

**POLICY AND FINANCE COMMITTEE MEETING
ANNE FRENCH ROOM
19th September 2019
0915 hours**

PRESENT:

Mr J Dent, Chairman
Mr C Harris
Mr S Roberts
Mr G McKinley
Mr M Dean
Mr A Snowdon
Mr L Jean
Mr K Gentle
Mr D Earl

IN ATTENDANCE:

Mrs E Maurice, Acting Head of Finance
(TREASURY)
Mrs S Pengilly-Price, Executive Officer
to the Chief Executive (EO);
Mr Stephen Taylor, Strategic Financial
Advisor (SFA)
Mr William Tate, President

Apologies: Ms A Burgess; Mr A Muter, Chief Executive (CE); Mr P Veron, Strategic Adviser (SA)

ACTION**61/2019****Matters Arising****61.1 Committee feedback from Chairmen (BDCC, GSC, Finance & Tourism) & Guernsey Representatives**

BDCC – Noted that Ms C Roberts has been appointed as interim planning support; Current court case been deferred until 3rd October; Guernsey Planning Authority visiting BDCC for next open planning meeting to view current process.

GSC – Ongoing projects such as Fort Doyle Sewage Screening project; new Harbour crane and the new Connaught extension project were discussed this month.

Finance – Two main items discussed at the recent meeting were the Budget forecast and the Financial relationship with Guernsey re change to the Occupiers rates. Local Banking services concerns were also raised.

Alderney Representatives in the States of Guernsey – Nothing further to report at this stage though noted that business would be required to be carried over from the previous meeting of the States of Deliberation (Pensions and Prison Reform)

CTED – Noted that there had not been a formal meeting since last P&F. Ms Burgess and Mr Harris to visit the Committee for Economic Development in Guernsey next week.

61.2 External Relations

Bailiwick Council

The Chairman appraised P&F on important items discussed at the Bailiwick Council the previous day. He noted the intended actions of the UK in regard to foreign fishing rights in the UK's own territorial waters post Brexit and the potential impact of this on fishing in the Bailiwick's own territorial waters. He noted that Guernsey had proposed that there should be 'continuity' or 'continuity with only minor additional restrictions' in Bailiwick water. Such restrictions could include registration of the boats that had previously fished and might be allowed to continue to do so. The long term aim of both Guernsey and Sark to exploit their territorial waters, including fish stocks, to their best economic advantage was noted.

Policy and Finance Committee resolved to:

- a) reaffirm policy previously agreed to maintain status-quo in short-term;
- b) consider future options in liaison with Guernsey and Sark as these emerge with emphasis on consistency between all parties within the Bailiwick territorial sea boundary.
- c) discuss emerging options with Alderney's fishermen in order to obtain their views where considered appropriate.

The attendance of the SoA Environmental Officer at the forthcoming Normandy Fisheries Agreement meeting and the potential need for an Emergency Bailiwick Council Meeting was noted.

62/2019

Legislation, Conventions & Policy and Finance

62.1 Revisions to the Rules of Procedure – Report from Chairman dated 20th August 2019 tabled and considered.

The Policy & Finance Committee resolved by a majority, (the Chairman using his casting vote, Messers Snowdon, Jean, Roberts and Dean against; Mr Earl abstained) to approve the proposed changes as described in Part A of the Proposition (relating to removing current constrictions on debate) and part B of the Proposition (to provide members with freedom for intervention) of the proposed changes to the Rules of Procedure and to request that the Chairman writes to the President, Greffier and Chief Executive with a view to obtaining Law Officers advice and the States of Alderney debating the changes in the full Chamber; and with regards part C of the proposed changes to the Rules of Procedure (to allow Chairmen to have the business of their Committees recorded and other Members to comment) to take further advice and consultation.

It was also approved that the States of Alderney should consider implementing the approved changes for a trial period of six months after which Policy and Finance will review their impact on the deliberative process.

JD

62.2 Revisions to Code of Conduct – Report from Chief Executive dated 18th July 2019 tabled and considered. It was noted that the revisions were based upon Commonwealth Parliamentary Association guidance.

The Policy & Finance Committee resolved:

1. By a majority (Messers Snowdon, Jean; Roberts and Dean against) to request that the Chief Executive discusses the proposed amendments further with States Members; and
2. Unanimously that consideration be given to:
 - a) Providing some clarity on protection and support available to States Members involved in Code of Conduct proceedings panel; and
 - b) Introduction of full parliamentary privilege for States Members.

CE

62.3 Good Governance – Report from Chief Executive dated 11th September 2019 tabled and considered. It was noted that the Good Governance Group had met the previous week and fully supported the content of the report.

The Policy & Finance Committee resolved unanimously to:

1. request that the Good Governance Group do further work on potential different forms of Government; and
2. present these in a workshop format in order to seek agreement on an appropriate model for Alderney for further consideration by the Policy and Finance Committee.

62.4 CONFIDENTIAL ITEM – See Confidential Annexure

62.5 Amendments to Criminal Justice Legislation re Money Laundering & Terrorist Financing – Draft policy letter dated 2nd September 2019 from Deputy M Lowe, President, Committee for Home Affairs tabled and discussed.

The Policy & Finance Committee resolved to

1. Agree to amend the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999, the Drug Trafficking (Bailiwick of Guernsey) Law, 2000, the Criminal Justice (International Cooperation) (Bailiwick of Guernsey) Law, 2001, the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002, and the Disclosure (Bailiwick of Guernsey) Law, 2007 to enable the delegation of the functions and powers of Her Majesty's Procureur under those Laws to a Crown Advocate or another Advocate of the Royal Court; and
2. To agree to amend the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002 and the Disclosure (Bailiwick of Guernsey) Law, 2007 to extend the prohibition on tipping off to all requests for information made under those Laws.

EO

62.6 EC (Food & Feed Controls) (Guernsey and Alderney) Regulations 2019 – FOR RATIFICATION – Report from Chief Executive Office dated 11th September 2019 tabled and considered.

The Policy & Finance Committee resolved to ratify that it is content with the European Communities (Food & Feed Controls) (Guernsey & Alderney) Regulations, 2019.

62.7 Authorisation for Deloitte to Audit Alderney Companies – Report from Chief Executive Office dated 11th September 2019 tabled and considered.

The Policy & Finance Committee resolved to agree:

- To authorise that named non-UK members of Deloitte NEW can act as auditors of Alderney companies for a period of 12 months from 13th September 2019; and
- To instruct the Law Officers to amend Section 78 (1) (b) of the Companies (Alderney) Law 1994 to provide for suitability qualified EEA auditors to act as auditors of Alderney companies.

62.8 Financial Relationship with Guernsey Update – See Confidential Annexure

62.9 Chairman approach to Commonwealth Parliamentary Association (CPA) – Report from Chairman dated 12th September 2019 tabled and considered.

The Policy & Finance Committee resolved to authorise the Chairman of P&F to approach the CPA and other small CPA jurisdictions with a view to determining the appetite for a common approach to the problems of micro-jurisdictions and accessing the resources of the CPA.

JD

62.10 The Import (Control) (Alderney) (Amendment) Order, 2019 – Report from Chief Executive Office dated 12th September 2019 and copy of the draft Import Order tabled and considered.

The Policy & Finance Committee resolved to approve the draft "Import (Control) (Alderney) (Amendment) Order 2019", which would assist in being able to properly regulate the importation of dangerous chemicals into the island. Chief Executive's office to advise Law Officers.

EO

62.11 Blue Islands Environmental Charter – Briefing paper from Chairman dated 11th September 2019 entitled ‘Blue Islands Environmental Charter’ and an Appendix on the ‘Guiding principles for the protection of island Communities’ tabled and considered.

The Policy & Finance Committee resolved to:

- **Ratify its earlier decision to sign the Blue Islands Charter, given the minor changes now proposed;**
- **Note that staff continue to develop an environmental strategy for Alderney and will report back to Policy & Finance Committee with a draft before the end of the year. The strategy to include a policy statement on energy, waste, marine issues together with development of more robust wildlife protection legislation.**

CV

62.12 Connaught Extension – report from Mr Gentle Sponsor of the Connaught Extension Project dated 13th September 2019 tabled and considered. Mr Jean registered an interest as a family member is involved in tendering for this project and left the room for this item.

The Policy & Finance Committee resolved to approve the recommendation from the Finance Committee and recommend to the full States the funds for delivery of Phase 1 Loft Conversion at an amount of up to £190k. (Item to be proposed by Mr Dent and seconded by Mr Gentle).

BILLET ITEM

63/2019

Transport

63.1 Air Transport Update & UK Air Links – ACI-SOU Independent Report – CONFIDENTIAL ITEM See Confidential Annexure

63.2 Debate on Air Links – See Confidential Annexure

64/2019

Economy & Renewable Energy

64.1 Tidal Energy & Power Purchase Agreement: AEL & Simec/Atlantis – Report from Chairman dated 12th September tabled and considered.

The Policy & Finance Committee resolved:

- 1 To agree to note the Position Paper submitted by the Alderney Tidal Energy Group and request that the Alderney Tidal Energy Group continues to monitor technical, market and other developments in the tidal energy sector.**
- 2 To note the recently announced AEL-Simec/Atlantis Heads of Terms for a potential Power Purchase Agreement and the associated press release. Policy and Finance Committee has requested that the States of Alderney and the public are kept informed, as and when appropriate, of further developments; agreed by a majority (Messrs Snowdon, Jean, Roberts and Dean against).**
- 3 To agree to note that P&F has received assurances from AEL that a deal of this magnitude, with such an obvious potential impact for a company and community, would be brought to shareholders for ratification before completion. Agreed by a majority (Messrs Snowdon and Dean against).**
- 4 To arrange a separate meeting to discuss the proposal, consider what issues and risks might be relevant to the States and revert to AEL for assurances on these.**

- 5 To agree to note that the States of Alderney will be engaged in any final proposals for the delivery of the project though the normal delivery of States functions including, but not limited to, regulation, legislation and planning; Approved by a majority Messers Dean and Gentle abstained; Mr Snowdon against.

65/2019

Any Other Business

65.1 Alderney Week – Report from Chairman dated 12th September 2019 tabled and considered.

The Policy & Finance Committee resolved unanimously to convey their official thanks to all who helped with Alderney Week, but particularly to Bryony Harris and her husband Chris.

65.2 Code of Conduct Panel - See Confidential Annexure

65.3 House Price Sales Figures

Mr Harris reported on a letter received from a local Estate Agent. Noted.

65.4 Tourgis Update

Noted that the developers have been on annual leave, an update will be provided for next months' meeting.

65.5 Proposed change to the Air Transport Advisory Group membership

It was proposed by Mr Dean that Mr Harris with his operational experience with Aurigny, and as he is no longer employed by the airline, should be invited to be a member of ATAG. **Approved.**

66/2019

Agenda Resolutions – Confirmation

The above draft resolutions were confirmed by the Committee Members at the meeting as being a correct record of the decisions arising from the meeting.

67/2019

For Information & Noting**The following reports/letters were noted:-**

- Resolutions of Previous Meeting – circulated via email
- AHA Annual Business Plan Update
- Tidal Energy Group Update Report
- Letter to Deputy Charles Parkinson – 21st September 2019
- CONFIDENTIAL Progress Report – FAB Project – FOR NOTING

68/2019

Items Scheduled for Future Meetings

Meeting closed: 14.10pm

Signed: James Dent

Date: 24th September 2019