



OFFICIAL REPORT
OF THE
STATES OF THE
ISLAND OF ALDERNEY

HANSARD

The Court House, Alderney, Wednesday, 14th November 2018

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

Volume 6, No. 9

Present:

Mr Stuart Trought, President

Members

Mr Matthew Birmingham

Mr Mike Dean

Mr James Dent

Mr Louis Jean

Mr Graham McKinley

Mrs Norma Paris

Mr Steve Roberts

Mr Alex Snowdon

Mr Ian Tugby

The Greffier of the Court

Mr Jonathan Anderson

Business transacted

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States of Alderney

*The States met at 5.30 p.m. in the presence of
His Excellency Vice Admiral Sir Ian Corder KBE, CB,
Lieutenant-Governor and Commander-in-Chief of the Bailiwick of Guernsey*

[THE PRESIDENT *in the Chair*]

PRAYERS

The Greffier

The President: Prior to calling the Roll, I would like to officially welcome His Excellency the Lieutenant-Governor, Vice Admiral Sir Ian Corder and Lady Corder to this Meeting.
If you would please proceed with the Roll.

ROLL CALL

The Greffier

5 **The Greffier:** Sir, all nine Members are present this evening.

The President: Thank you very much, Monsieur Greffier.

Silence in memory of Mrs Wendy Morgan, former States' Member

10 **The President:** As you are all probably aware, or some of you may not be, Wendy Wolstenholme as she was here, Wendy Morgan as she was later on, who was a States' Member here for eight years – she was also an Alderney Representative – died at the weekend. So I would like you all to be upstanding for a minute's silence, please.

Members stood in silence.

The President: Thank you very much.

Convener's Report of the People's Meeting held on 7th November 2018

15 **The President:** Before we proceed any further with the Meeting, Mr Birmingham as Convener at the People's Meeting, would you please give us the Convener's Report.

Mr Birmingham: Thank you, Mr President, Your Excellency, fellow States' Members.

I convened the Meeting on 7th November. I was assisted by the Chief Executive. There were four States' Members, excluding myself, present; the Minutes Secretary; the President; 12 members of the public; and six members of the press.

20 Apologies were given for Mr Jean and Mr McKinley who were in Guernsey, and Mrs Paris.

The President: Thank you very much, Mr Birmingham.

Billet d'État for Wednesday, 14th November 2018

I. By-Election 2018 – Arrangements for Monday, 17th December approved

Item I.

The States is asked:

To approve of the arrangements for the By-Election 2018 to be held on Monday 17th December 2018.

The President: Monsieur Greffier, if you would take us to Item I, please.

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

Item I this evening is the By-Election 2018. A letter has been received from Mr Dent as Chairman of the Policy and Finance Committee and the States are asked to approve the arrangements for the By-Election 2018 to be held on Monday, 17th December 2018.

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

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

Mr Birmingham: Thank you, Mr President.

35 I expressed my sadness at Mr Barnes having to step down due to health issues. There were no other comments.

The President: Thank you very much, Mr Birmingham.

Mr Dent, I believe you wish to propose this.

40 **Mr Dent:** Mr President, colleagues, there have been a number of difficulties in trying to move forward with this timetable. The resignation of Mr Barnes, the holidays, the already agreed dates for the General Election and the legal minimum and maximum allowable times for holding an election have severely restricted the options available.

45 Usefully, the proposed arrangements will allow anyone failing to secure a seat in the General Election the opportunity to seek election for the remainder of Mr Barnes' term of office; and secondly will minimise the impact on civil servants if the Plebiscite and By-Election can be held on the same day.

50 While on the subject of the date and particularly given the wording of the resolution, I would be grateful if the deliberations clearly reflected the second point, i.e. that should this Item pass, both the By-Election and the Plebiscite for our representation in Guernsey will be held simultaneously on Monday, 17th December.

I would finally like my colleagues to note two things: first that the timing of elections must foremost be in compliance with the law; and second, the timing should take into account the convenience of the electorate.

55 Before I sit down, I would like to thank the CEO for confirming the logistics of this arrangement.

Thank you.

60 **The President:** Thank you very much, Mr Dent.
Mr Birmingham, I believe you wish to second this.

Mr Birmingham: Thank you, Mr President, Your Excellency, fellow States' Members. I am happy to second this Item and I have nothing further to add.

65 **The President:** Thank you very much, Mr Birmingham.
Does any other Member wish to speak on Item I?
Mr McKinley.

70 **Mr McKinley:** Could I just ask a question, sir? We discussed it actually just before the Meeting, but the successful candidate on 17th December will therefore be a States' Member, I assume, immediately from 17th onwards and therefore will be able to attend the formal States' Meeting on 19th. Is that correct, sir?

75 **The President:** That is correct, Mr McKinley.

Mr McKinley: Thank you, sir.

The President: Does any other Member wish to speak on Item I?
Could you please put that to the vote, Monsieur Greffier.

80 **The Greffier:** Thank you, sir.
In that case, the States are asked to approve of the arrangements for the By-Election 2018 to be held on Monday, 17th December 2018.

A vote was taken and the results were as follows:

| FOR | AGAINST | ABSTAINED |
|---------------|----------------|------------------|
| Mr Tugby | None | None |
| Mr Birmingham | | |
| Mr Jean | | |
| Mr Roberts | | |
| Mrs Paris | | |
| Mr McKinley | | |
| Mr Dent | | |
| Mr Snowdon | | |
| Mr Dean | | |

85 **The Greffier:** Sir, that is unanimous agreement to that proposal.

The President: Thank you very much.

**II. Transfrontier Shipment of Waste (Alderney) Ordinance, 2018 –
Item approved**

Item II.

The States of Alderney is asked to approve:

1. *'The Transfrontier Shipment of Waste (Alderney) Ordinance, 2018'*

and

2. *The States of Alderney Management Plan for Importation and Exportation of Waste.*

The President: Monsieur Greffier, if you would introduce Item II, please.

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

Item II this evening is the Transfrontier Shipment of Waste (Alderney) Ordinance, 2018. A letter has again been received from Mr Dent as Chairman of the Policy and Finance Committee, and the States of Alderney are asked to approve firstly 'The Transfrontier Shipment of Waste (Alderney) Ordinance, 2018'; and The States of Alderney Management Plan for Importation and
95 Exportation of Waste.

The President: Thank you very much.

When we take the vote for this, we will take both of these as one Item. If it fails, we will split them and take them independently. (**The Greffier:** Thank you.)

100 Mr Birmingham.

Mr Birmingham: Thank you, Mr President. There were a few comments on this Item.

Firstly, the Chief Executive advised that this was comprehensive legislation but the existing prohibition on the import of waste into Alderney is retained.

105 The Gate Fee at Mont Cuét will be reduced to around £200 per tonne, from £222.44; and the States of Alderney have also been in negotiations with the States of Jersey for exporting our waste at £150 per tonne. That contract would be for a multi-year period.

It was also noted that there are provisions under the legislation for recycled waste, which includes scrap metal.

110 Comment was made from the public that Mr Bray was praised for the fantastic improvements he has made on the waste management on the Island.

That concludes the comments.

The President: Thank you very much, Mr Birmingham.

115 Mr Dent, I believe you wish to propose this.

Mr Dent: Mr President, earlier this year, I had the honour of accompanying you as part of an official Alderney delegation to Jersey. One of the subjects discussed during that visit was the ability of Jersey and the legal challenges that might need to be overcome were Jersey to assist with our waste disposal.
120

I am pleased to report tonight that those discussions which took place earlier this year should soon result in our ability to use facilities now available in Jersey. Although our agreement with Jersey is not yet finalised, this should result in significant savings in money.

125 Mr President, colleagues, let me now make two observations before I briefly touch on the meat of this Ordinance and the accompanying Management Plan.

Firstly, there is, it seems, a mountain of paperwork here before us and for this I apologise. It is perhaps ironic that the subject of waste disposal generates volumes of paper!

130 Secondly, it came as a bit of a surprise – well, a surprise to me – that waste disposal was in any way a P&F responsibility. My first reaction was that this was surely something that GSC should be handling. Indeed most of the running has been led by our Technical Services Officer,

Mr Aaron Bray, and it is largely because of his valiant works since our Jersey visit that we are where we are today.

No matter, we are deliberating on States of Alderney policy and there are cross-border issues, which matters do indeed cause it to be a P&F responsibility. And so with that in mind, I stand before you to do my duty.

Mr President, colleagues, I am bringing before you tonight the legislative requirements for us to proceed and overcome some bureaucratic hurdles. The disposal of waste, particularly when it is transported internationally, is a touchy subject. In short, the new Ordinance simply repeals and replaces an earlier 2002 Ordinance, the main difference between the old and new Ordinances being that the new one gives effect to the current 2006 EU Waste Shipment Regulation, rather than the 1993 EU Regulation. Giving effect to EU legislation is the means by which Alderney meets the requirements of international agreements relating to waste shipments.

As you may have noticed, the new Ordinance importantly provides for a system of control which differs depending firstly on how hazardous the waste has been, secondly the process intended, i.e. for disposal or for recovery, and thirdly the country to which is being sent.

Those of you who have studied the new Ordinance will note also that it speaks to both the import and export of waste – a point noted by one of the speakers at the People’s Meeting. I want to assure you that this is a technical matter that is of no consequence to Alderney, as the import of waste onto the Island is prohibited by other legislation.

I can now note what has been happening in Jersey. This is of course just as important as what we are doing here tonight in Alderney. Usefully, Jersey has jumped through its own legislative hoops, aided in this case by the UK. Jersey is consequently now in a position to legally accept our waste. The prohibition against export of waste for disposal to Jersey has been removed, as the UK’s ratification of Basle Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal is now extended to Jersey.

Moving on, under the presumption that we pass the new Ordinance, we are then required to prepare a new plan for waste shipment, which is the second part of this Billet Item. You will be pleased to know that I do not intend to go through the details of this tonight. I simply urge you to pass both the Ordinance and the Management Plan.

Thank you.

The President: Thank you, Mr Dent.

Mrs Paris, I believe you wish to second this.

Mrs Paris: I do, sir.

Mr President, Your Excellency, colleagues, I am very pleased to be able to second this. I will not go into any details, because I think Mr Dent has covered most of the details that are required.

But I would just like to say as General Services, this is something we have been working towards and it is the bedrock that our future policy of waste disposal will probably be built upon and obviously we are looking for economic but also environmentally sound ways of disposing of our waste, and this is the beginning of some real movement in this direction. Whilst General Services have been working hard on it, I think it is only fair to say a very big thank you belongs to our Technical Services Officer for all of the work that he has done to bring us to this point.

Thank you, sir.

The President: Thank you very much, Mrs Paris.

Does any Member wish to speak on Item II? Mr Jean.

Mr Jean: I would just like to say, sir – Your Excellency – that I am delighted by this. Of course, my belief is that we should be spending our money in our own back yard. I never felt that it

really came to the States of Guernsey, the package that was put together to export to Sweden, and I think it is a pity that that has happened. But for us here, I think that we should be very happy that Jersey has agreed to take our waste. It is a very sensible solution for us, and in Guernsey I know that much of the proposals about waste are not greeted happily by the Douzaines of those areas. I am very sorry for the charges that they are going to have to pay.

We should be very happy with the arrangements that we have, and I am grateful.

Thank you.

190

The President: Thank you, Mr Jean.

Does any other Member ... ? Mr Snowdon.

Mr Snowdon: Your Excellency, President.

I would just like to thank the GSC Committee for getting to this stage, and also Mr Bray for all his hard work.

I fully support this Ordinance, and I think it is actually going to improve our relationship with Jersey. I also went down at the start of the year to meet the officials down in Jersey, so thank you to Jersey and Mr Bray for bringing this forward.

200

Thank you.

The President: Thank you, Mr Snowdon.

Does any other Member wish to speak? Mr Tugby.

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Mr Tugby: Your Excellency, Mr President, States Members.

I am very happy this is going forward, basically, because it was first mooted at least three years ago. When I was on General Services we brought it up and it was unfortunate at the time, we had a fast turnover of technical service officers, and it got delayed. I am pleased that it has finally come to fruition, what we suggested at least three years ago.

210

The President: Thank you, Mr Tugby.

Mr McKinley.

Mr McKinley: Thank you, sir.

215

Your Excellency, Mr President, fellow States' Members, just a couple of questions, if I may.

I believe this issue was debated in Jersey only last week, because there were one or two Jersey Deputies who were not convinced that this would happen. I am told that it has actually passed last week, so I would just like confirmation of that.

220

Also, the cost per tonne, and the number of tonnes per year that we are likely to export to Jersey: I believe the cost is £150 per tonne, but how many tonnes roughly do we expect to export each year?

Thank you, sir.

The President: Thank you, Mr McKinley.

225

Does any other Member wish to speak on Item II? Mr Roberts.

Mr Roberts: Thank you, Mr President, Your Excellency.

In an ever-changing world, these regulations have to be followed to maintain waste management, in setting an example that Alderney is a very green island.

230

Waste is a bit of an emotive subject now. Years ago, we took it to the Impot and we dumped it on the edge of a cliff! It was unmanned for many years; then it became manned, and a small make-shift shed with a stove and even curtains appeared. At five o'clock the curtains would move, the only sign of life, and Tommy would make his way to the piles of mixed rubbish, armed only with a box of matches. 'Whoof!' It went up in plumes of black smoke – Tommy was on his

235 bike, job complete. Next day – bulldozed over the cliff to make room for the next lot. No thoughts of asbestos or plastic or medical waste – a different time, we knew nothing of that.

Alderney now punches far harder than its weight in waste management these days, with recycling and export. It has to. We are too small for landfill. No one seems to want an incinerator but that technology may well arrive in the future. Alderney, for all its small size, now sets an
240 example to the wider world.

These new adjustments now make it possible for Alderney to export waste to Jersey. Just last week, they voted by a large margin to accept it. It will go via Guernsey, and stay on the boat to Jersey. I welcome closer ties with our Jersey friends, and I know I am not alone in welcoming this new friendship, with States' Members there now containing a personal friend of Alderney.

245 Plastic is the biggest enemy. I am guilty – using my Amazon Prime, sending me huge boxes full of non-degradable plastic packing, including my poultry feed, adding to Alderney's pile. Perhaps a plastic tax at some point would help pay for the problem. I think that day may come. Also, new degradable plastics will appear and I have no doubt that one day they will come.

So I endorse these changes to our waste management. Even if I hate EU bureaucracy, this
250 rule is a good rule. So although Tommy was evicted from his shed years ago, we still remember him and his matches from a different time.

Thank you.

The President: Thank you, Mr Roberts.

255 Do either of the two remaining Members who have not spoken wish to speak on this Item? In that case, Mr Dent, would you like to exercise your right of reply?

Mr Dent: Mr President, thank you and I believe that Mr McKinley's question was answered there by Mr Roberts. So thank you, Mr Roberts.

260 The other points: I understand that States Works ships an average of eight tonnes of black bagged waste per week at the moment.

Thank you.

The President: Thank you very much, Mr Dent.

265 Monsieur Greffier, if you would put this to the vote. As I said earlier, we will treat items 1 and 2 as one, unless it fails, in which case we will take them separately.

The Greffier: Thank you, sir.

270 In that case, the States of Alderney are asked to approve: firstly, 'The Transfrontier Shipment of Waste (Alderney) Ordinance, 2018'; and secondly, The States of Alderney Management Plan for Importation and Exportation of Waste.

A vote was taken and the results were as follows:

| FOR | AGAINST | ABSTAINED |
|---------------|----------------|------------------|
| Mr Tugby | None | None |
| Mr Birmingham | | |
| Mr Jean | | |
| Mr Roberts | | |
| Mrs Paris | | |
| Mr McKinley | | |
| Mr Dent | | |
| Mr Snowdon | | |
| Mr Dean | | |

The Greffier: Sir, that is nine Members voting in favour.

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

**III. Questions and Reports –
Two Reports tabled**

Item III.

Two Reports, for information purposes, were received from Mr Dent, Chairman of the Policy & Finance Committee:-

(a) Royal Connaught Residential Home Limited – Financial Statements 2017

(b) Alderney Commission for Renewable Energy – Financial Statements 2017

The President: Could you then please introduce Item III.

The Greffier: Thank you, sir.

Item III this evening is Questions and Reports. Two Reports, I understand, have been filed, sir,
280 for information purposes by Mr Dent.

The President: Thank you very much indeed.

Mr Dent, do you wish to comment on either of these two Reports?

285 **Mr Dent:** Mr President, no, I would just like to table them, if that is okay.

The President: Thank you very much indeed.

**Matters of importance to Alderney raised in Guernsey meetings –
Question by Mr Dent to Alderney Representatives in Guernsey**

The President: In that case we come on to verbal questions, and Mr Dent, I believe you have
290 a verbal question for the Alderney Representatives in Guernsey. Would you care to stand and
ask your question?

Mr Dent: Yes, sir – Mr President, thank you.

If I could ask my colleagues, our Guernsey Representatives, in turn: can you briefly
summarise matters of importance to Alderney that were brought up during the latest States of
295 Guernsey Meeting and in any prior or subsequent dealings with Guernsey politicians or officers?
I would be particularly pleased if you would highlight their actions in regard to any matters
relevant to Alderney in the States of Guernsey.

If I can ask Mr Jean first, please.

300 **Mr Jean:** Sir, I spoke on two or three of the amendments, TRP and Pensions, which
particularly affect Alderney.

I spoke on the pension amendment, because here in Alderney, we know that costs are very
high for our pensioners, and I tried to make several points regarding oil, coal, fuel and the cost of
gas and electricity, in regard to our older citizens.

305 My view is that this was very similar as well in Guernsey, but particularly to be highlighted in
Alderney, and the fact that there have been so few ... well, literally no raises in pension in quite
some time.

I also spoke on the subject of the removal of the allowances on old-age pensions, and said
that I felt that this was very unfair, and that there had been talk in Alderney about the drawing
310 of allowances. I said it was far better to leave people with their social security allowances – not
to have to draw social security, whilst to leave their allowances alone. So I said that.

I also spoke about TRP on another amendment, agreeing that here in Alderney it was set at a Guernsey rate and did not particularly fit the Island well, and had always been a very difficult tax for the businesses to accept; and that in Alderney, because of the way the two economies
315 functioned, that it should be set at a lower rate.

I think that is about it. Thank you.

The President: Thank you very much, Mr Jean.

Mr McKinley, do you wish to add anything to that?

320

Mr McKinley: If I may, sir. Your Excellency, Mr President, fellow States' Members, I have been asked by quite a few people, and some here within the States and others on the streets, about the main Budget debate. The debate lasted for four days. The first three days, we went through 40-plus amendments, and it was not until the very last day that we actually got to the main
325 subject, the debate on the main issue. I would actually like to just summarise what I spoke about in that debate.

Basically, to many in Guernsey, Alderney has been seen for decades, either at worst as a costly financial drain or at best as an irritant. It is fair to say that this has only resulted in an equal and opposite reaction from many of us here in Alderney. It is about time that this
330 negativity is now buried once and for all, and that this Assembly and the Bailiwick as a whole view Alderney as a potential asset which could enhance the Bailiwick, both economically and socially, rather than an Island always being perceived as a liability.

While of course there has been investment in a number of capital projects primarily related to our Social Services, a lack of investment over the years in some other economically related
335 Infrastructure issues, mainly in relation to the Airport and the Harbour, are now causing economic uncertainty.

For many years, for instance, the true net cost of running Alderney was basically lost in the Guernsey accounts, and only recently has this position changed. In the 2017 accounts, approved by this Assembly or by the Assembly in Guernsey earlier this year, the bottom line showed a net
340 deficit to Alderney of £6 million. Half that amount was attributed to losses incurred by Aurigny on the Alderney services, even though the actual management accounts have yet to be revealed, and that there are a lot of people questioning how those sums have been arrived at.

This is particularly relevant in terms of how the apportionment of indirect costs are allocated and what the one-off costs incurred were in the transition of fleets from the Trislander to a
345 Dornier operation, which was not without real problems, completely outside Alderney's control.

However, that is in the past and that clearly falls, if you like, in the 'glass half empty' camp. I might say that there have been remarkable improvements to the service of Aurigny since the arrival of the new Dornier at the end of August. If one views Alderney's air services as the Island's lifeline bus service – indeed it is the only mode of year-round transport for all Alderney
350 residents, the business community and visitors alike – the overall loss, even that £3 million figure, needs to be put in context in that it is far less than the subsidy that Guernsey, including the Alderney taxpayer, allocates just to its bus service (**Several Members:** Hear, hear.) or the annual grant paid to Elizabeth College or Ladies' College.

I also mentioned the great success of the ferry service in the summer this year, and I think we
355 are all working now towards an improved service next year. Therefore we hope that as a result of the current PSO process, any financial support for Alderney's air services is properly identified and viewed as an economic and social enabler, rather than a cost that should be minimised, regardless of the negative impact on the Island. (**Several Members:** Hear, hear.) One can see the simple economics of cutting back on lifeline air services, which in turn reduces economic activity,
360 which in turn reduces revenue take, and therefore tax take, which then increases the net costs of running our Island.

I stressed several times that we have two lifeline routes, and I think that message has gone down quite clearly: the Alderney-Southampton route and the Alderney-Guernsey route are both lifeline routes. I also stressed the need to have a 24-hour medevac service for the Island.

365 On a separate issue I mentioned the possible review of the 1948 Agreement, and mentioned that this has certainly stood the test of time. I understand that over the 70 years the Agreement has been in place, it has been reviewed a number of times, and yet on each occasion it has been considered to be still robust and relevant. However, it is no bad thing that the Agreement is being reviewed again and the point that we made is, to build the trust between the two Islands, 370 that a holistic approach is taken on all aspects of economic and social benefits. We believe that an independent chair would be appropriate during the review. (**Severall Members:** Hear, hear.) I spoke actually unofficially to the Bailiff after this, during the break, and he agreed that there should be an independent review.

The primary objective is to build bridges but at the same time, Alderney must continue its 375 real desire to seek practical ways of developing the economy. The number of initiatives that have happened in the last few months, the most recent being the Atlantis initiative, for which I congratulate those who are involved in that. Also the Nova initiative, the Fort Tourgis, and the possibility of a marina, either as part of the Fort Tourgis plan or as a separate plan, are all very positive moves in the right direction.

380 The final thing that I mentioned, really, was the possibility of Alderney being able to access bond funds for capital investment on projects which will directly benefit the Island's economy. I did not get an answer from the Chairman of P&R on this, but it is possible that we could try anyway to borrow money from the bond at a 4% interest rate, which could help us, for instance, with small things – small things, but big to many people – the swimming pool, the marina 385 possibly, airport improvement possibly, so we will continue with that.

I concluded by actually thanking Guernsey really for all that it does for us, despite the view that some of them have. I think we are generally – and I am sure Mr Jean will agree with me – building support in Guernsey from a number of the Deputies. Actually, a number of them made it quite clear that they generally agreed with much of what I said in my speech. I thanked 390 specifically the Health & Social Care Committee, the Committee *for* Education, Sports & Culture and the Environment & Infrastructure Committee for the work that they are doing for the breakwater. But, sir, I think we are getting support; there are one or two, clearly who did not agree with what I had to say, but I will not go into the details of that. I think many of you know what I am talking about.

395 Thank you very much, sir.

The President: Thank you very much, Mr McKinley.

Does any Member have a secondary question for either Mr McKinley or Mr Jean as a result of the responses they have just given?

400 Mr Dent.

Mr Dent: Thank you, Mr President. I would like to ask Mr Jean a supplementary question.

Mr Jean, may I ask you something in regard to what appears an apparent change of mind, or possibly an inconsistency in your approach on two matters?

405 Firstly, in regard to your very proper opposition to the Guernsey Budget proposal to increase TRP and the particular burden this would place on Alderney businesses, when we have debated the repatriation of the property taxes, both here in this Chamber and in P&F, indeed with the intention of being able to set rates better suited to our economy, you have opposed the move. Have you now changed your mind on this important matter?

410 Secondly, on 13th June, when we debated our ability to question you in this Chamber, you noted, and I quote:

The Chairman of P&F is intent on the Alderney Reps asking questions for him in Guernsey.

I have explained that this is not necessary, in my opinion. Given the recent important Budget debate, and the forthcoming debates on our Airport and the PSO contract for air services, have you in any way changed your opinion in this area?

415

Mr Jean: Could you just say that again?

Mr Dent: 'Have you in any way changed your opinion?'

420

Mr Jean: Sorry, no the bit ...

Mr Dent: Given the recent important Budget debate, and the forthcoming debates on our Airport and the PSO contract for air services, have you in any way changed your opinion in this area?

425

My point is, of course, that we all need to work together.
Thank you.

The President: Mr Jean, would you care to rise and answer?

430

Mr Jean: You basically are criticising me for what I said regarding the questions in this States, which I never ... Yes, I did not support it. I do not support it. We already, my colleague and I, report to the States in Committee. We report also to the Finance Committee.

And you are saying that I have changed my mind regarding the proposal for TRP, are you?

435

Mr Dent: No, I am asking you if you have changed your mind.

440

Mr Jean: Well, you are saying that I have changed it here. Quite correct. Why? Because you combined the TRP with the bill for rates. Are the owners, our people, well aware of that – that that is going to be a new happening for them; a new burden for the owner of properties here, that they will have to bear the cost of the rates? That is why I opposed that.

And I still think that I am right about that, and I still think that it is wrong, sir, that that should happen here in Alderney: that property owners should receive *all* of the bills for rates *and* the TRP. I think that is fundamentally very, very wrong, and something should be done about it.

445

So this may not work out quite as well for you as you think, because I am determined about it: that that is very bad indeed.

450

Already we show that if this is the situation that has got to happen to Guernsey Reps, who have done their work – well, *some* Guernsey Reps who have done their work – and have always reported thoroughly and well, both to this States and to the public, writing up their work ... I have always written up my work, even if it has not been published, I have done my best to send it to whichever magazine is able to publish. I have hidden nothing.

The President: Mr Jean, I think you have answered his question.

455

Mr Jean: I think it is important that it is answered well. I think it is disgraceful.

The President: You have answered it. Thank you very much.

Does any other Member have any secondary question for either Mr Jean or Mr McKinley as a result of the answers they gave to their first question?

Thank you very much.

**Freedom of Information; Good Governance Group; coin contract –
Three Questions by Mr Dean to the Chairman of Policy and Finance and
the Chairman of the Finance Committee**

460 **The President:** We move on to the next series of questions.

Mr Dean, I believe you have three questions for the Chairman of P&F – if you care to rise and ask your questions.

Mr Dean: Thank you, sir.

465 Your Excellency, Mr President, fellow States' Members, my question is the subject of Freedom of Information. At the 12th September States' Meeting, we heard a Chief Plea from Mr David Nash regarding a Freedom of Information Act. Could the Chairman of Policy and Finance give us an update regarding any information that is available for implementing this or any future way forward in regard to this?

470

The President: You have two more questions, I believe.

Mr Dean: Yes, do you want me to ... ?

475 **The President:** Yes, please.

Mr Dean: My second question is the Good Governance Group: could the Chairman of Policy and Finance clarify how many Good Governance Groups are currently formed as a working group away from P&F, who are on those groups, and currently outline their remit and mandate and who they report to?

480

My third question is for the Chairman of the Finance Committee, who is also Mr Dent, regarding the coin contract. Could the newly appointed Chairman of the Finance Committee, Mr Dent, due to Mr Barnes's resignation, clarify whether the current States of Alderney contract with the Commonwealth Mint, whilst part of that contract requires the Finance Committee to approve the designs, is it part of the remit of that Committee to impose the limit on the production runs of those coins, how many coins are issued each calendar month, and in what metals they are minted?

485

The President: Thank you very much, Mr Dean.

490 Mr Dent, would you care to rise and answer those questions?

Mr Dent: Thank you, and thank you, Mr Dean.

First question on Freedom of Information: I have indeed much sympathy for Freedom of Information and my natural instinct is to be supportive. As Mr Dean is aware, no Member of P&F has asked for a formal debate or put forward a resolution. Having said this, and as Mr Dean is probably aware, there has been a certain amount of informal discussion.

495

There is much nervousness about how much it would cost to administer, and of the danger that much time could be spent answering trivial or vexatious requests, and indeed much time just determining whether the requests were vexatious or trivial. I understand that Tony Blair in 1997 went from being a champion of Freedom of Information to calling himself a 'nincompoop' for passing the Act. I understand that there are many in Jersey who have the same opinion of their own legislation on this subject.

500

As you know, we have a very small Civil Service and there are some big issues that currently have priority. Perhaps Members of the new States will have an opinion and we can move forward, perhaps with some light version. I think, however, that the immediate priority for Alderney is to implement a sound communications policy. Yesterday, a draft policy was discussed at P&F and the public will soon be invited to comment.

505

Thank you. That is question 1.

510 Question 2 was on governance. There is only one Good Governance Group: it comprises myself, Mr Snowdon, Mr Eggleston from the Chamber of Commerce and Mr Tate, who is also the Chairman.

The Good Governance Group is currently seeking to define only an approach for involving stakeholders. It is not making recommendations.

The Good Governance Group committee reports to P&F.

515 The Good Governance Group's current remit is promotion of an Island-wide discussion regarding effective government for a sustainable economic future.

The Good Governance Group should not be confused with the Governance Action Group formed in January 2017, under the chairmanship of the President. That Committee also included myself, but this time also Mrs Paris, Mr Barnes and Mr Birmingham.

520 In January 2018, P&F resolved not to reappoint this subcommittee until the Committee has further reflected on debate without resolution by the States in December. That was of course a reference to December 2017 and to the debate in this Chamber on the findings of that group.

525 As a supporter of many of the findings, I was disappointed when P&F did reflect on the outcome of the States' debate. I believe that many in the public were also disappointed. I nonetheless have accepted the democratic decision of my colleagues. P&F has not since reappointed the Governance Action Group. If I might conclude on a personal note perhaps those seeking election on 1st December will make it clear to the public what their position is on governance. Are our problems caused by those we elect; or is it the system that is no longer fit for purpose?

530 Your third and final question was concerning coins, and if I could reply as follows. The Finance Committee does not impose limits on production runs. It is aware of the actual limits on each specification and asked to approve designs and specification. These specifications include information on metal.

535 The contract was entered into on the understanding that the Commonwealth Mint were best placed to advise on how to maximise revenue, and for that reason they guaranteed us for the very first time a minimum annual revenue.

There are no restrictions or requirements on when coins are issued.

Thank you.

540 **The President:** Thank you very much, Mr Dent.

Does any Member have any secondary questions for Mr Dent as a result of the replies he has given to the questions he was asked by Mr Dean?

Mr Snowdon, I believe you have one.

545 **Mr Snowdon:** Thank you, President, Your Excellency.

I think it is maybe a point of correction on the P&F matter of the Freedom of Information Act, because that actually came up when I was Convener at that People's Meeting and I did raise it at the next P&F at Any Other Business. So there do not seem to be any records.

550 The other thing, with the Good Governance Group I am quite happy that you clarified that situation with the Good Governance Group, because in my view there is only one Good Governance Group. Just for the record, the Good Governance Group did not do any booklets or anything recently at all or approve anything, to my knowledge, because we have not actually met for a while.

Thank you.

555

The President: Thank you, Mr Snowdon.

Does any Member have a secondary question for Mr Dent as a result of the answers he gave to Mr Dean's questions?

You have another question, Mr Dean.

560 **Mr Dean:** Would the Chairman agree with me that openness is fundamental to the political health of our Island? Unnecessary secrecy in Government leads to arrogance in governance and effective decision-making. Access to official information can also improve public confidence and trust if the Government are seen as being open.

Thank you.

565

The President: Thank you, Mr Dean.
Mr Dent, would you care to respond to that question?

Mr Dent: Can I respond first to Mr Snowdon's question, please?

570

The President: Please do. Yes, you can respond to both of them.

Mr Dent: I just wish to apologise for obviously forgetting that you did raise it under Any Other Business and it got a brief mention. I do remember it now. My apologies.

575

Openness: of course I do.
Thank you.

The President: Thank you very much indeed.
Right, I take it nobody has any further questions?

580

That being correct, Monsieur Greffier, I would ask you to bring this evening's business to a close.

PRAYERS

The Greffier

The Assembly adjourned at 6.13 p.m.