

POLICY AND FINANCE COMMITTEE MEETING
ANNE FRENCH ROOM
23rd January 2020
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
 Ms A Burgess

IN ATTENDANCE:

Mrs E Maurice, Acting Head of Finance
 (TREASURY)
 Mrs S Pengilly-Price, Executive Officer
 to the Chief Executive (EO);
 Mrs L Baines, PA to Chief Executive
 Mr P Veron, Strategic Adviser (SA) for
 items 3/2020 & 4.1

Apologies: Mr A Muter, Chief Executive (CE); Mr Stephen Taylor, Strategic Financial Advisor (SFA); Mr C Brock, Director of Business Development (DoBD)

ACTION**01/2020****Matters Arising****1.1 Committee feedback from Chairmen (BDCC, GSC, Finance & Tourism) & Guernsey Representatives**

BDCC – Nothing to report – no meeting since the December meeting of P&F.

GSC – First meeting on 21st January: Graeme Falla and Richard Nash from SoG were in attendance to discuss Fort Grosnez; Breakwater; and Old Steam Crane at Mannez Quarry; Nunnery Improvements and various leases were also discussed. It was noted that the harbour crane replacement funding request was still with P&R in Guernsey.

Finance –no meeting since the last P&F – update on island bank accounts and meetings held with major banks.

Alderney Representatives in the States of Guernsey – Missed start of States due to flights. Potential Requete discussed informally with Guernsey colleagues. Funding of NICE drugs approved. Alderney Reps thanked for all their work by the Chairman.

CTED – Archaeological dig proposed for August. Further update re Nunnery improvements; Sure Phase 2 Superfast Broadband update; and improvements to the Campsite area with regards hedging.

1.2 External Relations No meetings since last P&F. CPA BIMR annual conference to be held in Malta 27th – 30th May 2020. APPCIG possible meeting date - 10th February subject to confirmation.

02/2020**Legislation, Conventions & Policy and Finance****2.1 Annual Appointments**

The following appointments were agreed by the Committee:

- i. Deputy Chairman P&F – David Earl*
- ii. Chairman of Finance Committee – David Earl*
- iii. Members of Finance Committee – Mike Dean, Christian Harris, James Dent*
(*see item 2.2)*

iv. Mirroring and Other responsibilities:

- *Environment & Infrastructure– Annie Burgess*
- *Health & Social Care – Steve Roberts*
- *Employment & Social Security – Christian Harris*
- *Home Affairs – Mike Dean*
- *Education, Sport & Culture – Kevin Gentle*
- *Economic Development – David Earl*
- *States’ Trading Supervisory Board – Louis Jean*
- *Policy & Resources (and external relations)– James Dent*

*v. Other Sub Committees/ Working Groups - Chairman & Members**

- *Tourism & Economic Development Committee – David Earl, Annie Burgess, Chris Harris and one representative from Chamber of Commerce and one representative from the Tourism industry.*
- *Tidal Energy Group – Alex Snowdon, James Dent, Nigel Vooght and James Lancaster*
- *Air Transport Advisory Group – James Dent, David Earl, Christian Harris and Malcolm Matthews*
- *Liaison with Electric Aircraft Project – Steve Roberts*
- *Surface Transport Advisory Group – Steve Roberts, Louis Jean and Nigel Lawrence*
- *Good Governance Group – David Earl, Kevin Gentle, Graham McKinley and Andrew Eggleston*

**All non-States members to sign a non-disclosure agreement*

vi. Board Appointments:

- *States of Alderney 1982 Pension Scheme Trustees – Noted as follows – In accordance with the rules of the Scheme the official Trustees of the 1982 Scheme (now closed) are the Chairman of the Policy & Finance Committee, The Chief Executive and the States Treasurer. Any additional positions are co-opted Trustees. The Trustees do not hold responsibility for the States of Alderney 2013 Scheme, which is administered separately.*
- *States Appointed Director of Alderney Electricity Limited – Kevin Gentle*
- *2 Directors to the Board of Alderney eGambling Limited – James Dent and Christian Harris were nominated as Directors of Alderney eGambling Ltd*

Mr Earl declared an interest and did not participate or vote in this item.

- *Alderney Liaison Group –*

The Policy & Finance Committee resolved to the appointment of the Chairman of P&F and two other States members (as appropriate for specific meetings) as representatives to the ALG.

- **Bailiwick Council** – *The Policy and Finance Committee agreed to the appointment of the Chairman of P&F and two other States members (as appropriate for specific meetings) as representatives to the Bailiwick Council.*
- **1948 Agreement Working Group** – *James Dent, David Earl, Alex Snowdon*
- **Transport Licensing Boards: President, Mike Dean, Louis Jean and Steve Roberts**

2.2 Finance Committee Mandate – Mandate tabled and agreed unanimously.

Resolved to amend the mandate to increase the membership of the Finance Committee to five members including the Chairman (Ms Burgess to be co-opted in the interim period) and for this item to be placed on the Billet d’Etat for the next meeting of the full States as necessary.

2.3 Bailiwick & UK-EU Future Relationship Negotiations – Report from Chief Executive dated 23rd December 2019 tabled and noted.

The Policy & Finance Committee resolved (unanimously) to:

- Note and agree the Policy & resources Committee’s plans to establish the Future Partnership Delivery Group (FPDG) and the Trade Policy Advisory Panel (TPAP) to ensure a collaborative approach to support the Policy & Resources Committee’s responsibility for negotiations with the UK on Guernsey’s/the Bailiwick’s role in the UK-EU future relationship agreement;
- Note and agree the proposed membership and objectives of the Future Partnership Delivery Group (FPDG) and the Trade Policy Advisory Panel (TPAP);
- Approve the participation of the Policy & Finance Committee in the Future Partnership Delivery Group (FPDG); and
- To agree that the Chairman (or alternative representative) of the Policy & Finance Committee or, if he or she is absent from the Island or otherwise unavailable, an alternative, may perform in its name such functions (other than any legislative functions) of the Poli7 & Finance Committee as he or she may consider necessary for the purpose of promoting the objectives of the Future Partnership Delivery Group (FPDG).

CE

2.4 Confidential Item – See Confidential Annexure

2.5 Employment Law – Report from Chief Executive dated 6th January 2020 tabled and noted.

The Policy & Finance Committee resolved (unanimously) to:

- i. Request that legislation suitably amended to meet Alderney’s needs be drafted replicating in its entirety the Conditions of Employment (Guernsey) Law, 1985;

- ii. In respect of the above Policy and Finance request Law Officers and a Senior Employment Relations Officer to visit Alderney to facilitate discussions as to how any future employment disputes can be best resolved;
- iii. Defer any further implementation of the Employment Protection (Guernsey) Law, 1998 until such time that the impact of the Conditions of Employment legislation has been assessed;
- iv. That once Law Officers advice has been sought the public are consulted; and
- v. That the above legislation be available for debate at a future meeting of the full States once all the information has been received.

CE

2.6 Minimum Wage – Report from Chief Executive dated 6th January 2020 tabled and noted.

The Policy & Finance Committee after examining the Guernsey Legislation on Minimum Wage, resolved by a majority (Mr Jean against):

- Not to replicate the Guernsey Legislation, but instead to legislate that the minimum wage rate in Alderney be set at the same rate as Guernsey with an annual increase by RPIX; and
- to approve a request to the States of Guernsey for policy support to set out options for the enforcement in Alderney of the above Minimum Wage and request that the Law Officers visit Alderney in order to discuss the options identified.

CE

2.7 Partnership Law – Report dated 13th January 2020 tabled and noted.

The Policy & Finance Committee resolved to:

- i. endorse the recommendations of Law Officers Chambers that two pieces of legislation relating to proposed Alderney Partnership legislation now be finalised for consideration by the States of Alderney; and
- ii. invite Law Officers to Alderney for a discussion on whether and how Private Fund Limited Partnerships could be incorporated into the draft ; and
- iii. organise a final session of public consultation before going to the full States for debate.

DoBD

2.8 Letters from Chamber of Commerce – Letter from Chamber of Commerce re BDCC issues dated 24th December 2019 tabled and noted.

The Policy & Finance Committee resolved to note the letters, and refer them to the Building and Development Control Committee for a response (Mr Snowdon and Mr Jean abstained).

BDCC

2.9 Letter from G Fitton, Island Medical Centre – Letter from Mr G Fitton re Healthcare in Alderney dated 30th December 2019 tabled and noted.

The Policy & Finance Committee noted the letter and requested that the Professor Wilson brief clearly incorporates the issues raised. The committee also noted a further communication from Mr Fitton which indicated that the problems he had raised in his letter had, at least for the moment, been resolved.

2.10 Policy on Management of Unreasonable Complaint Behaviour – See Confidential Annexure

2.11 Policy regarding transfer of Probate Jurisdiction for Personal Property – Letter from Policy & Resources Committee dated 17th December 2019, and Briefing Papers tabled and considered.

The Policy & Finance Committee resolved to approve the following policy proposals:

- **The transfer of the probate jurisdiction from the Ecclesiastical Court to the Royal Court and the preparation of legislation to effect this transfer;**
- **For the transferred jurisdiction to extend to Alderney and Sark's probate, in relation to their deceased residents and assets held by their residents;**
- **To return any residue to the respective islands regarding their deceased residents' estates and assets following any charges being applied for administering the probate process and returning income to the individual islands, at a Bailiwick rate set by the Policy & Resources Committee and any document charges;**
- **The system will be reviewed after 2-3 years of operation.**

CE

2.12 Homecoming Bank Holiday – report from Ms Burgess dated 16th January 2020 tabled and noted.

The Policy & Finance Committee resolved to debate this matter at a meeting of the full States.

BILLET ITEM

2.13 States in Committee – This was a verbal request for the President to reinstate SIC. Item deferred until February meeting, by a majority (Mr Roberts, Mr Jean & Mr Snowden against deferral, Mr Earl abstained) as a request from the President had been received to be present at the meeting when this matter is to be discussed.

AGENDA ITEM

03/2020

Transport

3.1 Air Transport Update A verbal update was given by the Strategic Advisor. Noted.

PSO Update – See Confidential Annexure

3.2 Surface Transport Update (STAG Meeting 17.01.2020) – See Confidential Annexure - Report from STAG tabled and noted.

The Policy & Finance Committee resolved to approve in principle a subsidy equivalent to the subsidy approved in 2019 for the Little Ferry Company, subject to the condition that, if there is a change of vessel or significant other revisions to the service, and a further report is brought to the Policy & Finance Committee for consideration.

The Policy & Finance Committee requested an opportunity to consider an Integrated Transport Policy and requested that, as a first stage, previously prepared documents might be circulated to members for information.

CE/STAG

04/2020

Economy & Renewable Energy

4.1 Alderney's Environmental Policy Objectives – report from Strategic Adviser dated 13th January 2020 tabled and noted.

The Policy and Finance Committee resolved to approve the environmental policy objectives.

SA

4.2 Connaught Extension Phase 2 Update

The Committee noted a verbal update from Mr Gentle.

4.3 Transfer of AEL Shares – See Confidential Annexure

05/2020

Any Other Business

5.1 Passenger Exit Survey – Members approved for the report to be released.

5.2 Notice of Offer See Confidential Annexure

5.3 Alderney Week Grant Application – See Confidential Annexure

For Note: Visit from Deputy Fallaize, Committee for Education Sport and Culture - with Mr Gentle, Alderney Representatives and the President postponed until March.

Apprentice Forum – organised for 3rd February by Chamber of Commerce. Visit from College of Further Education over a lunch time, venue Braye Beach Hotel.

06/2020

Agenda Resolutions – Confirmation

The above draft resolutions were confirmed by members post meeting and by email.

07/2020

For Information & Noting

The following reports/letters were noted:-

- Resolutions of Previous Meeting – circulated via email
- Letter to Deputy St Pier re Summer 2020 Air Route Timetable
- Sanctions
- Policy Letter Withdrawal Agreement – as circulated via email

08/2020

Items Scheduled for Future Meetings

Meeting closed: 2pm

Signed: James Dent

Date: 24th January 2020