success story. Conceived and born in Alderney, it has done a tremendous job for us: it has created jobs in Alderney; it has created an income stream, which enables us to carry out central infrastructure repairs; and it has created even more employment in our neighbouring Island, Guernsey. We are delighted to be home to the Gambling Commission. I think we are very fortunate in terms of its leadership and its staffing.

30

This is the first change in their fees structure for six years, during which time the market has changed fairly significantly, and I think in their proposals they are achieving a balance between competing for good business as more and more jurisdictions open up for this sort of regulatory business, and the overall income generation.

35

I will not go through all of the detail which is in the Billet, but essentially they are introducing a greater number of fee bands so they can be more responsive to the market needs, and they are making a few other changes to their fees structure, which I think are well thought out and should enable them to compete successfully.

40

I am delighted to propose to the States that they accept this Ordinance. Thank you.

**The President:** Thank you very much, Mr Harvey.

45

Mr Simonet, I believe you wish to second this.

**Mr Simonet:** Yes, I do, Mr President.

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

50

Does any Member wish to comment on Item II?

**Mr McDowall:** Yes, if I may.

**The President:** Mr McDowall.

55

**Mr McDowall:** Your Excellency, Mr President, ladies and gentlemen, I certainly support this motion, and there are two or three observations I would like to make.

As there is more competition from various jurisdictions, I think there will be more frequency of changes in the tariff to reflect both the competition from other jurisdictions and also how

60 internet gaming is expanding to include internet games. It is getting wider than gaming. It is important too. This is the first time the tariffs have changed. It looks solid, it looks robust, but it may need some final tweaking, so perhaps there may be some other changes in light of what happens over the next couple of years.

Thank you.

65

**The President:** Thank you, Mr McDowall.

Does any other Member wish to comment on Item II?

**Mr Birmingham:** Thank you, Mr President.

70 Your Excellency, fellow States Members, as a director of AEGL, the States' gambling marketing firm, I fully support the measures being taken here.

75 The world of gaming licensing is becoming increasingly competitive and you need to stay ahead of the game, so to speak, to maintain your market position. We are lucky to have an exceptionally talented team at AGCC, a team of international renown, who are always fully aware of the ebbs and flows of the marketplace and, more often than not, not only identify potential issues well in advance, such as the recent UK VAT law changes, but they have the contingency plans in place to mitigate any potential risk, such as these proposed here that rebalance the fees structure to encourage the uptake of new licences.

80 I feel we must be realistic and may have to brace ourselves for leaner times. A consolidation of business in the marketplace may lead to a downturn in licence numbers, which is why I am glad the AGCC have dedicated so much effort into technical licensing of products in the business-to-business market, which is an area one would hope may be more stable.

I fully support the proposed changes and again congratulate the AGCC on the excellent work that they do for Alderney.

85

**The President:** Thank you, Mr Birmingham.

Does any other Member wish to comment on Item II? No.

Mr Harvey, do you wish to sum up?

90 **Mr Harvey:** Nothing further to add, Mr President.

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

Madam Greffier, if you would put that to the vote, please.

*A vote was taken and the results were as follows:*

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Mr Tugby	None	None
Mr Birmingham		
Mr Jean		
Mr Harvey		
Mr Simonet		
Mr McDowall		
Mr Rowley		
Mr Roberts		
Mrs Paris		
Mr McKinley		

**III. The Yemen (Restrictive Measures) (Alderney) Ordinance, 2015 approved**

*Item III.*

*The States of Alderney is asked:*

95 *to approve 'The Yemen (Restrictive Measures) (Alderney) Ordinance, 2015'.*

**The President:** If we could move on to Item III, please, Madam Greffier.

**The Greffier:** Sir, Item III is the Yemen (Restrictive Measures) (Alderney) Ordinance, 2015. The States is asked to approve that Ordinance.

100

**The President:** Thank you.  
I ask Mr Rowley, as Convener.

**Mr Rowley:** Your Excellency, Mr President, no, there were no comments on this.

105

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

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

110

I think it is very easy for these regular requests to pass Ordinances just to be seen as a rubber-stamping job, and I know that there are one or two Members who might feel that that does not do them justice.

Very briefly, the background. In February 2014, the United Nations adopted a resolution sending a message of support for Yemen's transition process and reaffirmed the UN's commitment to the unity, sovereignty, independence and integrity of Yemen and condemned terrorist activities. In November 2014, the UN Security Council designated three individuals as subject to asset freezes. Further regulations were introduced to implement this and we are asked now to add our own signature to these measures.

115

Do we need to pass these things? Well, I would suggest that, as members of the Crown Dependencies with responsibilities to other nations through the United Nations and heaven knows what other protocols and measures, we are members of the club. We enjoy benefits from membership of that club and there are certain obligations upon us. I believe that accepting these measures for territories and issues, remote as they may seem, are part of the price of memberships of those clubs, so I would ask the States to approve the Ordinance in front of us.

125

**The President:** Thank you, Mr Harvey.  
Mr Rowley, I believe you wish to second this.

**Mr Rowley:** That's right, sir.

130

**The President:** Does any other Member wish to speak on Item III?  
Mr McDowall.

**Mr McDowall:** Yes, thank you.

135

Your Excellency, Mr President, ladies and gentlemen, my stance on these sort of issues is well known. I think a lot of effort goes into this sort of gesture politics; it achieves very little.

I entitle this 'The three men from the Yemen' – it is a bit like a farce, frankly. I have no idea who these gentlemen are, where they live or how important they are. Clearly, the UN thinks they are extremely important. I did run into three Arab gentlemen up the road the other week, asking for a bank to make deposits – I hope they were not the gentlemen from the Yemen!

140

This is just a total waste of time and effort: gesture politics. I shall be voting against it.

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

145

**Mr Roberts:** Yes. I am in total concurrence with my friend here. I think it is nothing applicable to Alderney. We are not going to trade with the Yemen, I am sure we do not export anything or import anything from them, and I think Alderney is far too small to be involved in this, so I will be voting against.

150

**The President:** Thank you very much, Mr Roberts.  
Does any other Member –

**Mr McKinley:** Can I just say one thing?

155

**The President:** Mr McKinley.

160

**Mr McKinley:** This is from a personal point of view, having worked in Yemen and in Oman, next door to Yemen, and fought in a very nasty war against these very rebels. I would support entirely this restricted measure. I have a number of friends still in Oman and Yemen. They are affected daily by this sort of dreadful terrorism. It is not just in Yemen but throughout the Arab world and I think we should do our best to condemn it. We may be a small country, a small nation, a small Island, but we should also condemn this sort of behaviour.

165

**The President:** Thank you, Mr McKinley.  
Does any other Member wish to speak on Item III?  
Mr Harvey, do you wish to sum up?

170

**Mr Harvey:** I think probably everything has been said, Mr President. I maintain that if we are to hold our heads up as a state we have to accept our responsibility for these measures, even though they may appear trivial, unnecessary or remote.  
I ask fellow States Members to support this. Thank you.

175

**The President:** Thank you, Mr Harvey.  
Madam Greffier, if you would put that to the vote please.

*A vote was taken and the results were as follows:*

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Mr McKinley	Mr Roberts	None
Mrs Paris	Mr McDowall	
Mr Rowley		
Mr Simonet		
Mr Harvey		
Mr Jean		
Mr Birmingham		
Mr Tugby		

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

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

**IV. The Crimea and Sevastopol (Restrictive Measures) (Alderney)  
(Amendment) Ordinance, 2015 approved**

*Item IV.*

180 *The States of Alderney is asked:  
to approve 'The Crimea and Sevastopol (Restrictive Measures) (Alderney) (Amendment)  
Ordinance, 2015.*

**The President:** Can we move on to the next Item, please.

185 **The Greffier:** Thank you. That is Item IV, sir: The Crimea and Sevastopol (Restrictive  
Measures) (Alderney) (Amendment) Ordinance, 2015. The States is asked to approve that  
Ordinance.

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

190 Mr Rowley, as Convener, were there any comments on this item?

**Mr Rowley:** Yes, sir; there were a number of comments, in fact.

There was a written question in part two of the meeting, which wanted to know what the  
land titles –

195 **The President:** We are talking about Item IV, Crimea and Sevastopol.

**Mr Rowley:** Oh, I beg your pardon. Sorry, no comments on that.

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

200 Mr Harvey, I believe you wish to propose this.

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

205 This is another of these Ordinances relating to events and people far from here. In this  
particular case it is adding a further tightening of certain sanctions and restrictions in respect of  
the area of Crimea and Sevastopol, in particular with reference to ships.

210 I am well aware that one of my colleagues, something of a historian, will be telling us all  
about the background to this, so I just establish that in February 1954 the Presidium of the  
Supreme Soviet Union issued a decree transferring Crimea from the Russian Soviet Federative  
Socialist Republic to the Ukraine. This transfer was probably made illegally – there certainly  
seems to be plenty of evidence of that. However, in 1997 a treaty between the Russian  
Federation and Ukraine, Russia recognised Ukraine's borders and accepted Ukraine's  
sovereignty over Crimea. Does any of this matter? Well, it does to the people in the Crimea and  
in Ukraine.

215 Do sanctions help? I know again there is a view that sanctions achieve very little. I do not  
think that is true. I think it is very evident that sanctions applied to Russia are affecting their  
modest economy. Whether they will be successful, who can say?

220 Do they cause collateral damage? Yes, of course they do. Economic sanctions always,  
unfortunately, affect people beyond those responsible for unacceptable policies. On the other  
hand, I suspect being affected by a sanction which increases prices is rather preferable to a  
sanction which involves bombs and other means of lethal destruction.

It is very easy to say it is not our problem, but we are one world, one very small world, and I  
believe that this is again a measure which we have to pass as part of the responsibilities as a  
Crown Dependency. So I would recommend that we have this measure, that we do not turn our  
face away from those who breach treaties and see force of arms as a way of resolving matters,



225 even though we may have done so ourselves in the past. How far back do we go on legitimacy?  
Do we go back 50 years? Do we go back 500 years? Do we go back 2,000 years? The fact of the  
matter is the human race hopefully moves on, civilisation does gradually improve – despite the  
cynics' views – and settling matters by force of arms is not an acceptable practice.

I ask Members to endorse this amendment.

230

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

Mrs Paris, I believe you wish to second this.

**Mrs Paris:** I do.

235 Your Excellency, Mr President and fellow States Members, we are being asked again to  
implement sanctions; this time as an EU response to the illegal annexation of Crimea and  
Sevastopol.

I know many of us consider this is not relevant to us. We consider ourselves maybe too small  
and remote from many of the worrying developments there are in the world for it to matter  
240 whether we take a view or not, but a look at our own history and our own history within living  
memory shows that even we were not safe from the territorial ambitions of an aggressive  
nearby country. Surely we must have some fellow feeling for what is going on in the Ukraine.

I think, however little or poorly it works, jaw-jaw has to be preferable to war-war and we  
should stand shoulder to shoulder with Europe's democracies to show our disapproval of  
245 Russia's actions. How can we do otherwise? As I said the last time we had a problem here with  
Russia and with Ukraine, never send for whom the bell tolls; it tolls for all of us.

**The President:** Thank you, Mrs Paris.

Does any other Member wish to speak on Item IV – in a succinct manner?

250

Mr McDowall.

**Mr McDowall:** Yes.

Your Excellency, Mr President, ladies and gentlemen, this particular Item adds ships – I  
assume cruise ships – to the sanctions. It is quite interesting, because I am sure Mr Putin will be  
255 quaking in his boots at this as much as he is with Mr Juncker's threat of a European army, but  
the fact is that Russia is building up its fleet in this area and it does not want too many ships  
cluttering up the port, frankly. The other way round this is, of course, that the ships moor in the  
bay and launches come from Sevastopol to pick the people up to take them in – simple as that.  
So this is another futile, useless piece of sanction.

260

I shall be voting against. Thank you.

**The President:** Thank you, Mr McDowall.

Mr McKinley, I believe you wish to say something on this.

265 **Mr McKinley:** Your Excellency, Mr President, actually, one thing I meant to say in the  
previous Item, which is relative to this also, is that a frequent visitor to Alderney and a member  
of my regiment, called Tim Taylor, was actually killed in Oman, on the Yemen-Oman border, in  
1972. His sister and her husband have a house here in the High Street, so there is an Alderney  
link to some of these people who die in these dreadful countries – they are not dreadful  
270 countries; it is just they are dreadful regimes that run them – and so I will support this.

**The President:** Thank you, Mr McKinley.

Does any other Member wish to comment on this Item?

Mr Birmingham.

275

**Mr Birmingham:** Thank you.

Mr President, your Excellency and fellow States Members, I had the privilege of proposing the original restrictive measures Bill at the September States meeting last year and I would just like to continue to express my support for continued sanctions against those responsible for the dangerous and internationally illegitimate actions that have occurred in the whole region of the eastern Ukraine.

At the September meeting Mr Simonet joked about keeping an eye out for men with snow on their boots, I seem to remember. It seems, as it turns out, it is not men with snow on their boots we need to be concerned about, but it might be bears in the air.

**The President:** Does any other Member wish to comment?

Mr Roberts.

**Mr Roberts:** Yes. I would just like to support Mr McDowall on this. We are such a small community that we would make no difference here. Crimea was annexed but there was not a lot of opposition when Crimea was annexed. They feel a great affinity towards the Russian side. If you had had an election in the Crimea on which way they wanted to go, I have no doubt that they would have voted to go with Russia. This is a European view that they do not like it, because it is the Ukraine. In my view, Crimea, if you had asked them for an election, would have voted to stay on the Russian side. It is just a view. I will not be supporting this matter.

**The President:** Thank you, Mr Roberts.

Does any other Member wish speak on Item IV?

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

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

An interesting and hopefully relatively brief debate – serious to those who are concerned about world affairs. I am not convinced that the size of a government in any way reduces its moral responsibility and authority to make the right decisions, whether the oligarchs are quivering in their boots or not.

Again, all I can say is I recommend this to the Members. Thank you.

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

Madam Greffier, would you put this to the vote, please.

*A vote was taken and the results were as follows:*

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Mr Tugby	Mr McDowall	None
Mr Birmingham	Mr Roberts	
Mr Jean		
Mr Harvey		
Mr Simonet		
Mr Rowley		
Mrs Paris		
Mr McKinley		

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

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

**V. Lager Sylt –  
Legal protection of site –  
Item approved**

*Item V.*

*The States of Alderney is asked:*

315 *to debate the matter of the legal protection of the area of land containing Lager Sylt and  
resolve to direct the BDCC to undertake those measures that the BDCC deems necessary to  
seek such legal protection.*

**The President:** Can we move on to Item V, please.

320

**The Greffier:** Sir, Item V is the Lager Sylt proposal. The States is asked to debate the matter of the legal protection of the area of land containing Lager Sylt and resolve to direct the BDCC to undertake those measures that the BDCC deems necessary to seek such legal protection.

325 **The President:** Thank you very much, Madam Greffier.  
Mr Rowley, as Convener, I believe you have something to say on this.

**Mr Rowley:** I do, sir, yes. Hopefully, I have got the right one!

Your Excellency, Mr President, there were a number of observations about this.

330 There was a written question in the part two section which asked for the land title references for the site of Lager Sylt, and these were... There were quite a number of them, so I will not read them out but they were identified by Mr Birmingham.

335 There was another question, which asked whether the Committee had invited representations regarding the registration of Lager Sylt as a conservation area under section 48 of the Law, and it was answered that the request for representations is part of the process specified in the 2002 Law. That takes place once the States agrees to the process going forward. That decision is the point of the debate. It was further pointed out that all this information is available on the planning board for the public.

340 There was a further query: can the owners of the land be named? It was pointed out that this information is actually available in the court office but is immaterial at present.

Another one: why isn't there a plan of the area included in the Billet, as not everyone understands the reference numbers? It was clarified that all the relevant information is available on the planning board at the planning office. The principle of protection is to be established first.

345 And then, finally, it was asked how did Lager Sylt become an issue for protection – was it through the States or was it an initiative from another party? It was clarified that the stimulus came from outside the States.

That was it.

**The President:** Thank you very much, Mr Rowley.

350 Mr Birmingham, I believe you wish to propose this.

**Mr Birmingham:** Thank you very much.

355 Mr President, your Excellency and fellow States Members, one of the roles of the BDCC, under its operation of the Building and Development Control Law 2002, is the protection of the Island's archaeological, historical and cultural heritage. Part 7 of the Law, which is entitled 'Historic buildings & ancient monuments', was originally adopted by the Island in 1989 and now forms part of the 2002 consolidated Law. In part 7, section 46 of the Law, under 'Registration of conservation areas' it states:

'If the Committee is of the opinion that any area is an area of special historic or architectural interest the character or appearance of which it is desirable as a matter of public importance to preserve or enhance, the Committee may, subject to the provisions of section 48, designate the area as a conservation area and direct that it be registered as such in the Register of Historic Buildings by the Clerk of the States, and the Clerk of the States shall thereupon make such entry in the Register of Historic Buildings with respect to the area so designated as the Committee thinks fit.'

360 Any area, once registered for conservation, is automatically afforded additional protection, under the 2002 Law, from two specific sections, those being section 8, which is entitled 'Additional matters to be taken into account in relation to historic buildings and conservation areas' and section 9, which is entitled 'Special conditions in relation to historic buildings and conservation areas'.

365 The Committee can also seek protection for an area through the Land Use Plan reviews process by seeking specific zoning, such as protected areas status, and this process takes place at least once every five years and is due to take place again in 2016.

370 At its meeting on 3rd February the BDCC discussed the matter of the former Second World War slave labour camp known as Lager Sylt. This had been prompted by discussions about the former camp at the January meeting of the Policy and Finance Committee standing from recent representations made to States Members by members of the public regarding the site's historical significance. Those discussions were based on the available information regarding Lager Sylt but were fundamentally based on the documented facts. These are: that Lager Sylt was operated and run by the SS-Baubrigade I between 1943 and 1944; that administratively it was a sub-camp of the Neuengamme concentration camp near Hamburg; and that a significant  
375 number of slave labourers lost their lives while inmates of the camp. One fundamental factor is undisputable: Lager Sylt is the site of the only Nazi concentration camp ever established on British soil. In the view of the Committee, this in itself is enough to meet the criteria of a site of special historic interest under section 46 of the Law.

380 The BDCC has the power, under the mandate given to it by the full States under the 2002 Building Development Control Law, to seek conservation status without reference to the full States. This means that the decision to conserve the site will therefore be taken in committee. However, this meant that the BDCC were unable to take into account the views of the public or the views of the other Members of the States, as they had not had a forum in which to express them. Therefore, the BDCC agreed that the matter should be put on the Billet for debate at the  
385 full States, as is allowed under the rules of procedure. The Committee was of the opinion that, as this was a matter that could be of significant public interest and a potentially very emotive matter, it deserved such a forum for discussion. Also, this allowed for the matter to be addressed by any member of the public who wished to speak on the issue at the People's Meeting, a route that would not otherwise have been open.

390 Furthermore, by asking for a resolution of all the States Members, the Committee would be able to better assess the level of support for the principle of seeking extra protection, but it has to be well understood that the outcome of any resolution, either in support of or against, is not binding on the BDCC, who have the final authority to act on this matter granted to them by the 2002 Building and Development Control Law. It was felt that by acting in this way it would allow  
395 the Committee to establish the level of consensus on the principle of seeking protection for Lager Sylt before the Committee commenced upon the actual process of seeking registration of the area under sections 45, 48, 49 and 50 of the 2002 Law. The process for registering a site as a conservation area is clearly laid out in that Law.

400 The purpose of this evening's debate is to agree on the principle behind seeking extra protection for the site under the planning law and the level of that support. The BDCC is not asking for new powers or authority over or above those already granted to it. This Item is there to gain the views and opinions of the other States Members and to also gain that feedback from the public.

405 In my view, Lager Sylt clearly meets the criteria for extra protection under the Law and I  
await the views of my fellow Members with interest. I hope that they agree with my belief that it  
is the right course of action to undertake measures to protect this historically significant site,  
one that not only is unique to Alderney but is of national, if not international, importance.

**The President:** Thank you, Mr Birmingham.

410 Mr Roberts, I believe you wish to second this.

**Mr Roberts:** Yes, I would like to second this, Mr President.

Thank you, Mr Birmingham, for your detailed explanation for the BDCC and what we are  
seeking. Something as important as this should be decided by us all, and I am very glad tonight.

415 This legislation we seek is to protect something that is now as important as the Roman  
Nunnery, the forts around Alderney, the green belt – and now Lager Sylt. It was the only SS-run  
camp on British soil. Lager Sylt may very well one day be recognised and awarded status as a  
European heritage site, and in my view it will be. It really is that important and is not only  
unique in Channel Islands history, but Great British and European history too. It is totally unique  
420 within the Islands and Great Britain, totally unique.

Many different views are held on what happened here and we are all entitled to our different  
view, as we all recognise. The truth is not for one of us. We will not know the facts until the  
British open their files in 2045. That is when we will know the real truth.

425 Reports show that one third of the camp's unfortunates lost their lives in the SS takeover in  
1943, according to surviving POWs. That is approximately 333 men in three months. Before the  
SS left, they burned it to the ground. I do not seek to sensationalise Camps Hill, neither do my  
colleagues; I do not need to capitalise either. All I seek is an honest memorial to those men and  
women who died there. My parents, my grandparents and my great grandparents all left on the  
430 boats, never to imagine what was to be done in their absence or to have any power whatsoever  
on the outcome. At this moment, this Bill is just to afford the full protection that it so rightly  
deserves for the memory of those poor souls who lost their lives so far from home. They stood  
with us against the Nazis in World War II, which is right and very just in this 70th-year  
anniversary.

435 I urge all the States to support this and the BDCC, and protect this unique part of our history  
in the name of compassion and sympathy. It is time and it is long overdue. Thank you.

**The President:** Thank you, Mr Roberts.

Does any other Member wish to speak on Item V?

Mr Jean.

440

**Mr Jean:** I would like to say, your Excellency, sir, fellow States Members, that this is hurrying,  
or jumping the gun a bit for me. I am just a bit concerned about this, that we could have waited  
until the Land Use Plan.

445 I also wonder... There are several land owners involved. To me the significance of the camp is  
of great importance, but also I am mindful of people's opinions and I would like to know was  
there any consultation with the landowners – were they included in this? I actually believe it  
would have been possible for us to have a consultation with them and bring them with us, on  
board on this project, and do it perhaps in a more complete way through the Land Use Plan. I  
know you have the powers through your Law to do this, but I still feel the correct way to have  
450 done this was to give those people... I know they could have come to the People's Meeting as  
well, I accept that; but we have seen one letter in one of our publications which was not very  
happy about it, and what I am wanting to know is if the Building and Development Committee  
did have any consultation with these landowners – I think there are some five or six of them;  
there may be more – and what that consultation yielded. I think that would be a very interesting  
455 start for me on this project.

I just also would add that I feel it should have been done under the Land Use Plan, because it really is not that far away.

I am not trying destabilise this, but there is also a certain amount of protection by the fact that the land itself is in the green belt.

460

**A Member:** Yes, it's true.

**Mr Jean:** So this could have actually been taken ahead to the Land Use inquiry, where perhaps the landowners might feel that they were better able to give recorded representation and make their views known to the States of Alderney.

465

Thank you.

**The President:** Thank you, Mr Jean.

Does any other Member wish to speak on this?

470

I will take you, Mr Harvey, first.

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

I certainly agree with those Members who identify in the former Camp Sylt something of unique and special interest, something about which we probably do not really know enough. Some might prefer it that we did not know any more about it.

475

I am slightly puzzled on a couple of issues and I am hoping that my colleague, Mr Birmingham, can clarify these in his summing up. I too wonder why there is the urgency to act on this now rather than wait for the Land Use Plan. Is there some perceived threat to the site? And what special protection do sections 8 and 9, if I have them correctly, confer upon the site? It has been there for 70 years, or thereabouts. Is there a particular reason we need to decide on this urgently at the moment? Perhaps we could get some clarification on those matters.

480

That the site should be protected in some way I am totally in agreement with; it is just the best mechanism to achieve it.

485

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

Mr McKinley.

**Mr McKinley:** Your Excellency, Mr President, my question is really for Mr Birmingham. Has the site been declared a site of historic significance? If it has, then it is already registered as a protected site and it should be registered therefore in the Register of Historic Buildings held by the Greffier. If it has not been registered as a site of historical importance, then that is the first step. I think, hopefully, that will stop... We are not talking really about further building. We know it is on the green belt and I take fellow States Members' views on that: it is on the green belt and it is already protected from further building. I think what we are actually looking at is protection from further destruction, and that is the point that I would like to make, Mr President.

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495

**The President:** Thank you very much, Mr McKinley.

Does any other Member wish to speak on this?

500

Mr Tugby.

**Mr Tugby:** Your Excellency, President and fellow States Members, no matter how long I am in the States, the States never cease to amaze me with some of these things that they bring forward.

505

Here we are in an Island which is having great financial problems at the moment and crying out for some clear leadership in the way we are going, and the only thing – it is three months into the year – we can bring to the States is protecting somewhere which has not had any

510 protection in the previous 70 years. All that is there is a concrete trough and a load of bramble bushes. There is nothing – no other buildings, nothing – and here we are debating whether we need to protect it even more.

The Building Committee has even got the authority already to stop any development there, and they are coming to the States wanting more authority. That is one of the problems with the Building Committees over the years: they keep bringing more and more laws into Alderney, and regulations, just holding Alderney back half the time because that is what that Committee... I have blamed the Committee over the years partly for the recession in Alderney, but no doubt some fellow States Members will not agree with this.

520 I do not suppose many States Members have taken into account that it is bordering on to the Airport. Every year, the CAA come over and it is their job to find faults, and each year they extend the width of the runways on a regular basis. They were here the day before yesterday – no, yesterday, in fact – looking what they could bring in next, what rules and regulations. If we make it a historical site and nothing can happen on it, what happens if they come and say, ‘Oh we’re going to extend the width of the runway again’, which they do on a regular basis? You have only got to think how much they have extended the width in the last 40 years. Every time they come, they find something; that is their job. If they do not find any problems they are unemployed, basically, so you can guarantee they will find something.

525 If there were buildings or something there worth conserving I might have a different opinion on it; but there is nothing, apart from a broken old wash trough, I presume it was, and a load of brambles. Nobody has built on it in 70-odd years, and they are not likely to, I shouldn’t imagine, with this present States or any States in future, and you would not be allowed to build next to the Airport anyway. So why on earth, with all the things we need to be doing in this Island, can’t we bring anything more important to this States, in the third month of the year, than this? It is unbelievable! I am sorry, sir, if it seems as though I am wasting my time on these things

535 **The President:** Thank you, Mr Tugby.  
Mr Rowley.

**Mr Rowley:** Yes. Your Excellency, Mr President, I would just like to say it seems to me that really what we are doing is formally recognising the importance of the site, rather than anything else; and as Mr McKinley said, the need would be really to prevent any further destruction rather than prevent people building on it, which they, of course, cannot do. So it is really just about formal recognition.

Thank you.

545 **The President:** Thank you, Mr Rowley.  
Does any other Member wish to speak on this?

**The President:** Mr Roberts

550 **Mr Roberts:** I would just like to remind the House that this is not costing Alderney any money.

**The President:** Is that a point of order, Mr Roberts?

555 **Mr Roberts:** No. I do not quite understand what you are saying, Mr President.

**The President:** I am saying that you have already spoken when you seconded –

**Mr Roberts:** Absolutely, okay.

560 **The President:** – and you are only allowed to speak once, unless you are bringing new information.

**Mr Roberts:** Fine, absolutely. Point of order.

565 **The President:** Thank you.

**Mr Roberts:** This is not actually costing the States of Alderney any money at this moment in time, so whatever we are bringing forward I believe this is a very good thing. We have brought many other things that have come to the table. I do not think it is a waste of time. I think it is long overdue –

**The President:** Mr Roberts, you have made your point about the money. You have already had your chance to speak on this subject.

575 **Mr Roberts:** Alright, thank you.

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

Does any other Member wish to speak on this subject? No.

Mr Birmingham, I believe you have got a bit of summing up to do.

580

**Mr Birmingham:** Yes, it looks as though I do.

Hopefully I have tracked everybody's points that they have made, so if I do miss any please pull me up.

585 Firstly, some of Mr Jean's questions and points. Did we undertake consultation with the landowners before this? No, we did not. Part of the actual registration process though, written in the Law, does say that we have to undertake that consultation process. My feeling was that trying to establish the principle first was a good starting point to then go into the process, but I appreciate your views that perhaps there could have been another route that we could have taken by discussion with the landowners.

590 You also mentioned the Land Use Plan. Well, I am very interested, actually, that your view is that perhaps we should take the Land Use Plan route, and in fact that is part of the reason of having the debate – to see whether the conservation area status route is the right one, or perhaps the Land Use Plan might be a better one. They both have positives in terms of the protection status that they bring.

595 I think I can quickly come on to the question from Mr McKinley relating to sections 8 and 9. Sorry, it was Mr Harvey's question: is there anything specific in there? What it does do is it does have some extra protection based around digging of the site and excavation of it, so that does allow for some extra protection, protecting some of the parts of the site that are there that are not necessarily on the surface. I clarify it again: we are not seeking any extra authority at all. The authority is already there within the Law for us to take it forward.

600 I have to say to Mr Tugby that I think there is a little bit more there than just the trough. I think some of us who have actually seen the site realise that there is a substantial amount there that is a little more than just one single item; and in fact, although the site still is quite wild, there is certainly a lot more there than just the trough.

605 I have dealt with the issue of what is in sections 8 and 9. I think I have covered all the points that were brought up by the debate.

610 As I have said, this was, for me, the whole point of having a debate – to actually test the water with the States Members, to see their thoughts, and maybe that can assist the BDCC in going forward. So I would sum up and say it is my belief that we should take certain protections and the BDCC can take your views and the views of the public back and consider them.



**Mr Jean:** On a point of order, sir –

**The President:** Point of order, yes.

615

**Mr Jean:** Can I ask that... in the explanation from the Chairman of Building and Development as regards the Land Use Plan and that he agrees with the principle of it going towards the Land Use Plan, if I were to vote in support of this because of my concerns does that mean that that is the route that you would now be recommending that your Committee take?

620

**The President:** You may answer that.

**Mr Birmingham:** My view had been that actually I was looking at possibly covering both routes because there are certain protections, as I have already mentioned, that are specific to the conservation area under sections 8 and 9, particularly towards excavation.

625

Currently, protected area status is very specific under the Land Use Plan, but obviously, as you will be aware, we are planning towards implementation of some of the Arup proposals, and part of that process is going to roll into the Land Use Plan undoubtedly, where we will be looking at some of the definitions of the zonings and maybe the wordings that apply to them. So it may well be that changing some of those wordings – which obviously would then be part of the consultation process of the Land Use Plan and would also obviously then come back to full States for adoption – might be another method.

630

As I said, all we can do is take the views of the debate and go back and discuss them in committee. I could not say definitely to you that the Land Use Plan route will be the one that we favour ahead of the conservation route.

635

**Mr Jean:** I will have to vote against.

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

640

**The Greffier:** Mr McKinley, sir.

**Mr McKinley:** Could I just to raise one point of order, please, Mr President?

645

**The President:** Yes – are you quite clear about what these points of order are? Because we are stretching them very much at the moment. But, pray, rise and if you have a correct point of order then make it.

650

**Mr McKinley:** All I would like, Mr President, is an answer to the question I asked Mr Birmingham –

**Mr Birmingham:** Did I miss one?

655

**The President:** Absolutely fine.

**Mr McKinley:** – which was: has the site been declared a site of historic significance; and if such, is it registered in the courts?

660

**The President:** Yes, fine.

**Mr Birmingham:** No, it is not. There are only currently, on the Historic Buildings Register, two German structures as far as I am aware, which are the Odeon and the Water Tower. Other than that, no it is not.

665

**The President:** Thank you.

**Mr McKinley:** Could I therefore suggest that consideration be given to it being given that status before we go any further?

670

**The President:** That is the end of the debate.  
Madam Greffier, if you would take that to the vote, please.

*A vote was taken and the results were as follows:*

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Mr Simonet	Mr Tugby	None
Mr McDowall	Mr Jean	
Mr Rowley		
Mr Roberts		
Mrs Paris		
Mr McKinley		
Mr Birmingham		
Mr Harvey		

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

675

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

## **VI. Questions and Reports – Civil Service Restructure**

*Item VI.*

*A report entitled 'Civil Service Restructure' has been received from Mr Harvey, Chairman of the Policy and Finance Committee.*

**The President:** If we can move on to the next Item, please, Madam Greffier.

**The Greffier:** Sir, that is Questions and Reports.  
We have received one report, from Mr Harvey.

680

**The President:** Thank you very much.  
Mr Rowley, as Convener, were there any comments on this at the People's Meeting?

**Mr Rowley:** No, there were not, sir.

685

**The President:** Thank you very much indeed.  
Mr Harvey, do you wish to present your report?

**Mr Harvey:** Thank you, sir. I will try and keep this fairly brief.

690

**Mr Rowley:** Excuse me, sir. Sorry, there was, actually. I beg your pardon.

There was a comment that Questions and Reports are never used and this is the first time in four years. The Convener advised that Questions and Reports have been included in the Billet during this period, which has since been confirmed.

695 It was queried how much the restructuring would cost. This was a query about the report. The chief executive confirmed that the exercise is cost neutral.  
Sorry, I had missed that.

**The President:** Thank you.

700 Mr Harvey, sorry. If you would, pray, continue.

**Mr Harvey:** Thank you, sir. As I said, I will try and keep this fairly brief.

This is regarding the Civil Service restructure and I will read some elements of the report:

‘The States civil service is a small team covering the whole range of government functions. The breadth is therefore very wide although proportionate to the size of the island and a limited budget. Leadership and management capacity rests with a small number of individuals who are often distracted from strategic issues due to the concentration on minor operational issues.’

705 There are two elements to the restructure, interrelated: the culture of the Civil Service and the structure.

‘Recent reviews of States Works and the Harbour have resulted in structural changes and efficiencies in both areas. It was clear from both reviews that challenge to the status quo was not evident and the same disciplines now needed to be applied to the civil service.

Detailed research for the review was undertaken by Stephen Taylor who has recent experience of the civil service. As part of the review, Stephen has taken the opportunity to discuss issues with most staff within the civil service and representatives from all teams.

There are a range of key issues that have emerged from this review. They are largely cultural and organisational issues that require capacity and leadership to address them which has not previously been available.

In order to address the issues raised it is proposed to move to a revised and leaner structure with amended roles and responsibilities, with this process being made possible from within the existing financial resources.’

I think that last item is something that does respond to issues raised in the People’s Meeting: within existing financial resources.

There is a structure chart there. There are still some posts to be filled, but I think the structure chart sets out fairly clearly where the Civil Service is trying to get to.

710 I commend this report to you and ask that it be added to the deliberations.

**The President:** Thank you very much, Mr Harvey.

As this is a report, it is not open for debate but Members may ask a question of Mr Harvey on his report if they wish to. Does anybody wish to address questions to Mr Harvey?

715 In that case – we have no questions – Madam Greffier, if you would move to close the meeting, please.

**The Greffier:** Sir

**PRAYERS**  
*The Greffier*

*The Assembly adjourned at 6.20 p.m.*