

Chief Pleas – Wed 13 September 2017

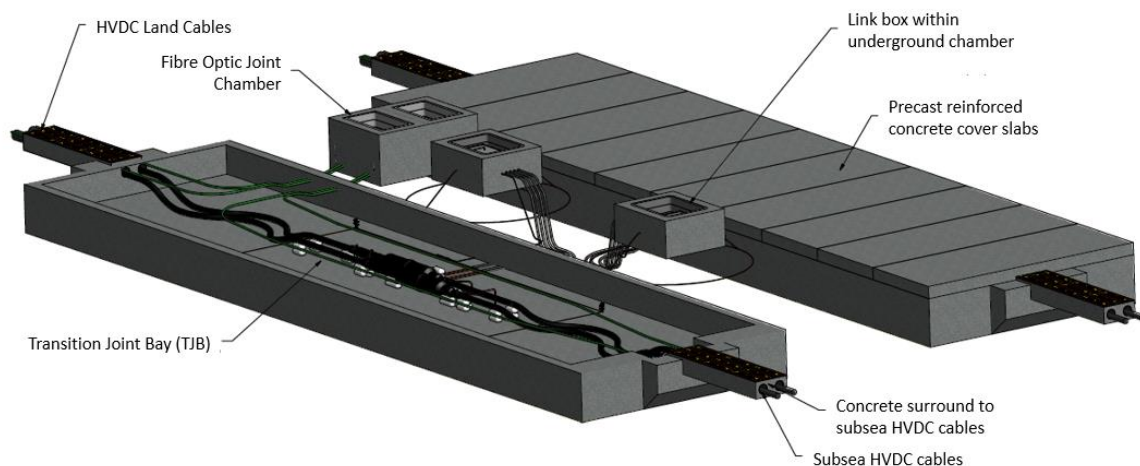
Questions FABLink have answered

6 What will be the permanent visual impact of the cable coming over the Island? Please be specific – and include any infrastructure needed for security around jointing pits.

The project will use four (two pairs of two) high voltage direct current (HVDC) cables which when installed will be entirely underground with no permanent visual impact.

The offshore and onshore cable circuits will be joined together on the landward side of the sea defences/beach in an underground Transition Joint Bay (TJB). The TJB is installed to a depth of up to 3m below ground level, constructed of reinforced concrete which will be sealed and backfilled with original top soil/sand as it will not be necessary to access the cable joints. It is likely that a total of two TJBs will be required for each landfall spaced approximately 5m apart, each containing two cables and measuring approximately 15m x 2m (see below indicative diagram). The only evidence on the surface will be up to 4 surface flush manhole covers at each landfall to access underground link boxes and fibre joint boxes similar in appearance to other buried services on the island.

In addition to the TJBs, an additional underground chamber will house a cable monitoring system and fibre optic control communication system. This underground chamber will be located within the cable easement corridor and is likely to be located at the Corblets Bay landfall.



7 Have FAB made, or are they incorporating into their project, arrangements for supervising/monitoring the engineering work throughout the construction phase and thereafter during the operational period of the cable? Will FAB be able to ensure that the needs of the SoA will be incorporated into such arrangements?

During construction, the project will be managed and supervised by both FAB Link Limited and the main construction contractor.

During operation, the cables will require no supervision and can be left alone. Monitoring of the onshore and offshore cables during the operational period would be undertaken by the automatic monitoring system (see response to question 6), together with annual inspections and surveys in the preliminary operational years which may reduce in frequency depending on the outcome of the inspections.

As landowner, the States of Alderney have comprehensive controls in place by means of the signed Option Agreement which requires approval by the States of Alderney of the project specifications in accordance with good industry practice prior to the commencement of any works.

As the planning authority, it is anticipated that the States of Alderney will incorporate pre-construction approvals of relevant methods statements, risk assessments, construction environmental management plans and work programmes in accordance with good industry practice into any planning permission for the cables.

9 It has been stated that there will be a fibre optic cable for the island, can FAB explain how this works, who will be the service provider in France (is there already an agreement and if so with whom is it with) and has an operator be appointed to deliver it to Alderney? If so, can you provide the name of the operator?

The fibre optic cable will have dedicated fibres allocated for use by the Island. These fibres will be split from the fibre cable/bundle within the fibre joint box or the fibre optic control communication system. From this "break out" of the fibres they can be connected to island communication equipment for distribution of appropriate services.

ARE have been involved in discussions with various potential partners, local and international, about the best way to develop this opportunity in the context of Alderney's regulatory and commercial framework.

ARE will commit to the following:

- Fibre optic capacity will be made available to telecoms operators on the island.
- Telecoms operators (who will be responsible for delivering this service to islanders) will not be able to charge more than prices prevailing in Guernsey and Jersey.
- If ARE is unable to make the business case happen within 5 years of FAB being operational it will assign its Fibre Optic rights directly to the States of Alderney.

10 Can FAB provide the States of Alderney with a specification for the fibre optic cable and a guarantee that it will be provided and laid to all homes and businesses and over what timeframe?

The specification for the fibre optic cable is for a single mode fibre system with 48 fibres which will be bundled to each pair of HVDC cables. For each single mode fibre system, up to 10 fibres will be used for the purposes of monitoring and communicating information for the FAB Link Project, resulting in 38 redundant fibres. The final specification will be confirmed upon selection of the preferred supplier.

It will be for local telecom operators to provide the connection from the FAB fibre optic cables to homes and businesses on the island. If these arrangements are not agreed within 5 years of FAB being operational, ARE will assign these rights to the States of Alderney. Timing of when these connections would be available will be determined by these operators.

11 Who will undertake and fund the works required to get the fibre optic to homes and businesses on the island and how soon after the completion of the cable will this happen?

The funding for the use of the fibre optics that are laid as part of the FAB Link Project are the responsibility of ARE. Funding and providing the local infrastructure will be the responsibility of local telecom operators who already operate on the island network. Access to the FAB fibre optic cable should be available shortly after the commissioning of the FAB Link Project.

13 What additional infrastructure will be needed to accommodate the fibre optic cable, where will it be located and how will the broadband be connected to local homes & business premises? What provision is being made to ensure continuous operation of the service? And whose responsibility will be the maintenance and operation of the main and ancillary infrastructure.

Very limited infrastructure will be needed and this would most probably be accommodated at one of the local telecoms sites. Adding to the existing fibre optic network on the island will also be required. Provision, operation and maintenance of this and all other infrastructure would be the responsibility of the local telecoms operator.

14 Will there be cheaper priced electricity for the island from the FABlink? If so, when will this happen and can it be guaranteed?

The primary purpose of the FAB Link Project is to construct an electricity interconnector linking the national grids of Britain and France. The cables will carry high voltage direct current (HVDC) which cannot be used in homes and offices as they use a lower voltage alternating current (230V AC).

Converter stations will be built in the UK and France to convert this HVDC into high voltage alternating current (HVAC) which will then be fed into existing substations. The voltage will then be lowered in steps through the electricity distribution system to the 230V used in our homes and offices.

In order for the Island to take advantage of the electricity transmitted through the HVDC cables, Alderney would need its own dedicated converter station, which would only be viable as part of any future tidal power development, which is a long term opportunity provided by the FAB Link Project.

15 It has been stated that FAB will create 100s of jobs. Please can you clarify and provide more information on the types and numbers of jobs likely to be created for local people – such to be separated into temporary construction labour and permanent additional jobs – can you also estimate for both categories the numbers of imported positions and the numbers likely to be available to current residents.

Does FAB believe Alderney has the local labour that is sufficiently skilled and experienced for the tasks required?

The FAB Link Project as a whole across the UK, Alderney and France will create hundreds of jobs. However, the relatively small scale of the development in Alderney means that the proportionate numbers for Alderney will be much smaller than in other jurisdictions. Subject to appointment of preferred construction contractor, the economic benefits of the project will be predominantly during construction with opportunities for qualified machine operators, fencing works, landscaping works and reinstatement as well as indirect benefits for the harbour and providers of temporary accommodation.

A more detailed analysis of employment opportunities will be provided during pre-application discussions with the Alderney Planning Department and as part of any planning application.

16 How long will the construction workforce be on the Island and where will they be housed?

The construction workforce of approximately 20-40 persons will be on the Island for approximately 18 months works which may be broken into discrete working periods due to operational and seasonal considerations/constraints.

The construction contractors have fully recognised the limitations of accommodation on the Island. In addition to the local hotels / B&Bs, options being considered include renting of suitable housing and floating accommodation based within the harbour.

A more detailed analysis of accommodation options will be provided during pre-application discussions with the Alderney Planning Department and as part of any planning application.

20 What are the health and safety implications of the cable – is this covered by European, UK or Alderney laws?

A Code of Construction Practice (CoCP) and Construction Environmental Management Plan (CEMP) will be issued to the States of Alderney for approval prior to commencement of any construction activities. These documents provide a framework of key measures for managing the potential health, safety and environmental impacts of constructing the components of the FAB project that all construction staff will be required to follow. They will cover the aspects of the project's construction phase that may affect the interests of local residents, businesses, the general public and other sensitive receptors in the vicinity of the construction site. They will set out the standards to be implemented throughout the construction process and can be controlled by the use of conditions imposed on any grant of planning permission.

In respect of Electric and Magnetic Fields (EMF), the FAB Link Project cables will have a metallic sheath which will completely contain any electric fields. There will therefore be no impact on human health or the environment from electric fields from the cables.

Magnetic fields are all around us, and are measured in units called micro-Teslas (μT). The Earth itself has a magnetic field which varies between 70 μT at the poles and 30 μT at the equator. In the UK it is around 40 μT .

Internationally accepted guidelines (International Commission on Non-Ionizing Radiation Protection, 1994, 1998, 2009 and 2010) say the maximum level people should be exposed to is 500 μT . In normal operation, the FAB Link Project cables will result in levels of around 20 μT above the cables, so similar to the natural magnetic field all around us. These levels decrease rapidly as the distance from the cables increases (3 μT at 5m from the cables, and 2 μT at 10 m).

The levels of EMFs from the proposed development would be well below the guideline public exposure reference levels set to protect health. The World Health Organisation's website provides further information on EMFs: http://www.who.int/topics/electromagnetic_fields/en/

Mitigation for noise from construction activities would be controlled by following industry best practice such as British Standard BS 5228-1:2009+A1:2014 or equivalent standard that may be imposed through planning condition by the Alderney Planning Department.

21 Medical services on the Island are already under strain. How much extra pressure is likely to be placed on them. Given there is already a distinct lack of medivac flights will FAB provide cover for the workers independently of the Bailiwick care provision?

The main construction contractor will be working to the highest Health, Safety and Environmental standards with the primary objective to manage all its activities and operations in a responsible manner that protects the health and safety of its employees, contractors and public in order to minimise any potential impacts on the environment. Emergency Response Plans, Evacuation Plans and Medivac Plans are standard systems that will be in place for projects of this nature and will take into consideration the existing facilities in the Channel Islands to ensure appropriate procedures will be in place in the unlikely event of a medical emergency.

22 Can FAB indicate the negative economic impacts of FAB whilst it is in construction and have these been costed? And if not, why not?

No negative economic impacts have been costed. It is for the Alderney Planning Department to determine if such an assessment would be required to accompany the planning application for a project that will be of strategic importance to the economy of the Island.

23 Has FAB considered the safeguards needed for accessibility of private homes and businesses affected during the works and has FAB any plans to compensate those affected by loss of tourism business, loss of use of beaches, congestion and wear and tear on island infrastructure?

Industry standard best practice procedures and measures to ensure any impacts are minimised have been considered and will be set out in the draft application documents that will be discussed with the States of Alderney and their advisors during pre-application discussions. Access to all private homes and businesses will be maintained at all times. It would be expected that, where applicable, these will be transposed into planning conditions to ensure any temporary disruption to businesses and residents will be minimised and mitigated according to industry best practice procedures. FAB Link have no plans for compensation.

24 How many extra vehicles, particularly trucks, are likely to be on the Island during construction? What other heavy equipment will be imported, and what assurance do we have that it will be removed?

Detailed assessment of traffic types and movements will be provided during pre-application discussions with the Alderney Planning Department and as part of any planning application.

Specialist vehicles and any heavy equipment required by contractors would need to be imported and would be removed from the Island for use in other construction projects. Some smaller vehicles may also need to be imported to ensure there is no constraint on island capabilities. The main construction contractor would also investigate the possibility of using smaller size excavators and civils machines to minimise the logistics of import and export. It is anticipated that 5 x mixed goods vehicles, 5 x HGV's (HGV = Heavy Goods Vehicle), 4 x plant and 1 x HDD Rig (HDD = Horizontal Directional Drilling) would be a typical spread of vehicles.

It is proposed that part of Mannez Quarry be used as a temporary compound during construction in order to minimise the impact of storing these vehicles and equipment at both of the landfalls.

25 In order to get the very large and heavy equipment ashore, will this mean the use of Braye beach in any way? And if so, how and why?

The port facilities are being considered as the preferred route to import and export plant and machinery to the Island and, as such, selection of suitable equipment (e.g. smaller excavators) is being identified to suit the existing facilities.

If any equipment requires an alternative route to site (eg beach landing) the States of Alderney and the Harbour Authority will be fully consulted on any options.

26 Will any island roads need to be widened and has FAB assessed whether our existing roads can take the required heavy loads?

It is unlikely that any road widening or improvements will be required. If that requirement changes for any reason, the States of Alderney will be fully consulted on any options.

In any event, sufficient safeguards will be provided by means of planning conditions that will require the detailed works specification and programme to be approved prior to commencement of any construction.

27 What is the likely extent of noise and light pollution during laying of the cable and will the work be 24/7? If so will residents and businesses affected by these 24/7 works be compensated? And if so, how?

An assessment of likely impacts resulting from noise and light generated by construction activities will be provided during pre-application discussions with the Alderney Planning Department and as part of any planning application.

A draft assessment of construction noise effects was included in the Environmental Report issued for consultation in August 2016. Potential noise generating effects that were considered include HDD

drilling; cable duct installation and cable pull-in; transition joint bays; cable route civil engineering works and work site preparation.

Mitigation for noise from construction activities would be controlled by following industry best practice such as British Standard BS 5228-1:2009+A1:2014 or equivalent standard that may be imposed through planning condition by the Alderney Building and Development Control Committee.

Construction works will follow Best Practicable Means to minimise noise and vibration effects. Following the addition of appropriate mitigation measures, noise levels can be reduced to acceptable levels, which can be controlled by conditions imposed on any grant of planning permission.

A high level programme of works will be presented to the States of Alderney as part of the pre-application discussions. This will be followed by a detailed construction programme upon appointment of the preferred main construction contractor, which will be required as part of the pre-construction conditions of the option agreement and any planning permission that may be granted.

The working hours will be subject to discussions and agreement with the Alderney Planning Department to ensure they are satisfied that there will be no significant adverse impacts on local residents.

28 How will FAB get their workforce to the island? There are already insufficient seats on the airlines for residents, regular visitors and tourists and the island does not have a regular ferry service. Will FAB consider providing their own transport to and from the island?

Options to include transfer of construction personnel on the vessels that will be commissioned to transfer equipment to the Island are being considered. This would be managed by the main construction contractor to ensure that transportation of personnel is not having a negative impact on the availability of the current transportation options.

29 Have FAB considered the environmental impact both during construction and after completion, especially with regard to species like blond hedgehog and birdlife, and if so can they provide or will they be providing information?

Alderney Wildlife Trust Enterprises undertook an extensive 12-month study of flora and fauna to establish the ecological baseline of Longis Common. This included a Phase 1 habitat survey, Phase 2 species surveys for flora, breeding birds, wintering birds, bats, butterflies and other terrestrial invertebrates and water quality surveys within Longis Pond and Corblets Quarry/Reservoir. Any potential impact of the project during construction and operation could then be appraised against the specific ecological receptors, including the blond hedgehog and birdlife, identified along the cable route and those noted within a corridor of 500 m.

A range of mitigation measures has been identified, including avoidance of the better areas of habitat by aligning the route with an existing footpath, which has reduced the species diversity of the habitats in this location due to trampling, realigning the route to avoid the area of reed beds, and routing part of the cables along an existing road. Minimisation of land-take will also be achieved by maintaining a maximum working width for the onshore cable trenches of 5m in the coastal grassland habitats of Longis Common.

Methods of reinstatement will be used to ensure as much of the existing top-soils are carefully stored and segregated to ensure that each habitat is replaced in the appropriate location to allow regeneration.

The intertidal areas of both landfalls have also been surveyed by the Centre for Marine and Coastal Studies (CMACS) with common eelgrass (*Zostera marina*) identified up to the rocky edges of Raz Island and extending to a depth of 11m below sea level. In consultation with Alderney Wildlife Trust, we have proposed an exclusion zone to ensure that cable installation works do not result in significant impacts to this sensitive habitat.

A detailed assessment of potential environmental impacts will be provided during pre-application discussions with the Alderney Planning Department and as part of any planning application for the project.

30 What will happen to any war graves that are disturbed?

The route has been carefully selected to avoid all known sites of archaeological interest. Extensive research has been undertaken in association with the States of Alderney (who own the land), the Alderney Society, the States of Guernsey Cultural and Heritage Department, the Committee for the Preservation of Jewish Cemeteries in Europe, and JTrails (National Anglo-Jewish Heritage Trail) to determine the extent of the war graves on Longis Common which were extensively documented prior to their careful removal in the 1950s. As a precautionary measure, we have incorporated an additional 'no excavation' buffer area around the demarcated war grave sites which was recommended in the 2016 report from Professor Caroline Sturdy Colls at Staffordshire University.

As with any cable trenching in areas of previously known archaeological interest, an archaeological watching brief and management plan would be maintained during those parts of the construction programme that require ground clearance and excavation. All elements would be agreed with the Alderney Building and Development Control Committee before construction starts and this will include confirming procedures for dealing with any human remains in the unlikely event that they are found.

32. What is the timeframe of the project from beginning to end? Is 8-9 months realistic and what contingencies exist?

The construction workforce of approximately 20-40 persons will be on the Island for approximately 18 months which may be broken into discrete work periods due to operational and seasonal considerations/constraints.

33. In which month will the work begin and end?

A start and end date has not been confirmed, as the timetable for determination of the planning application has not yet been finalised. A high level programme of works will be presented to the States of Alderney as part of the pre-application discussions. This will be followed by a detailed construction programme upon appointment of the preferred construction contractor, which will be required as part of the pre-construction conditions of the option agreement and any planning permission that may be granted. No works will take place in July and August at the landfalls in Alderney.

Questions Answered by States of Alderney

1. a) Given that the changes proposed to the greenbelt law are so major, will the States consider a plebiscite vote on the changes to the greenbelt law?

Changes to the Building and Development Control Law are proceeding through the normal channels including appropriate public consultation.

The SoA team seeking to renegotiate the Commercial Option Agreement has not involved itself with, and does not wish to involve itself in, matters that are for BDCC.

b) Will the States consider giving a guarantee that the FABlink plebiscite vote will not take place until the consultation on the greenbelt issue has been completed and publicized?

The process to be followed for the holding of a plebiscite is set out in Item IX of the Billet D'Etat for the States Meeting held on 13 September 2017.

c) IF the FABlink plebiscite does happen, would the States agree to formulate the questions to include more than just what money we might receive?

The proposed question to be put at the plebiscite has not been finalised and will first have to be laid before the States of Alderney for approval.

2. Explain exactly why the cable has to come across the Island, especially if it is not linked to tidal power. What is the truth? We know they have not been trustworthy in other areas so how do we know the facts provided by FAB are genuine and trustworthy?

It is understood that FABlink has commercial and licence agreements with organisations in the UK, France however the States of Alderney are unable to answer the first part of this question. FABlink is a commercial business with access to appropriate technical and industry expertise and it has obtained a wayleave option to lay a cable(s) across the Island. In common with all wayleaves, be they in the private or public sector, the proposed amendments to the current Option Agreement with FABlink Ltd and to any subsequent detailed contract, if agreed, will be clearly set out with terms covering matters such as necessary reinstatement, financial payment (usually annual), number of years for which it will run, and any other conditions deemed necessary to protect the environment and to secure the States position in the case of defaults. As with any other business, there will have to be a reliance on the final texts of the legal contracts.

3. Why is the States listening to verbal promises from FAB? It is easy to make promises but not easy to enforce them if they are not fulfilled.

All negotiations begin with verbal exchanges. Any amendment to the wayleave options and any final contract will be formally documented and based on mutually agreed and enforceable commercial terms.

4. Has the States spoken directly to DCNS/RTE (our real long term partners) about their long term intentions for Alderney and what answer did they receive? Could the States please explain to us exactly how things will work going forward? Can we ask for written assurances from DCNS/RTE

This project is dealing with a proposed amended wayleave to be granted by the States to FABlink Ltd not DCNS/RTE.

5. Does the FAB cable preclude us from ever being able to develop tidal energy, directly with France?

There has been no evidence presented to indicate this will be the case, nor is there any reason to believe it will be.

6. Passed to FABlink for response

7. Passed to FABlink for response

8. Given ARE failed all contractual & financial agreements will 'Race Tidal' (same shareholders) be excluded from any further opportunity to develop tidal power?

Any party seeking to be granted use of the seabed blocks will be subject to appropriate scrutiny and due diligence and will need to comply with the Renewable Energy Law and Ordinance which impose stringent conditions on operators.

9. Passed to FABlink for response

10. Passed to FABlink for response

11. Passed to FABlink for response

12. If FABlink goes ahead and fibre optic is provided and laid on to all homes and businesses, will this mean the shutting down of the Alderney microwave dish/internet service and local employees losing their jobs?

As at present the provision of Internet services to properties in Alderney has to be carried out by a telecommunications operator duly licenced in the Bailiwick. It is too early to say what the impact of any new opportunities will be on existing businesses. The States of Alderney are seeking clarity on the proposals being made by FABlink.

13. Passed to FABlink for response

14. Passed to FABlink for response

15 Passed to FABlink for response

16. Passed to FABlink for response

17. If, as one of the tender documents cites, port-a-cabins will be used to house workers in the quarry, will this mean changes to our planning law to allow for this – currently the law allows no new residential accommodation in the greenbelt, even if temporary. If this were to be allowed is this creating a precedent?

All matters relating to any development will be dealt with in accordance with and in compliance with the Building and Development Control Law.

18. Will there be criminal record background checks before issuing work permits to the workforce?

Applications for work permits will be subject to the appropriate and currently required levels of scrutiny. There are no plans for special procedures.

19. Will the workforce pay tax on Alderney?

The normal Income Tax and Social Security legislation will apply. No special arrangements are envisaged.

20. Passed to FABlink for response

21. Passed to FABlink for response

22. Passed to FABlink for response

23. Passed to FABlink for response

24. Passed to FABlink for response

25. Passed to FABlink for response

26. Passed to FABlink for response

27. Passed to FABlink for response

28. Passed to FABlink for response

29. Passed to FABlink for response

30. Passed to FABlink for response

31. What will happen with the war graves that are disturbed?

The need for safeguards against damage to any area of historical or archaeological importance will be addressed through planning conditions.

32. Passed to FABlink for response

33. Passed to FABlink for response

34. Mr Barnes stated that there will be no converters because FAB has said so. How can this be guaranteed when FAB sells out and exits the project and the agreement? How can a legal document cover EVERY eventuality as Mr Barnes stated?

The current intention is that the commercial terms for the wayleave will make it clear that the States is not supporting, in principle, or otherwise, for the construction of a converter station at this time and without specific rights being granted, no converter station can be built on States owned land. This condition will apply to both FABlink Ltd and any successor organisations.

35. Mr Barnes stated that the work will happen outside of the tourist season, but if FAB begin works and it does, as we suspect, spread into our tourist season what can we do then...it will be too late, the work will have begun until it is finished?

The current intention is that the commercial terms for the wayleave will require the risks of works impacting upon the island in the peak tourist months to be appropriately managed and mitigated. It is further reasonable to expect that any planning permission will impose conditions as deemed necessary. There has been acceptance in principle of a cessation of the works during July and August which will be carried forward in any final agreement that may be concluded.

36. Will there be realistic penalty clauses for failing to achieve the timeframe for construction, especially if this affects one or more tourism seasons? Who is competent to monitor performance, what powers will they have?

The current intention is that the commercial terms for the wayleave will require the risks of works impacting upon the island in the peak tourist months to be appropriately managed and mitigated. It is further reasonable to expect that any planning permission will impose conditions as deemed necessary. The intention is for the States to engage specialists as appropriate to monitor works.

37. Can the States insist on a performance bond? Surely yes, its States land and they have a duty?

It is possible for the States to seek a performance bond in respect of the works to be carried out on States land if there is a justifiable concern that these might not be carried out, or the site reinstated, to the required standard.

38. How are we going to guarantee that the way-leave is paid if and when FAB sell out and the agreement is with a totally separate third party? What security is available to ensure payment is made and under what jurisdiction is the contract. How will it be enforced? What steps can and will be taken if the wayleave is not paid.

The wayleave is a form of contract whereby FABlink would be granted the privilege to use a piece of land for a specific purpose in exchange for payment in accordance with certain terms, which can include the grounds for termination if payments are not made when due. This would apply to whichever party held the wayleave. In the unlikely event of non-payment the matter would be dealt with in the appropriate legal manner if necessary through the courts and in accordance with the wayleave terms.

39. Is the way-leave contract sufficiently secure that we could securitise the wayleave? Can we ask for up-front payments at least for part of the way-leave?

It would be unusual to contemplate securitising a wayleave of this type, but the parties are of course able to negotiate how the payments are made.

40. What has happened to the 2015 Option Agreement, is this no longer valid due to the fact that ARE no longer has access to our seabed and therefore cannot give FAB access?

The 2015 option agreement for a wayleave remains in place.

41. What will happen to the way-leave monies, can funds be retained for Alderney and if so what use will funds be put to? If we retain the funds will our financial support from Guernsey be reduced by the amount that we receive in way-leave?

In terms of any significant monies received from the wayleave, the States of Alderney will engage with the States of Guernsey to ensure the money is used appropriately. Constructive dialogue takes place between the Islands and there is an onus on both Islands to make all reasonable efforts to increase revenues in order that both islands can continue to enjoy good quality public services.

There is no reason to believe that the revenue generated from the wayleave would be used for purposes other than those which benefit Alderney and the hope is that there would be no impediment placed that prevented Alderney from deciding how that money might be spent.

On the other hand, if without good reason, the States of Guernsey perceived Alderney choosing not to take up a new revenue stream it might cause them to reconsider the annual cash allocations currently granted to Alderney.

42. If Guernsey inform us the money is ours to keep and use as we see fit on the island, how can we be sure that they will stand by this? (The answer to the final Question asked in Guernsey States by Neil Inder on 2nd August states “Guernsey and Alderney operate in a fiscal union and as such anything that will either assist or hinder either economy would be of interest and benefit to the other”). Therefore this seems to suggest that it is impossible to separate out any funds specifically for Alderney?

As outlined in this question(s) Guernsey and Alderney operate in fiscal union and, for so long as the 1948 agreement is in place, much though not all of the Bailiwick’s revenues go into a common pot – there is not an Alderney fund and not a Guernsey fund. That does not mean that special arrangements cannot exist which are different between the islands with a simple example being that the tax ‘cap’ for high-net-worth individuals is £50,000 in Alderney and £110,000 in Guernsey, making Alderney the more attractive location. In this respect there is no requirement from the States of Guernsey to have agreed this beneficial arrangement for Alderney but it has done so through close engagement and dialogue with the States of Alderney.

43. If all the above information is not forthcoming can we reject FAB until such time as FAB provides the information to enable islanders to make the right decision for the island? Lack of provision of honest and open information should mean SOA refuse to enter into a deal with FAB until the information is provided.

The Alderney electorate will have the opportunity to express their views at a plebiscite.

44. Do the Members consider that the three week notice period for the Plebiscite Vote – the 3 weeks quoted in the Sept Billet is adequate?

At its meeting held on 13 September 2017 the States approved the proposal for a minimum of three weeks’ notice, by a majority with Messrs Tugby, Snowdon and Dean dissenting and Mr Birmingham abstaining.

45. Do the Members consider that the ten day period after information has been delivered to homes on the island before they have to vote, is adequate?

At its meeting held on 13 September 2017 the States approved the proposal for the circulation of information a minimum of ten days in advance of the plebiscite, by a majority with Messrs Tugby, Snowdon and Dean dissenting and Mr Birmingham abstaining.

46. FAB has unlimited finances behind it to aid in legal fees associated with fighting their case and looking for loopholes in our planning laws. How can the States of Alderney hope to compete with this?

The wealth or financial backing of a party making, or intending to make, a planning application is not a factor the States of Alderney takes into account and FABlink will be treated no differently from any other organisation making a planning application in being required to comply with planning legislation and policies. It is appropriate to have confidence in the Island's Planning Laws.

47. Why did the States not insist FAB adhere to performance planning standards? Whilst these kinds of standards may not be enforceable in Alderney, it would show respect and honorable intentions if FAB agreed to act under best practice.

Alderney does not have the legal equivalent of UK's Planning Performance Agreements, but has nonetheless engaged with FABlink over the merits of entering into a contractually binding form of pre-planning engagement.

48. How will the States of Alderney ensure financial transparency and awarding of contracts to businesses which states Members have an interest in?

The States of Alderney is in negotiation over a wayleave with a private business which may be granted the privilege of passing through States land. What operational contracts they enter into to carry out those works is a private matter for that business. If as a result a States Member finds him/herself in a position conflict they would be expected to deal with it in accordance with the established Rules of Procedure and Code of Conduct. States Members who appear to flout the Code of conduct may be challenged and if a subsequent Code of Conduct enquiry finds them to be at fault they can be appropriately penalised.

49. Has the States considered appointing an outside commission or body to monitor contracts, financial regulation of works, etc??

The intention will be for the States to engage specialists as appropriate to monitor works.

50. Who authorized the termination of the ARE cable link to France? Whilst this is not a FAB question, it does have a bearing on the future of Tidal power. Just because ARE breached their contract and chose not to continue with the agreement to export tidal energy from the seabed to France for their own reasons, other companies can easily be contracted to do this. This is important as people need to know tidal power is still an option in the future whether or not the FABlink happens.

Any future potential connections to France would be a matter for the relevant parties, whomsoever they may be, to explore and negotiate at the appropriate time. Any termination of the arrangements with ARE does not have any negative impact on the ability of other operators to conclude arrangements with regard to the development of tidal energy in Alderney waters and indeed it re-establishes greater opportunities of doing so.

51. Does ACRE have the power to authorize loan notes? Are the minutes available? Did SoA have scrutiny?

This subject may be covered by a matter currently before the Alderney Court and therefore is to be regarded as *sub judice*.