



**OFFICIAL REPORT**

**OF THE**

**STATES OF THE**

**ISLAND OF ALDERNEY**

**HANSARD**

**The Court House, Alderney, Wednesday, 9th December 2020**

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

**Volume 8, No. 9**

**Present:**

**Mr William Tate, President**

**Members**

Mr Bill Abel  
Ms Annie Burgess  
Mr Mike Dean  
Mr James Dent  
Mr Kevin Gentle  
Mr Christian Harris  
Mr Louis Jean  
Mr Graham McKinley OBE  
Mr Steve Roberts  
Mr Alex Snowdon

**The Greffier of the Court**

Ms Sarah Kelly

**Business transacted**

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## States of Alderney

*The States met at 5.30 p.m. in the presence of  
Lieutenant G T Workman RN (Rtd) representing  
His Excellency The Lieutenant-Governor of the Bailiwick of Guernsey.*

[THE VICE PRESIDENT *in the Chair*]

### PRAYERS

*The Greffier*

5 **The Vice President:** Good evening everyone. I shall continue just for a couple of minutes but Madam Greffier, would you call the roll call.

**The Greffier:** Sir.

### ROLL CALL

*The Greffier*

## Billet d'État No 2

### President of the States of Alderney – Administration of the Oath of Office

10 **The Vice President:** If we can move to Billet No 2, Madam Greffier.

**The Greffier:** Thank you, sir, Billet No 2 is the swearing in of Mr William Tate as the newly-elected President, and he will come forward to take his oath, sir.

15 **The President:** I, William Tate, do swear by Almighty God that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors according to law, and that I will well and faithfully discharge the duties of the office of President of the States of Alderney, so help me God.

**The Vice President:** May I congratulate you.

[THE PRESIDENT *took the Chair*]

20 **The President:** Thank you.

I said it was rather odd, 18 months ago, to be sitting here having sat over there for so long, but it was even more weird tonight, having done this for 18 months and then going through the same process again so it is nice to be back.

## Billet d'État for Wednesday, 9th December 2020

### Convenor's Report of the People's Meeting held on 2nd December 2020

25 **The President:** Unless I am mistaken, Madam Greffier, the Convenor's Report.

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

**The President:** Mr Abel.

30 **Mr Abel:** Do you wish me to go through the total Item or Billet by...?

**The President:** No, at this stage, please, just who was there and any apologies that were received.

35 **Mr Abel:** Mr President, thank you.

States Members at the meeting were nine, excluding myself. The public were 21 people, five from the press. We had the temporary Chief Executive there, and also the Minutes Secretary was the Treasury Assistant. In terms of apologies, you asked us to present your apologies, Mr Chairman, which we did, as you were unfortunately unable to attend.

40 Thank you.

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

### I. The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 8) Regulations, 2020 – Not annulled

*Item 1.*

*The States of Alderney is asked not to annul "The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 8) Regulations, 2020".*

**The President:** May we now move, Madam Greffier, please, to Item 1 on the main Billet?

45 **The Greffier:** Yes, sir.

Item 1 is the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 8) Regulations, 2020, and the States is asked not to annul those Regulations.

**The President:** Thank you.

50 Mr Abel, were there any comments made at the People's Meeting about this Item?

**Mr Abel:** Mr President, with regard to this Item, a question was raised with regard to regulation inside these Regulations as tabled, and explanation was provided by Mr Dent that the Regulations not only pertain to the Bailiwick, but also pertain to specific areas of the Bailiwick as well, Mr President. There were no further comments on that.

**The President:** Thank you very much indeed.  
As usual, Mr Dent, you will be proposing this Item.

60 **Mr Dent:** Mr President, we dealt with Regulations No. 7 in our November Meeting. These  
Regulations No. 8 came into effect on 30th of October and expired at the end of November. As  
always, it is nonetheless incumbent upon us not to annul them. The main themes were, as in all  
the more recent sets of Regulations, screening, assessment, and powers to detain; the provisions,  
as previously, also create criminal offences and confer powers of enforcement on police officers.  
They also now provide for applications to vary or revoke requirements or restrictions imposed  
65 under this section to be made to the Royal Court. They also include mental health, and there are  
some Regulations relating to senior decision makers appointed by the GFSC, some Regulations  
enabling the Court of Appeal to operate remotely, and some measures specific to Sark that, while  
clearly not relevant to ourselves, are bundled by the Law Officers into the composite Regulations.  
As was the case with Regulations No. 7, there were 48 pages.

70 Thank you.

**The President:** Thank you very much indeed.  
Mr Snowdon, I think you are going to second this Item.

75 **Mr Snowdon:** Thank you, sir. I will reserve my right to speak, if that is okay.  
Thank you.

**The President:** Would any other Member like to speak on this Item?  
Mr Roberts.

80 **Mr Roberts:** Yes, please, sir, just a short statement.

Being supportive of this paper, I would just like to thank all involved in the protection of  
Alderney and the whole of the Bailiwick. In fact, I would like to take this opportunity to thank Dr  
Brink, her team there, and indeed, Guernsey as a whole for protecting part of the Bailiwick. So a  
85 big thank you to our sister island, Guernsey, from Alderney, and I am sure you will all agree with  
me on that one.

Thank you.

**The President:** Mr Snowdon?

90 **Mr Snowdon:** I have got nothing to add, apart from to endorse Mr Roberts' comments.  
Thank you.

**The President:** Thank you very much indeed.  
95 Does anybody else want to make a contribution to this Item? Well, given the nature of those  
comments, I think, Madam Greffier, we can take this Item as passed.

## II. Code of Conduct Amendment to reflect - Absolute Privilege – Approved

*Item II.*

*The States of Alderney is asked to approve the consequential amendments to the Code of  
Conduct for States Members to refer to absolute instead of qualified privilege.*

**The President:** Item number II, please.

100 **The Greffier:** Item II, sir, is the Code of Conduct Amendment to reflect the rule of absolute privilege. The States is asked to approve the consequential amendments to the Code of Conduct for States Members to refer to absolute instead of qualified privilege.

**The President:** Thank you.

Mr Abel, any comments from the People's Meeting?

105 **Mr Abel:** Mr President, from the People's Meeting, a comment was made by a member at the meeting that he was astonished that States Members are now being provided with absolute privilege, and he further commented that the current Code of Conduct needed reviewing. In reply to that, Mr Dent provided clarification that the Billet Item was to update the Code of Conduct to reflect the Government of Alderney Law 2004, which had been amended and passed previously.  
110 He also informed the meeting that the current Code of Conduct was already under review by the temporary Chief Executive.

Thank you.

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

115 Mr Dent, you are proposing again.

**Mr Dent:** Mr President, colleagues, the Law Officers have advised that amendments to the Code of Conduct for States Members relating to absolute privilege need to be made prior to the Government of Alderney (Amendment) Law 2020 being registered in the Royal Court and the Court of Alderney, otherwise the Code of Conduct will be inconsistent with the Government of Alderney Law.  
120

The amendments very simply substitute the references and text relating to qualified privilege for States Members to absolute privilege. I would add that these amendments are unrelated to the review of the Code of Conduct currently being undertaken by the temporary Chief Executive, and if I may repeat, they are necessary for the proper functioning of the Government of Alderney Law.  
125

Thank you.

**The President:** Thank you.

130 Mr Jean, I think you are going to second this proposition?

**Mr Jean:** I am. Would you like me to speak now or speak later?

**The President:** That is a matter entirely for you, Mr Jean.  
135

**Mr Jean:** Thank you, then I will speak now.

140 What I have to say about this is basically that my feelings are very concerned about the Code of Conduct. I am not concerned about this Item; this Item, I believe, is very good for the States Members, it provides an added layer of important protection which has been needed for some time for States Members speaking their mind in the States of Alderney.

I have already spoken about my views and, to some extent, concerns about the possibility of this being used as a barrier for people to be able to make comments about people in the States; I would hope that that would not happen. But my concerns about the Code of Conduct extend much further than that, and I would hope that, in time, we revert back to the old Code of Conduct and the States give consideration to that, as this one is very difficult as it seems to have been headed up largely by a vociferous minority that have wanted to use it as a form of defence against criticism from Members of the States, which they themselves have not enjoyed.  
145

Thank you.

150 **The President:** Thank you Mr Jean.  
Does anybody else wish to speak on this particular Item? Mr Roberts?

**Mr Roberts:** Yes, please, sir.

155 Since I was first on the States, I was advised that legal protection for States Members was in place already; it seems not to have been the case, I am now advised. This part of the Code of Conduct shouts common sense as an elected Member, and they should be protected from litigation against going about his dutiful business. I feel this Code was partially also responsible for the lowest number of candidates we have had for almost 20 years, and people fear this Code of Conduct before going on the States, they do not want to be put in the public eye. Maybe, if this  
160 new Assembly feel the same way, we could perhaps change things to correct this damaging, over-the-top accusation of States Members over time? The number of Codes in Guernsey are far lower, and yet they have got 38 Deputies; you have got to work and look at those facts and figures.

However, I do support this legislation and I will vote for it, sir.

165 **The President:** Thank you.  
Does anybody else wish to speak?  
Mr Snowdon.

**Mr Snowdon:** Yes, thank you, Mr President.

170 Just briefly, I think it is good to give a bit of context that the Policy & Finance Committee more recently has passed a review to be undertaken on the Code of Conduct, so we are waiting to hear back from the temporary CEO how that moves forward.

Thank you.

175 **The President:** So that being the case, unless anybody wishes to vote against this, I think again, we can take this as passed.

### III. Alderney Commission for Renewable Energy: Appointment of Commissioner – Approved

*Item III.*

*The States of Alderney is asked to approve, on the recommendation of the Policy and Finance Committee and in accordance with section 6 of the Renewable Energy (Alderney) Law, 2007, the appointment of Mr Stephen Taylor as Member of the Alderney Commission for Renewable Energy.*

**The President:** Item III, please.

180 **The Greffier:** Sir, Item III is the Alderney Commission for Renewable Energy: Appointment of Commissioner

**The President:**

Thank you.

Mr Abel, anything from the People's Meeting?

185 **Mr Abel:** Yes, Mr President.

From the meeting, there were some questions with regard to the background of Mr Stephen Taylor, why a Commissioner was needed now, and the period of appointment was raised in the questioning. In answer to that, the temporary Chief Executive provided a background on Mr



190 Taylor's qualifications. The Deputy Chief Executive also clarified that the ACRE post, as is the case  
with other Commissioners who are currently civil servants, will not be remunerated. The Deputy  
Chief Executive also clarified that the Alderney Commission for Renewable Energy Law requires a  
195 minimum of three Commissioners and that these persons would hold office until such time as the  
Policy & Finance Committee deemed it appropriate that the Commission should recommence its  
more traditional activities.

In addition, Mr President, questions were put with regard to the rules of procedure for a  
People's Meeting, whether a written query was permitted. Mr Dent and myself pointed out that  
as there were no provisions in the Government of Alderney Law, Section 22, regarding written  
200 questions to the People's Meeting, that written questions requiring more broad discussions were  
more properly handled as part of the open forum that followed the People's Meeting.

Thank you, there were no other comments.

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

Mr Dent, you are proposing again.

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**Mr Dent:** Thank you.

Mr President, in January 2019, the Commission was reduced to a Chairman and to two others,  
the statutory minimum, and it was effectively mothballed. Two temporary Commissioners were  
appointed from amongst the civil service. On 16th April 2019, the ACRE Chairman was similarly  
210 replaced by the then CEO. If and when new licensing is deemed appropriate, these temporary  
Commissioners can and would, of course, be replaced.

With the departure of Mr Muter as CEO, it is incumbent now to replace him as a Commissioner.  
This resolution would place Mr Stephen Taylor, our strategic financial advisor, in that role. Mr  
Taylor has indicated he will accept no salary for this role.

215

Thank you.

**The President:** Thank you.

The Billet suggests that Mr Jean was going to second this proposal, but he very helpfully  
pointed out that he was not, and it was an administrative error, but Mr Gentle was.

220

Mr Gentle, please.

**Mr Gentle:** Thank you.

I have nothing further to add to Mr Dent's comments, other than to say I commend the States  
of Alderney to approve this.

225

**The President:** Thank you.

Does anybody else have any comments they would like to make about this Item?

Mr Snowdon.

230

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

I think this Item actually follows a paper that I submitted to the P&F a few months ago. I think,  
as we know, it is important that ACRE is still functioning, it is still operational, it still has functions  
that it needs to perform in the near future, so therefore, we do need three Commissioners. As Mr  
Dent rightly identified, Andrew Muter was the Chairman of ACRE, and now that has moved on to  
235 new pastures, it is appropriate for us to appoint a new civil servant, and I think it is just worth  
highlighting, I think, when we did have the Commissioner's before, it was over £100,000 we were  
spending on the Commissioners, so this is in-house and it keeps the costs down.

However, going forward, if something happens with renewable energies, we will need to  
appoint new Commissioners because the Regulator and the States of Alderney acting as both is  
240 not quite appropriate, but at this time, I think it is okay.

Thank you.

**The President:** Thank you very much.  
Anybody else?  
Mr Jean.

245

**Mr Jean:** Yes, I would just like to point out, if possible, next time around, when appointing commissioners—I am picking this up from the remarks of Mr Snowden, which I thought were interesting and really valid—that we try to get the Commission to do the job without payment; it would be helpful and a sensible thing to try and look at.

250

Thank you.

**The President:** Thank you, Mr Jean.  
Does anybody else wish to make a contribution?  
That being the case, again, I think, Madam Greffier, we can take this one as passed.

255

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

#### IV. States of Alderney Revenue Budget 2021 – Approved

*Item IV.*

*The States of Alderney is asked to approve a 3% increase to the combined 2020 yield of Occupiers Rate and TRP to enable rates to be set for Alderney Property Tax rates of charge in 2021 and to accept the amended States of Alderney Revenue Budget for 2021.*

**The President:** We will now move on to Item IV, please.

**The Greffier:** Item IV is the States of Alderney Revenue Budget 2021. The States of Alderney is asked to approve a 3% increase to the combined 2020 yield of Occupiers Rate and TRP to enable rates to be set for Alderney Property Tax rates of charge in 2021 and to accept the amended States of Alderney Revenue Budget for 2021.

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**The President:** Thank you.  
Mr Abel, were there any comments at the People's Meeting?

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**Mr Abel:** Mr President, yes there were. Following a question, background was provided on the budget and the changes to the budget since previous submission, and discussion took place more broadly around the 3% increase in this particular budget, which Mr Dent will cover.

270

In addition, a member at the meeting commented that Alderney residents who had medical insurance would now be paying twice for an ambulance service, with it now being covered in the States budget. The temporary Chief Executive advised that he would follow up on this matter, and the feedback I have had is that he has followed up with local insurers, who indicated that they would review their rates based on the reduced risk via the incorporation of the service within the States budget. In addition, the members of the community are advised to follow up with their insurers to make sure that they get that reduction in rates.

275

A further question was with regard to whether the budget included the funds from the Alderney Ambulance Service that were due to be transferred to the States of Alderney at the end of 2020. The Treasury Assistant advised that no provision had been made in the budget, as it was unknown what residual funds would be available to transfer. However, when they were transferred, they would be held in the reserve fund in the States of Alderney accounts for the ambulance service use.

280 A further question was raised via a States Member around the approval process of the Alderney Property Tax Law and its progress through the Ministry of Justice and Privy Council, and whether States Members had been properly informed. I understand that the States Member concerned will wish to elaborate on this topic further today.

There were no further comments.

285 **Mr President:** Thank you very much indeed.  
Again, Mr Dent, over to you.

**Mr Dent:** Mr President, colleagues, at our meeting on 14th October, we agreed the Revenue Budget for 2021, but we did not agree the recommended increase of 5% to the new Alderney Property Tax. As a result, the States is facing an overall shortfall in its revenue budget of over  
290 £80,000. Failing to address this tonight would result in a deficit budget.

We would also be unable to build the reserves deemed so important in these difficult financial times and, unlike the United Kingdom and Guernsey, we do not have the ability to borrow large sums. In fact, and unlike many of the local organisations that the States support, the States itself  
295 have no reserves.

Colleagues, with inflation at 2%, the 3% compromise increase you have before you tonight is, in fact, a real-term increase of just 1%. And when this increase is viewed together with the 0% increase in water rates that we have been able to achieve, with the incorporation into the budget of the cost of the ambulance service, a move that adds to the property tax a sum of between £2  
300 and £4 per month per household, but which replaces the much larger current subscription charge, typically £90 per year or £7.50 per month. Clearly, the fact that some elements of general office accommodation will not now be exposed to substantial TRP increases for 2021, these being the increases agreed in 2019 as part of the Guernsey budget for 2020 and for subsequent years. We must surely all agree this is value for money.

305 Colleagues, as I hope you have already calculated, the proportion of your property tax going to fund the ambulance next year will be just 1.7%. So if you added that 2% increase to account for inflation to the 1.7% needed for the ambulance, you would get 3.7%. As you can see, by proposing an only 3% increase we are, in real terms, achieving a small reduction in the charge.

Now, while we are on the subject of the ambulance, there were two questions at the People's Meeting that I should probably address as well. The first concerned Alderney residents being able to use the Guernsey ambulance service in the same manner as when they were subscribers. I can confirm tonight that Alderney residents will not be charged if they call upon St John's Ambulance in Guernsey; a reciprocal agreement confirming this is being prepared by an officer of St John's Ambulance.  
310

The second concerned Alderney residents who are covered for ambulance services under their personal health insurance policies who might end up paying twice—i.e. for both the property tax and their insurance premium. In this regard, it is important to remember that personal health insurance is optional, that paying taxes on property is not, and the shift in approach was agreed after public consultation. The Chief Executive, as my colleague, Mr Abel, has just said, has, however, spoken to the director of one of the leading Bailiwick personal health insurers, who has agreed to consider an Alderney discount on premiums in the light of the insurer no longer being liable to cover emergency ambulance trips. He did, however, advise that they would need to analyse the numbers first before making any further commitment.  
320

Finally, we need to remember that the States will still be seeking to recover the cost of emergency ambulance journeys from individuals and/or their insurers if they are non-resident and they are not a subscriber to the St John's Ambulance Service in Guernsey.  
325

Colleagues, let me now return very briefly to the deficit. I am sure that none of us want our earlier failure to address this to compromise our new relationship with the States of Guernsey. Given the Bailiwick-wide 'Revive and Thrive' strategy, given our desire to participate in this Bailiwick-wide initiative, and given the fact that borrowing has never been so cheap, we would be  
330

truly foolish to jeopardise this relationship. As I think you know, we now have a once-in-a-lifetime opportunity to work with Guernsey on a joint economic revival programme, a programme that could see capital investment in projects likely to generate wealth in both our islands. With the possibility of interest rates falling to below zero, we could actually be looking at an investment programme that is unlikely to be, in terms of value, ever again in our lifetimes. Colleagues, please do not jeopardise this opportunity.

Thank you.

**The President:** Thank you.

Mr Harris, I think you are seconding this proposition.

**Mr Harris:** Yes, thank you, sir, and fellow colleagues.

Mr Dent has already detailed the facts and figures for this Item, and I will do my best to avoid any repetition for the state of your attention spans, but I do wholly endorse Mr Dent's proposal.

Just to say: having stood here in October in support of the 5% increase to the new Alderney Property Tax, it will come as no surprise that I fully support this 3% rise instead. It was our task to deliver a responsible budget, which we did, but as Mr Dent said a moment ago, failing to address this matter tonight would result in an obviously unacceptable budget deficit, plus the inability to create much-needed reserves in difficult times.

I can only reiterate the point made by Mr Dent that we cannot be allowed to compromise our positive new standing with the States of Guernsey. For the first time in a long time, we have equal standing within the Bailiwick, which is backed by positive words and co-operation from our friends and colleagues on our sister isle, a position which just a few months ago seemed very unlikely indeed. The 'Revive and Thrive' strategy is a solid initiative to benefit all islands within the Bailiwick, and for us to jeopardise any positivity or hope for economic revival in line with Guernsey would be an enormous misstep.

It has not been an easy year for Alderney, but thankfully, it has been a lot better than almost everywhere else. I have to make the point that no one ever wants to raise rates or taxes; we all pay them, we are all affected by them, but the fact of the matter is these things are often borne from necessity, and we have been trusted to make these occasionally difficult and unwanted decisions on behalf of the people of Alderney.

For the price of a pint a month on an average property, I can say that it could be so much worse, considering the greater issues outside of our Alderney bubble. For me, it is all really about perspective, and we have to try and look at increases like this as a small price to pay for the privilege of living where we do, currently without the problems facing much of the outside world.

So I would like, again, to thank our Treasury colleagues who have worked tirelessly on this throughout 2020, and finally, I trust my colleagues to make the correct judgment on this Item.

Thank you.

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

Who would like to speak on this?

Mr Jean.

**Mr Jean:** First of all, I declare an interest, I am one of the minority of people who will be becoming a tax collector for the States of Alderney—I will start with that—but there are others.

For me, this issue has been dogged by problems. It has not been well prepared. In my opinion, we should have worked more closely with Guernsey on this Item; instead, we have been receiving outside advice, which I believe has led us into choppy waters and possibly, for me, a reputational issue for the States of Alderney itself because so many things have gone wrong with this. We hear them coming at the People's Meeting. We hear that we cannot put ... and I say to you this: because we have had to place the ambulance subscription issue into the revenue budget, because it was not allowed to be attached to the new property tax, and nor was the 5% increase, plus that when

we are left with the situation with the TRP, Guernsey are unhappy that our rate will be different to theirs.

385 I am sorry, but I am not going to touch this item at all, and nor will I touch anything to do with it or vote for it.

Thank you.

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

390 Would anybody else like to make a contribution?

Mr Gentle.

**Mr Gentle:** Mr President, colleagues, thank you.

395 I stood here next to Mr Harris in October when he was in favour and I spoke against the 5% rise, as I believed that hitting people in the pocket was not necessarily the way to go in the current climate.

400 We have been presented with this option of 3%, which is double that of Guernsey's as not yet agreed 1.5% increase, but it is one that I will support. We have subsequently been made aware, as Mr Dent has already stated, that there will be an £80,000 hole in our budget, which within our new financial arrangement with Guernsey was patently not acceptable. As we have already heard, the end of the third quarter RPIX figure is 2%, so Guernsey, with all their millions, can hope to set their rise at less than inflation, but our proposed rise is only 1% above—or, to put it another way, £11 per year, or less than £1 per month, on the average 300-unit property. The total figure for that average 300-unit property will be £33: £22 for the RPIX component and £11 for the extra bit. 405 Guernsey is able to hope to keep its TRP increase at 1.5%, as it has got £82 million in reserve to meet budget deficits in 2020 and 2021; as you have heard, we have not got anything. We also cannot subsidise particular sectors without adding to the burden on other sectors.

A 1.5% increase here would add less than £25,000 to our budget, still leaving a £55,000 shortfall. We have to go for 3% to help plug that hole.

410 Thank you.

**The President:** Thank you very much indeed, Mr Gentle.

Ms Burgess.

415 **Ms Burgess:** Thank you, President, fellow States Members.

As a member of the Finance Committee, when we spoke on this in October, we had already discussed this and had a clear decision made on how I was going to vote. We came in and my colleagues made some very good points, and then I surprised myself by really having been won over by those points, and I voted against the actual increase.

420 Obviously I have been sitting here listening again, and today I really appreciated what Mr Harris said, and Mr Dent. I realise the 3% is a compromise, but it is tackling the deficit, we have to sometimes sit up and be counted. As much as I got won over in the October meeting, this time, I am very firm in the belief that this compromise has to be done, and 3%, as explained by Mr Gentle and Mr Harris, actually equates to not a massive difference in an annual budget in a household. 425

**The President:** Thank you.

Does anybody else wish to make a contribution?

Mr Dean.

430 **Mr Dean:** Thank you, sir.

Colleagues, obviously, I was not at the October States meeting, which is rather unfortunate, because I would have voted for the 5%. Obviously, the Finance Committee has done a huge amount of work on this, not only on this year, last year, and the year before. I think a fundamental misunderstanding of what the actual Finance Committee were recommending was

435 misunderstood in this Chamber, and unfortunately, it leaves us in the situation now where we are  
in a budget deficit. We have already been, all year, tightening our purse strings, looking at every  
Department, making sure they re-budget to actually come in under budget and actually save some  
money, and I think it was important that the 5% was actually increased last time. Hopefully not, it  
440 on it, so it was actually a benefit to them; I hope that is not the case, but personally I think we  
should have gone for the 5% because certainly next year we would have had some additional  
money, and we may have been of the opportunity to actually say next year, like the Water Board  
did this year, we actually have enough money, we will not be making any increase. By only  
increasing by 3%, the chances of that are pretty slim, so it was most disappointing that some  
445 members of the Finance Committee did not actually vote for it last time.

Thank you, sir.

**The President:** Does anybody else wish to speak?

Mr Snowdon.

450

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

Interesting debate so far. What concerns me, and I keep raising it in this Chamber, is the  
people—I think people are struggling.

I just want to go through some bits and pieces, because I keep going on about this, but we had  
455 5% that came into this Chamber and was kicked out last time; now we are asking for 3%. I am not  
quite sure where it was written, but there was a promise, I thought, that in 2021, there would not  
be any increase at all, but now we do seem to have the increases coming out. Occupiers' rates  
went up by 5%, TRP went up by 10%, and even more for bigger properties, but I am concerned  
that we are actually pushing through higher and higher taxation the whole time, and what I would  
460 actually like to see is more savings across the board.

I know everyone is working very hard, and we see new vehicles, new purchases, lots of  
different toys and equipment, which are needed, but are they needed right now? Has the stuff  
actually come to the end of its life, and do we need to keep buying this stuff, because we seem to  
buy so much stuff and it is costing so much money. And if you go back to the people in the street,  
465 what really concerns me is that when we put the whole package together—high electric costs,  
high oil costs, high food costs and travel costs, maybe just to Guernsey on a staycation holiday—  
things are getting expensive.

I do not know how many Members have seen it, but the States of Guernsey Data Analysis Team  
undertook a survey with Alderney people, including Guernsey people, and the responses from  
470 Alderney that did respond to that, 35% of them said that they were on reduced income this year.  
Now, that really concerns me, and I do not think we are actually taking into consideration that  
things are going to get bad, and that is why I do keep raising these concerns that I do not think we  
can keep taxing people the whole time.

I think what we need to do is actually make new income streams and, I am sorry, I do not  
475 think—I am to blame as well, because we are all sitting here—but I do not think we are looking at  
enough new income streams to support the States of Alderney. Luckily, we have had the Gambling  
Commission, but that is dropping. I think it is absolutely essential we look at the new income  
streams and look at more savings across the board of the whole States of Alderney, and that is  
across the board, because I think too much money is being spent at the moment.

480 So unfortunately, I am not going to support this. The Finance team has worked very hard  
putting the budget together but I do not feel there have been enough savings put across the States  
of Alderney, and I think we have got into this situation again. So I find that, frustratingly, I am  
going to be voting against this tonight, because I am just not impressed that this keeps coming  
back, and I have not heard the right argument.

485 I should have declared an interest, that I do have property in Alderney.

Thank you.

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

490 **Mr Roberts:** I cannot add much more to what Mr Snowdon has actually said; he took down a lot of what I have written down, I cannot be supportive of this rise. After the promise last year in 2021 not to raise rates, and we put the ambulance on a further rise of 3%. Everybody is under strain; it costs so much with connectivity, we have to try and keep things down.

I have also mentioned that we need to make money from savings within, and I see a lot of  
495 purchases that I do question from time to time, and I think we can save a lot more than £80,000 from savings within. So I will not be supporting this paper tonight.

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

That appears to be everybody so, Mr Dent, do you wish to exercise your right of reply?

500

**Mr Dent:** Thank you.

Yes, I will just make two points, if I may. First of all, to Mr Jean, I would say we have worked very closely with Guernsey on this issue for what would be over four years. They have been consulted and they have worked with us all through the process.

505

Secondly, I would go back to the point I made earlier: in real terms, if you take into account inflation and the fact that we are incorporating the ambulance service, in real terms, it is actually going down.

Thank you.

510

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

Now, may we move to a vote, Madam Greffier, please?

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Mr Abel	Mr Jean	None
Ms Burgess	Mr Roberts	
Mr Dean	Mr Snowdon	
Mr Dent		
Mr Gentle		
Mr Harris		
Mr McKinley		

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

515

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

## **V. Alderney Property Tax Tariffs 2021 – Approved**

*Item V.*

*The States of Alderney is asked to approve “The Alderney Property Tax (Amendment) Ordinance, 2020”*

**The President:** Item V, please.

**The Greffier:** Sir, Item V is the Alderney Property Tax Tariffs for 2021. The States is asked to approve the Alderney Property Tax (Amendment) Ordinance, 2020.

520

**The President:** Mr Abel, anything from the People's Meeting?

**Mr Abel:** Mr President, there was some clarification, but no full comments. Thank you.

525

**The President:** Thank you very much, indeed. Again, Mr Dent, you are proposing.

**Mr Dent:** Yes, Mr President, colleagues.

530

These are simply the tariffs consequent on your agreement to a 3% increase in the combined 2020 yield of Occupier's Rates and TRP. The amendment will also repeal the clause in the Alderney Property Tax enabling legislation that the Privy Council considered inappropriate, and which would have allowed the States to repeal the law without appropriate scrutiny. Your approval of this Ordinance tonight, we understand, should cause the Privy Council to approve our legislation and for the disruption to the process that otherwise would occur to disappear.

535

Thank you.

**The President:** Thank you very much, indeed. Mr Harris, you are seconding this.

540

**Mr Harris:** Yes, sir, nothing to add, thank you.

**The President:** Thank you very much, indeed. Who would like to speak? Mr Jean.

545

**Mr Jean:** Yes, I would like to ask if we have the approval yet from Privy Council, or if the MOJ has, indeed, placed this before the Privy Council, because it just seems to me we are jumping ahead of the gun here, we are just working right ahead of the field everywhere, perhaps, where we should not be at the moment until we have got approval.

550

**The President:** Thank you. Does anybody else wish to speak on this topic? Mr Dean.

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

555

It is more of a question for Mr Dent, actually, when he sums up: if we are not allowed to appeal the costs by Ordinance, how are we ever going to change it? Obviously at the moment, you either have a new law or you appeal it with an amendment to the Ordinance, but if we cannot do it like that, the idea of actually having the Property Tax so, possibly in the future, we may not follow Guernsey and we may be able to reduce it or vary some of the rates, but if we cannot do that by an Ordinance, how are we ever going to be able to vary those rates?

560

Thank you.

**The President:** Thank you, Mr Dean. Anybody else? Right of reply, Mr Dent.

565

**Mr Dent:** Yes, and I can reply quite easily to Mr Dean on his point, because the only thing that we cannot do is change the law itself; we can change the Ordinances, and these are the Ordinances that set the tariffs. We have reason to change the Ordinances, we cannot change the law. The Privy Council objected to the clause which said we could change the law itself by Ordinance, and we have basically taken that out.



570 To Mr Jean, I would say that the Ministry of Justice simply objected to the two words which could have allowed us to change the law by Ordinance, nothing else. Thank you.

**Mr Jean:** Sir, point of order, if I may?

575 **Mr Dent:** Yes, please.

**Mr Jean:** That still has not answered my question: have the MOJ passed the item on for the approval of the Privy Council? Because if not, we are jumping ahead of all of that.

580 **The President:** You do not have to answer it, Mr Dent, but you might think in the circumstances...

**Mr Dent:** The MOJ have obviously consulted with the Privy Council, because they have told us that if we remove these two words, we can presume that the Privy Council will be minded to pass the legislation.

**The President:** Thank you.  
I think we will take a vote on this one, Madam Greffier, please.

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

<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAINED</b>
Mr Abel	Mr Jean	None
Ms Burgess		
Mr Dean		
Mr Dent		
Mr Gentle		
Mr Harris		
Mr McKinley		
Mr Roberts		
Mr Snowdon		

590 **The Greffier:** Thank you, sir, that is carried.

**The President:** Thank you.

#### **VI. Occupier's Rate Tariffs 2021 – Approved**

*Item VI.*

*The States of Alderney is asked to approve "The Occupier's Rate (Level for 2021) Ordinance, 2020".*

**The President:** Thank you.  
Item VI, now, please.

595

**The Greffier:** Item VI is the Occupier's Rate Tariffs for 2021, the States of Alderney is asked to approve the Occupier's Rate (Level for 2021) Ordinance, 2020.

**The President:** Thank you.

600 Anything from the People's Meeting, Mr Abel?

**Mr Abel:** Mr President, there was some clarification provided, but no direct questions. Thank you.

605 **The President:** Thank you.  
Mr Dent, again.

**Mr Dent:** Mr President, colleagues, with the approval of the last two Items, all that remains to be done is to set Occupier's Rate at zero. This move has been advised by the Law Officers in the interests of clarity and, if I can address Mr Jean in particular, perhaps this is one Item he will be in agreement. Thank you.

**The President:** A little humour on your last outing.  
Mr Harris, you are seconding this one?

615 **Mr Harris:** Yes, thank you, sir, nothing to add.

**The President:** Is he right, Mr Jean?

620 **Mr Jean:** Yes, I think he is right.

**The President:** Anybody else wish to speak on this?  
Then we will take that as passed, Madam Greffier.

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

#### VII. Annual Reports of States Committees for 2020 – Approved

**The President:** Item VII.

**The Greffier:** Item VII, sir, is the Annual Reports of States Committees for 2020.

630 **The President:** Thank you very much indeed.  
Mr Abel, the People's Meeting, anything said?

**Mr Abel:** Mr President, there were a number of questions presented when the reports were examined by the members of the meeting. I do not know whether you wish me to read them all out for each of the reports submitted, or whether you want me to bob up and down for each of the reports that are going to be read. There are three reports to be read: one from the P&F Chair, one from the GSC Chair, and one from the Building & Development Chair. I can table all of the questions posed.

640 **The President:** I think we had better keep it simple and do it one at a time.

**Mr Abel:** Okay.

If I can then start with the first one on the list, which is the Annual Report from the Policy & Finance Committee. An item was raised with regard to fishing rights post-Brexit; Mr Dent advised that further information is awaited from the UK in whose hands the matter rests. Both Alderney

and Guernsey have been lobbying to protect their interests, and Guernsey continue to represent Alderney's interests in discussion with the UK.

650 A further question was raised about staffing issues in the civil service and current vacancies; the temporary Chief Executive advised that he would investigate the situation and see whether information could be provided. This matter is still outstanding.

A further question was asked with regard to employment and minimum wage legislation; a member of the meeting noted that there are other mediation and tribunal resources on the Island that could assist with this work. Mr Dent advised that the work was underway and public consultation will be sought at the appropriate time on this issue.

655 That covered the questions around the P&F Committee Chairman's report, Mr President.

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

You are now going to give us your report, Mr Dent.

660 **Mr Dent:** Thank you, Mr President.

The year has been dominated by three things: coronavirus, Brexit and the defence of our marine assets, and staff issues within our civil service; I will deal with each in turn.

665 Coronavirus: the fight against coronavirus has, of course, really dominated the year and has impacted the operation of the P&F Committee, not least because the pan-Bailiwick Civil Contingency Authority has driven coronavirus policy. For this reason, and because health is a transferred service, Alderney has been subject to a set of regulations largely common to the three Bailiwick jurisdictions. Having said this, there have been variations to accommodate the occasional different circumstances in Alderney. And in this regard, P&F has sought advice from our medical professionals, our Chamber of Commerce, and others and advised myself as the Alderney representative on the Civil Contingency Authority.

670 The travel restrictions at the Bailiwick's borders have caused a large number of Guernsey residents to discover the attractions of Alderney. Our staycation promotion brought in many visitors from other parts of the Bailiwick, many of whom we believe will return. The staycation initiative was, in fact, a rather unexpected but, nonetheless, positive outcome from the otherwise very damaging coronavirus crisis.

675 On the financial side, the coronavirus business support packages that were introduced by Guernsey have, of course, applied equally in Alderney and for this we are very grateful. As a consequence, we have fared financially much better than many other jurisdictions and, although we have been prudent, our originally intended pre-COVID spending programmes, although perhaps delayed, remains largely intact.

680 Post-COVID we are keen to partner with Guernsey in the Bailiwick 'Revive and Thrive' initiative and to this end, we have been working on an Integrated Transport Strategy. We believe a successful pan-Bailiwick partnership will be contingent on an agreed common position on connectivity and a clear programme for working together on economic issues.

685 Coronavirus has also prompted a change in the Government of Alderney Law that should allow us to cope better should we again find ourselves in a similar situation. The change in the law also allowed us to replace our 'qualified privilege' with 'full privilege' and to provide the Alderney States Members with protection similar to that enjoyed by other legislatures.

690 Brexit: The UK's withdrawal from the EU has caused us to have concerns over the long-term control of what we regard as our biggest asset – our seabed and the resources in, and above it. We have noted the wider Bailiwick push to reserve our common previous positions with regard to both goods and fish, and would like to thank Guernsey for their efforts on our behalf. While Guernsey has recognised that Alderney's balance of interests may be different to those in Guernsey, Guernsey have clearly not shied away from representing our interests when talking to the UK. Alderney's interests are, of course, focused more heavily on our marine resources than  
695 our need to trade goods, that is, other than products of the sea, with the EU.

Alderney would stress that, in common with Guernsey, we did not have a say in the UK's decision to leave the EU, and in Alderney we believe that this should be better recognised by the UK Government.

700 Staff issues with our civil service: our CEO left the Island in June and a number of important civil service positions have also been left vacant. These staffing issues have compounded delays to a number of projects caused by coronavirus and added to the burden of work carried by our remaining civil servants. We are, of course, grateful to those staff carrying this additional burden.

705 Other 2020 initiatives have included: number one, employment law. In January, P&F resolved to introduce this to Alderney. The new law will be based on the Guernsey Conditions of Employment Law, 1985. There would, therefore, be basic legislation entitling all employees to a contract of employment. Consideration of more detailed legislation, such as might replicate a more comprehensive Guernsey Employment Protection Law, 1998, would wait until an assessment of the success, or otherwise of this first piece of legislation.

710 Number two, a minimum wage: in January, P&F resolved to legislate that a minimum wage be introduced and the rate in Alderney set at the same rate as in Guernsey.

715 Number three, partnership law: in January, P&F resolved that two pieces of legislation—one ordinary partnerships, and the second permitting limited liability partnerships be progressed; the latter would introduce the concept of administrative partners to the Bailiwick and, as such, might see persons wishing to take up residence in order to take advantage of the new legislation.

The legislative progress of these three initiatives was hindered by COVID and the consequent diversion of the Bailiwick's legal resources to COVID and Brexit issues. The legislative impetus has, however, now recommenced, and it is hoped that these initiatives can soon brought to a conclusion, not too long I hope.

720 Other 2020 initiatives have included work in regard to legislation for banning single-use plastics and environmental protection. The drafting of an integrated transport strategy has also been progressed.

725 On the economic front, the construction and housing sectors continue to do well; indeed, it would appear that there may be something of a mini boom, as Guernsey residents have discovered real value for money in our on-Island properties. A proposal to construct a marina has been revived; our nascent cannabis oil industry is progressing, though there remain a number of import-export licensing issues that need to be resolved; our ambulance service is being brought under States control; work on the extension of our Connaught Care Home has restarted; Alderney Week was able to go ahead, albeit in a reduced format. Visitors continue to come, attracted to our birds and wildlife, and we have a newly refurbished hotel, La Ville. Some of our traditional annual events have had to be cancelled because of coronavirus – these included our annual literary, performing arts and chamber music festivals, the fly-in and air races; and the archaeological dig on Longis Common. However, the hill climb and golf tournament continued.

735 We continue to monitor developments in the tidal energy market and watch particularly closely the developments in the Raz Blanchard on the French side of the Alderney Race. We have finalised the work necessary to repatriate all property taxes, document and fuel duty, and should shortly be able to set rates in a manner that most suits our economy. The Little Ferry, although suffering because of the coronavirus restrictions at the beginning of the season, was able to capitalise on the staycation initiatives; this service was, as now, subsidised by the States of Alderney.

740 Finally, work to progress the rehabilitation of our runway continues. Our efforts to turn Fort Tourgis into an economic asset have been halted by coronavirus and uncertainty about our air links, and discussions concerning the 1948 agreement are on hold.

745 Mr President, I have tried to be brief. Next year it will be important to build our relationships with the new government in Guernsey. I think you will note just how much of what I have talked about requires that we can maintain good transport links, and on that note, as I did last year, I will conclude.

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

750 The Report takes the form of a debate, so who would like to speak on the Report from Policy & Finance?

Mr Jean.

**Mr Jean:** Thank you.

755 I want to draw your attention towards the civil service package, and first of all, I want to thank every single civil servant who has helped me throughout the year, I have been very grateful to you, and they know who they are, and the others—some of them—I am afraid I do not know where they come from or why they are in the places they are in, but I am going to say this: six or  
760 seven years ago, we had a works audit and there were arrangements made to pay off and let those people retire as they came up to retirement, to let them retire and settle with them. This was done. It was not done in the right way, as I have said before; the whole four-year package was instigated in one go and cost the States of Guernsey a great deal of money. But we do not want to go over that; the bit that I am interested in is that the States of Alderney goes back to that works audit as a reference document and that it looks at it to see just what really is needed,  
765 because it seems to me we have got positions, and there are difficulties coming.

Also, we have a situation where capital allocation does not come from Guernsey anymore, and I believe that we could quite quickly find ourselves in trouble if we spend too much money on staff and too much money on items if we are not careful. We need to be careful. We will be raising the new rates every year, and that must not happen. So what I am saying is to go back to the works  
770 audit document as a point of reference, but also to understand my remarks are not critical of the civil service as it is and as it has served me, and I have received some very good service here from the civil service, for which I am extremely grateful, and I extend my thanks out to all of them tonight. Thank you very much but I just wanted to make those remarks so that there is the element of caution.

775

**The President:** Thank you very much indeed, Mr Jean.

Would anybody else like to speak on the report?

Yes, Mr Roberts.

780 **Mr Roberts:** It is a very interesting and good report, but can the Chairman please update on the rehabilitation of our runway? Because of the width of the runway we have been offloading passengers whenever the runway is wet. Also, the crosswind limits impact from the restricted width. So can we please have the very latest news?

Thank you, sir.

785

**The President:** Ms Burgess.

**Ms Burgess:** Thank you, Mr President and fellow States Members.

790 This is not so much a comment on last year's review of P&F. I do actually want to just quickly say thank you to Mr Dent, this is on my own behalf, because I had noted, and having been in P&F, how much hard work you have put into it, and I have appreciated on a personal level the time you take to actually phone States Members up if we have difficulty with some of the points that are being made or if you feel that we are struggling with something, and I have noted that and appreciated it.

795

Obviously the review of last year is interesting, but I do want to pick up on a very small point, because I cannot quite help myself, and I apologise, but the efforts of Fort Tourgis being halted by coronavirus and so too of air links, I do like to make that point that, obviously, it has an impact, but I am was not very sure that it was particularly flying high and securely before coronavirus, and I just would like that point made.

800 I would also be interested in your summing up just to hear any personal observation you have made in your time at the States in reference to P&F, if there have been any particular changes or comments that you would like to make.

Thank you.

805 **The President:** Thank you, Ms Burgess.  
Mr Snowdon.

**Mr Snowdon:** Thank you, President, fellow colleagues.

810 Thank you, Mr Dent, for putting the report together. I just want to add a little bit onto it: I think we should be looking at alcohol duty, trying to get to that back to the States of Alderney, I think it is quite an important thing. I know there have been conversations, but it would be quite important to try and get that back as well.

815 Just to endorse your comments as well, I think we do all owe a big thank you to Guernsey with the financial support they have given and the help they have given through the COVID crisis. The recovery plan is going to be really important for us, the Bailiwick Recovery Plan, which also includes reviewing air and sea links—I think that is really important. I know we have had initial conversations, and Sea-Tech has been talking to the civil servants last week. It is very important that we carry on that dialogue before that is debated in the States of Deliberation.

820 Transport strategy: yes, absolutely, and I think we should be looking at the medium and long term as well. I know we are looking more at the short term, but I think we need to look—a bit like the Land Use Plan, break it into the five years and look at the 20-year goal, even if it changes when we are trying to achieve that, at least we have something we can target.

825 Finally, I would just like to say thank you to Mr Dent, and I think, actually, you have worked very hard and a lot of people do not quite realise the amount of time you put into the CCA. I was just in a meeting with Dr Brink with you today on Teams, that was one meeting, but you are having a tremendous amount of meetings on behalf of the community with the CCA, and I hope I can say for the rest of States Members, thank you very much for that amount of time that you have put in. It has been a challenging year, and thank you on behalf of us.

830 **The President:** Would anybody else like...? Mr Dean.

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

835 Mr President, fellow colleagues, I would also like to echo some of the statements Mr Snowdon has made. I would like to personally thank Mr Dent for the extremely hard work which goes on behind the scenes that, actually, members of the public do not see, and I think that goes for all States Members; there is a lot of work that goes on behind the scenes that they do not actually get recognition for.

840 In Mr Dent's report, just a couple of things maybe he has missed and maybe he would just like to add: I think the actual community need a huge thank you because whilst the States Members actually made decisions and Mr Dent then carried those wishes out in the CCA, whilst some people thought the regulations were draconian, I think it has proved that, actually, they were not, they were of benefit to the community. You only have to look at the other jurisdictions and you see the issues that they are having. Even though we are not out of the woods, I think the community need a huge thank you for actually abiding by those regulations, because it is alright making the rules and regulations, but if people do not abide by them, it all falls away, so I think the community need a huge thank you for that.

850 Lastly, I would mention Fort Tourgis; Ms Burgess has already mentioned that she thought it was already going off the rails. We certainly had a meeting in February where we were informed that the banks were reluctant to lend the money, so they were looking for private backers. There was also some concern amongst the States Members whether the business case actually stood up, and we wanted an appraisal of that business case. I think the Dutch developers were reluctant

to have an appraisal of that business case, and I just wonder how long the States, going forward, are going to let that continue. At some point you have to draw a line under it and move forward. This is the second bite of the cherry, and it does not seem to be going anywhere.

855 Thank you, sir.

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

Would anybody else like to speak?

No, well, then, Mr Dent, I am sure you will want to respond to those kind words!

860

**Mr Dent:** Yes, thank you very much for all those kind words, and I am not quite sure what to say.

I will just go over the rehabilitation of the runway first because that is easy, or easy-ish. I hope we will get an update on the rehabilitation of the runway in time for the next P&F meeting, but I do understand that things are basically on track, it is going ahead, I think it is close to tender stage but we shall get an update in the next 10 days, so I better not say anything just in case I get it slightly wrong.

Thanks to the community, yes, I actually think that the people of Alderney—their reaction to the rules and regulations has been exceptional. If only this had been the case in other jurisdictions, I think the world would be fighting the virus off rather better than it appears that they are. I would like to think that we have been an example to the rest of the world. So yes, really big thanks to the community.

I would just also like to say that it has been an honour to serve in this Chamber. I wish our newly elected Members and my successor, whoever it may be, well. Next year, I do not intend to snipe from the side-lines (*Laughter*) but I do invite anyone who wishes it to come and talk, and I will try to share my experience and explain why and how we got to where we are and what we were trying to achieve, and what the reasons were, good and bad, for what we did. When I was elected I said that if I got three out of four things right I would consider that a success. I thought the worst possible thing was to do nothing, and it is for the electorate, not I, to judge what we did well and what we did badly. So thank you to everyone.

880

**The President:** Thank you very much indeed, Mr Dent; now you can sit back and relax.

We come to the Building and Development Control Chairman's report. Mr Abel.

885 **Mr Abel:** If I can bob up again, Mr President.

**The President:** Oh, please do.

**Mr Abel:** Thank you.

890 On this particular Item, there is only one question: seeking clarification around the section where the report highlighted that consideration should be given to removing the need for using the BDCC, or the Building & Development Control Committee, on a daily basis, but rather changing the whole thrust of the Committee to something more with regard to major projects. The reply given by Mr Gentle, who is the Deputy Chair of the BDCC, filling in for Mr Dean, who was not available, stated that this was a personal opinion. However, Mr Dent –

895

**Mr Dent:** Point of order, it was not me.

900 **Mr Abel:** I beg your pardon—Mr Gentle, Deputy Chair of the Building & Development Control Committee—sorry, I had too many Dents on my little sheet here (*Laughter*), but if I can continue—Mr Gentle, Deputy Chair of BDCC, who wrote the Annual Report in the absence of the Chair, stated that this was his personal opinion. However, Mr Dean, the actual Chair of the BDCC, advised that

it was his understanding the Annual Report should be on matters that occurred during the year in the Committee, and that was the only comment in discussions, Mr President.

905

**The President:** Thank you very much indeed.  
Now, Mr Gentle, you are going to present this report.

**Mr Gentle:** I am, sir, thank you.

910

President, sir, colleagues, with the Building & Development Control Committee welcoming Ms Burgess at the beginning of the year to replace Mr Earl, to join Mr Dean, Mr Snowdon, and myself, the Committee has dealt with 121 applications prior to the meeting of last week. In 2019, there were 117 applications. Ms Burgess has adapted very well to her role and has an excellent grasp of the planning process, a good understanding of the Land Use Plan and how to deal with applications. I am sure that she will agree that when she joined the Committee, she embarked on a steep learning curve. I found myself thrust to the forefront since the suspension of Mr Dean, and I could not have done it without guidance and support of Mr Snowdon, Ms Burgess, the Planning Officer, Miss Roberts, and the Minutes Secretary, Mrs Baines, and I thank them all.

915

The Land Use Plan helped us get away from the short-term solution over the long-term-goal mentality. The Land Use Plan has a five-year life span and takes us up to the end of 2022, so work will need to start on the next version in the next year. Using it allows people to see that decisions are made rationally and fairly.

920

All of the applications have been dealt with at the six-weekly open planning meetings, which took on a new turn earlier in the year when we met remotely. These open meetings continue to demonstrate, hopefully, the effectiveness of the meetings being open to all.

925

However, despite the Land Use Plan being the bible, there are issues that still need resolving. We have a flexible system that can be scaled up for major projects, a solid foundation for working from, balancing the needs of the Island whilst still preserving a lot of what makes this such a special place to live. The advent of the Land Use Plan helps improve the economy, which is much called for at present but also improves protection. We still need more planning reform on two fronts: more power to protect the important archaeological, historical, or geological sites that are not traditionally covered by a conservation plan, and simplifying the appeals process. I stood here a year ago and seconded the report given by Mr Dean, when I remarked that I looked forward to seeing something happen with an appeals process overhaul.

930

The BDCC has powers and procedures that oblige it to objectively determine facts and draw conclusions so as to provide a basis of official action. Pre-determined sets of guidelines and criteria can be challenged in a court of law. That is wrong; the Land Use Plan was a result of much consultation and much financial investment, but it does not stop me thinking that there may well be measures and solutions out there that could make the process even more efficient. We could look at removing the need for using the BDCC on a daily planning level; we could give the job to a couple of suitably qualified civil servants and use the BDCC for major projects and the appeals process. It would not even need to be the domain of purely States Members; there are members of the public co-opted onto various working groups throughout the States, so why not use one or two of them with planning experience or knowledge? However, that is a discussion for another time; BDCC in its current form is enshrined in law, so it is here to stay for now.

935

940

945

All that remains for me to say, once again, is thank you to all, and on behalf of the Committee, have a merry Christmas. Let us hope that next year is better than this one.

Thank you.

950

**The President:** Thank you, Mr Gentle.  
Would anybody like to speak on Mr Gentle's report?  
Mr Dean.

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



955 It was unfortunate I was suspended so I could not actually do the report. I would just like to make a couple of comments, and obviously the report was then circulated to the Committee members—I am surprised the Committee members did not pick up on a couple of things.

960 ‘The Land Use Plan gets us away from short-term solutions over a long-term goal’ and ‘The Land Use Plan has a five-year life span and takes us to the end of 2022.’ Well actually, it takes us to March 2023, because it is five years from the date it is passed, and it was passed in March 2018, but certainly it should be started on next year and a lot of work needs to be done in 2022 so it is ready to come to fruition. I would disagree that we need more power to protect archaeological and historical geological sites; obviously, the BDCC is responsible for planning applications—that is, above ground and below ground—so if anybody wants to do any digging, it will need a planning application, so most of that is covered. We also have protected sites; we have registered buildings; 965 and we also have unregistered assets as well. So I think that pretty much covers all of that.

I know, Mr Gentle has a personal opinion about the BDCC with additional members; the BDCC does have the power to appoint additional members, and they would be brought from the Chamber. At no point in the last year did that come to fruition in any policy meetings, and everybody is entitled to put their views to a policy meeting, so I would not say that was a view that was shared by the BDCC, but Mr Gentle has already pointed out that out, that this is his own personal view. 970

My personal view for the next Chairman going forward, I think it is important that the Committee has a good handle on things, and if they wanted to appoint somebody, they could. We certainly need five members, not four; I think there have been some issues, certainly this year, where there has been some conflicts and certain items have been moved to following meetings, so certainly, it is up to the States Members to step up. It is not a very nice job being on Planning, actually; the buck stops with the Chairman all of the time—certainly my predecessor, Mr Birmingham, would have said that, it is very much a bit of a poisoned chalice—even though it is not the Chairman that makes the decision, it is the Committee that makes the decision, and I would like to think with having open planning meetings it is open and transparent, and it is one of the Committees that works really well. Unfortunately, when you have planning meetings, somebody puts in a planning application, you are always going to get people who are going to be happy with the decision and other people who are going to be unhappy with the decision. 975 980

985 Following on with the appeals process, Mr Gentle is aware we have had discussions with the Law Officers; unfortunately, they are extremely busy. We knew it was going to be a huge task to try and overhaul the law. We have certain items in our BDCC law that, if it was rewritten, would be removed, that would not be such a good thing, so we have looked at seeing if we can have perhaps something actually added on by Ordinance. However, it is just not the appeals process. I agree that it is not a satisfactory process for an applicant to then take the BDCC to court; it should be done a different way, I think the Committee actually agree that, but how we do that—and certainly for the Committee moving forward, they need to look at the third party appeals as well, so it is very difficult. 990

995 Obviously during the year we had the Guernsey Planning Committee come up and sit in with us for an open planning meeting and then we have a meaningful discussion, which was good, with the opportunity for us with them to go down and see how Guernsey do it. Unfortunately, with various restrictions, that did not come to fruition, and then obviously, in October, Guernsey had their general election, so the Committees changed. As far as I am aware, that invitation still stands, so the Committee should certainly next year, once they have re-formed, go down to Guernsey and see how the planning is done down there. 1000

1005 Finally, I would like to thank all the civil service that have actually helped the BDCC, and certainly the Law Officers in Guernsey. A lot of work goes on behind the scenes that not everybody sees, certainly in the Planning Office, Cynthia Roberts, I would like to thank her for her help and support, and certainly Sue Price. Also, I would like to thank the Treasury for their assistance in that as well, with sorting out the planning application fees, it has been much appreciated. And finally, I would like to thank the members of the Committee who contributed really well to the

Committee, and whilst we have not agreed on everything, I think it has been a good mix, and certainly at the open planning meetings things have not been a straightforward and people's different views on things has actually made the Committee work really well, I think.

1010 Thank you.

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

Does anybody else want to talk about the Building & Development Control?

Ms Burgess.

1015

**Ms Burgess:** Thank you, President, fellow States Members.

I just want to support the comments made by Mr Gentle about hoping that next year we see the Committee definitely have five members, rather than less. It is something that really is needed, and it makes the Committee quite difficult at times, so I am hoping that is something that is understood coming into the new year.

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And although it was Mr Gentle's report, I do want the opportunity to thank Mr Dean as Chair; I have only been on it for a year, but again, I learnt a lot from yourself, and I really appreciated the procedure, which was always dealt with great understanding, and I thank you for your explanations and showing me through the Land Use Plan, so thank you.

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**The President:** Anybody else?

Then, finally, we come, Mr Abel, to the annual report of the General Services Committee. Were there any contributions from the community?

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**Mr Abel:** Mr President, there were a number.

The first one was with regard to the restructure of the pontoon being done in conjunction with the RNLI, who have appointed Wallace and Stone to undertake the concept design work. Mr McKinley advised that the RNLI are carrying out this element of the project, for which the States are very grateful, and I think we will cover that a little later.

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A query was raised regarding the next road resurfacing and when it would be carried out. Mr McKinley clarified that resurfacing is planned to be done next year to coincide with the runway resurfacing. A subsequent comment was made with regard to past resurfacing matters, which had left some roads with layers of tarmac and pavements either on a level or the pavements below the road surfaces. Mr McKinley advised that when the Committee consider the resurfacing contract, these matters will be taken into account.

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A contributor also stated that the oldest dry stone walls are starting to bow and collapse, as with the wall on La Vallee, which has been raised before. It was considered this was a great risk in certain areas, and this was felt to be due to the continued delay in routine maintenance. Mr McKinley advised that in many cases, the walls are privately owned and therefore the States are not responsible.

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Another contributor queried when work on the sewage outfall at Fort Doyle would begin as this remains a project which has been talked about for a number of years with no action being taken, despite a proposal being agreed last year. The contributor continued that Platte Saline and Longis Bay, in other words, the Longis Sewage Treatment Works, are both beaches frequently used by recreational fisherman, with Longis being popular with both local and tourist bathers. Therefore, it was critical that the States address this issue going forward. Mr McKinley stated that the Fort Doyle outfall project had regrettably been delayed, but understood that it was being addressed and confirmed that these comments will be taken into account.

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There were no further comments, Mr President.

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

Now, Mr McKinley.

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

1060 Mr President, fellow States Members, the COVID-19 pandemic continued to have a significant impact on our island. The pandemic remains a key focus and continues to absorb resources. Projects have been reprioritised, but continue to progress where possible.

1065 Major projects are those with an estimated cost of over £150,000; one of them is the Connaught Care Home, of course, and Phase 1 of work on the Connaught Care Home, which has been work largely inside the existing building, has been completed. The 2nd Phase, which is work on the substructure for the new extension, is ongoing and should be completed by Easter next year. Tender documents have been submitted for Phase 3, the extension of the care home, at an estimated cost of £1.29 million; hopefully, work will start after Easter next year. Major work on the old Connaught have been completed, but there are still some internal repairs required. These works have been delayed partly due to COVID-19 and partly due to weather. Decisions have yet to be made with regard to the future use of the old Connaught.

1070 The harbour crane replacement, which cost £850,000, is due for delivery now by the end of January. We are currently seeking confirmation on the progress from the manufacturer, and I think that we would all agree that, as a lesson from recent past—very recently, the last month—  
1075 we should consider a maintenance and emergency repair contract with a relevant company, preferably one based in Guernsey or Jersey. We should also consider how best to protect the crane from the weather and sea when not in use. I learned today, actually, that it is not possible to put it into some sort of garage, because it is not possible to actually lower the full crane; if you lower that, then the crane will tip over and you will not be able to move it, so we are working on that. We should also consider—as I say, we should construct, perhaps, a large shelter, and if so,  
1080 where?

I know that there have been, today, problems down at the harbour; I have not included those in my report, but I will certainly answer questions to those in the second part of this.

1085 The RNLI has confirmed that restructuring of the harbour pontoon remains a priority. They have appointed Wallace and Stone to undertake the concept design work. They were due to visit before the end of this year, this is likely to be delayed now due to COVID-19. We shall be considering a harbour review plan next year, and work may include resurfacing and fencing of the crusher and Glacis sites and possible relocation of the States Works Department and the recycling area, and possibly Alderney shipping and perhaps we should also consider a roll-on/roll-off facility.

1090 Whilst on the subject of the harbour, I am not sure whether all present will know that during the first few months of COVID-19, the Harbour Office was open between 6 a.m. and 10 p.m. every day, and there was always one staff member on alert between 10 p.m. and 6 a.m., and each day, on average, they were able to stop at least two foreign-based boats from entering the harbour, and we owe them sincere thanks for that.

1095 We continue to work with the States of Guernsey in respect of usage of Fort Grosnez. Some repair work is still required, and there is a requirement for improved supply of electricity and water. The States of Guernsey will continue to use the Fort for the breakwater maintenance team, but it has been suggested that the offices of the States Works Department, currently located at the Butes, might be able to relocate to the Fort. Other possible uses are being considered.

1100 The breakwater maintenance team, employed and funded by the States of Guernsey, have worked throughout the summer season. They found no major breaches, but have carried out minor repairs both above and below the waterline.

1105 The damaged crane at Mannez Quarry has caused some concern regarding possible injury to children climbing on it. The crane belongs to the States of Guernsey, who have said that they are unable to accept responsibility for any injuries, and wish to see the crane removed. I believe that the crane should be removed and scrapped.

1110 With regard to Fort Doyle, work has not yet commenced. We need to re-engage with interested contractors to undertake surface and sewage water data studies and analysis. There is a possibility that we may align under a larger programme with Mouriaux and Platte Saline connectivity and treatment.

Road repairs and resurfacing are normally scheduled for alternate years at a cost of £300,000. Repairs due for this year have been delayed to coincide with the runway repair, which is scheduled for next year.

1115 We continue to have concerns about coastal erosion. The Arsenal wall is of serious concern, but the building is privately owned, more about that later.

1120 Repairs at Corblets Wall are planned for next year, and I believe that we should also look at Crabby Bay. I have mentioned the risk to the road from Fort Tourgis to Fort Clonque in previous reports, and some of you may know about the recent storm damage to the road at the Tourgis end, where the States Works Department have been undertaking repairs. There are also other sections of this narrow road which are at risk to damage during poor weather and high spring tides. Although there has been little or no use for Fort Clonque this year, I believe those repairs are or will become a priority next year.

1125 The General Services Committee has discussed possible solutions to the Whitegates housing. Should it be repaired and brought back to use by the Alderney Housing Association? Should it be offered for sale to a private developer? Should it be used for visitor accommodation? Should it be demolished? I strongly believe that we should make a decision within the next few months, and I know this is going to go towards the Building & Development Control Committee in due course.

1130 Many of you will be aware of the damaged wall at the top of the end of La Vallee. It is a sad sight and if it remains untreated it could result in further collapse of the slope. I understand that this is private property and that, if this is so the owners should be contacted and ordered to complete repairs as soon as possible.

1135 To more positive developments: Braye Harbour Developments 2020 have been granted an exclusivity period of 18 months to present detailed plans and costs of the marina and the waters adjacent to the Arsenal. They will almost certainly wish to use part of the Arsenal and may be considering purchasing part of it or all of the property. They will wish to use some States land and are presently in discussion with the Planning Department, Mr Chris Brock and Miss Cynthia Roberts, and will have to seek agreement from the Building & Development Control Committee before they can start building work. To date, they have given no indication that they will be seeking financial support from the States.

1140 On behalf of the Committee and other States Members, I congratulate Visit Alderney, the Alderney Society, the States Works Department, and others for the hard work that they have put into the Nunnery during the early months of this year. The building, which is a unique feature of the Island's history, has been greatly improved, and has attracted numerous visitors.

1145 There remains, actually, only one issue which has yet to be resolved: the issue of the Sun Room, a feature of great importance to the Alderney Bird Observatory. The Building & Development Control Committee has agreed to the removal of the trees.

1150 The Committee has also agreed to support proposals from the Alderney Society to make Fort Doyle into a public heritage attraction, similar to the Nunnery. We are seeking details regarding costs of repairs, ongoing maintenance and caretaking, and from where the finances for the projects are to be funded. The Alderney Boxing Association will be allowed to continue use of part of the building.

1155 One other major project on which we need to see some progress is the swimming pool. With a new government in Guernsey, some of whom are clearly supportive of Alderney, is it not a good opportunity for us to, once again, seek financial support? Perhaps our Alderney Representatives could ask the Chairman and members of the Education, Sport & Culture Committee to reconsider financial assistance.

1160 Finally, town roads, pavements, parking, yellow lines, and access for heavy vehicles, all of which were subject to a number of the people's meetings: once again, these important matters were due to be have been reviewed by specialists from Guernsey, and once again, they have been postponed due to COVID-19 staff shortages and other priorities. I sincerely hope that we shall be able to make progress on these important issues during 2021.

1165 May I conclude by saying a genuine and sincere thank you to my fellow Committee members for their very useful contributions and hard work during this unique and difficult year. I also say thank you to the civil servants who contributed very positively before, during, and after our monthly meetings, and to the States Works Department, without whom much critical work would never have been completed. There are others: the Water Board, Alderney Electricity, the Post Office staff, the medical centre, the hospital staff, the airport staff, and many, many more. Thank you all, Happy Christmas, good wishes for 2021.

1170 **The President:** Thank you, Mr McKinley.  
Would anybody like...? Mr Roberts.

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

1175 I would just like to thank Mr McKinley for his very detailed report. There is just one question I am posing: can the Chairman please update States Members on our new crane problems, which are causing serious concerns to public and States Members. Can he confirm the right equipment was purchased and if not can that claim be cancelled? As I am sure you will explain to me now.  
Thank you, sir.

1180 **The President:** Would anybody else like to speak?  
Ms Burgess.

**Ms McKinley:** I just wondered if I could answer that question first because there may be some follow-on questions; that is the problem.

1185 **The President:** At the end.  
Sorry, Ms Burgess, over to you.

**Ms Burgess:** Thank you, Mr President, fellow States Members.

1190 Thank you to Mr McKinley for the detailed review of this year. However, as a member of the General Services Committee, there are some areas that are a bit hard to make comments on, because I feel that we have not really discussed them in General Services Committee, so as a recap of this year it is a bit difficult when we are talking about the Harbour Review Plan; we have not discussed that, we do not know the detail, so that is a hard reference to make.

1195 Also, the roll-on/roll-off facility as mentioned in the report; again, not something we have actually spoken about in General Services. So I just want to make that point: it is a bit hard to make comments on areas that we have not really discussed as a Committee.  
Thank you.

1200 **The President:** Anybody else?  
Mr Jean.

1205 **Mr Jean:** I am very glad the Chairman of General Services mentioned coastal erosion; it is very important. As you know, I have raised concerns about the coastal erosion at Mount Hale. What I would like to say is I would like to see negotiations entered into with the owners of Mount Hale to try and have some form of plan, because if that large section of wall falls into the Bay, it will never be replaced, and that will be the end of it, and the reason it will never be replaced is because of the cost, whereas there is a situation now that, possibly, if the parties got together, the wall itself could be saved by working behind it and putting shuttering in front and pumping concrete and stones, rolling in boulders and stone and getting that back up in place, and it could be saved.  
1210 But if it falls, that will be really be the end of it and the water will wash in there and be pretty serious.

Thank you.

1215 **The President:** Thank you, Mr Jean.  
Anybody else like to...? Mr Snowdon.

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

1220 Thank you to Mr McKinley for that very detailed report. Just to touch on the swimming pool, I think the new States is going to have to work out a way through all this, because it goes on and on, and it has been six years the kids have not had a swimming pool, so whether that be the existing swimming pool or a new swimming pool, there needs to be something.

1225 Myself and Mr Roberts will be in Guernsey next week and I can reassure you that we will be talking to the President of Education about some sort of way forward, and just to give you a bit more context, I think I have reported in this Chamber before: Activ8 did refer to the school swimming pool, but Guernsey needs to come to an agreement, basically, it has a policy that says all children should have the right to swim, and then, hopefully, something should be moved forward, but I think we do need to sort something out, because this is just going on and on and on. We will talk next week, but I think Policy & Finance needs to try and take some action on this as well.

1230 Just a few questions for you, Mr McKinley, if that is okay. Regarding the old Connaught building, thank you for putting it in your report: has the Committee got any idea what they – I see that they have renovated the outside of it – but is there any idea what the actual building is going to be used for?

1235 Regarding Whitegates: is the ownership now the States of Alderney, or is the Housing Association?

And regarding the new crane, I believe there are concerns from the construction industry about the grab mechanism, so hopefully, you can give us some clarification and reassurance that there will be some sort of grab mechanism on the new crane when it comes and that it does not have to all be in tonne bags.

1240 Thank you for your report and all your hard work this year.

**The President:** Thank you, Mr Snowdon.  
Mr Dean.

1245 **Mr Dean:** Thank you, sir.

I would like to thank Mr McKinley for his report. I just have a couple of clarifications, if he could just go through when he sums up, and hopefully I can answer a couple of questions on behalf of Mr McKinley, if that is appropriate.

1250 Obviously, General Services, we have not really discussed Whitegates yet; Ms Burgess and myself have had a discussion with the acting Chief Executive and there will be a report coming forward to General Services in due course for them to make a decision on. From a BDCC point of view, it is designated as key worker housing and social housing, so that would obviously need some review of the Land Use Plan to change that into some other sort of designation, if that is what the Committee wanted.

1255 Mr McKinley in his report mentions the damaged wall at the top of the Valley, and he will be pleased to note that planning applications have come forward for that and that has been approved, so we should see some action on that shortly.

1260 There is a mention there for Braye Harbour Developments; I wonder if Mr McKinley could just elaborate on the criteria that were used to give an 18-month exclusivity period for that. Obviously, at the meetings I attended, a detailed letter had gone back to them asking for certain requirements to be met, I just wonder if those requirements had been met.

Obviously, it mentions the Sun Room; as far as I am aware, I thought that General Services had discussed the Sun Room and that no decision was going to be made on that yet. I do not think General Services has made any further decision on that, so nothing has come forward to BDCC.

1265 I notice some of the Members tonight have queried something about the crane; obviously, there were some emails today. Whether that is appropriate to be discussing the crane in here, I do not think it is, I think a meeting should be called with the Harbourmaster and there should be an internal discussion first before it is something that is aired in public that is possibly not correct, so maybe Mr McKinley could think on that.

1270 And the swimming pool: I do echo Mr Snowdon's comments. The children have been without a pool for a considerable amount of time. However, it is not a States-funded project, even though the States put money into it, so at some point a line has to be drawn and we just need to actually move forward with that, and obviously, the States have got a lot of money invested in that project. Obviously, we had a Chief Pleas in September regarding that; some of the things that were said were not actually factually correct, I think the States have gone above and beyond and assisted the trustees, but it is for the trustees to actually come up with some more detailed proposals, so that is all I should say on the swimming pool.

Thank you, sir.

1280 **The President:** Thank you, Mr Dean.  
Does anybody else wish to speak? Mr Gentle.

**Mr Gentle:** Thank you, sir, colleagues.

1285 I will be very brief. It is just to follow up on something that Mr Snowdon said about the school children and swimming. Just to clarify, the policy letter that we have been waiting for for ever and a day applies to children 11 years and under.

Thank you, sir.

**The President:** Thank you.  
1290 Nobody else wishes to speak. Mr McKinley, do you want to respond?

**Mr McKinley:** I have got to, have I not? *(Laughter)* Not really, sir, but of course, I would love to. You mentioned this as being a debate; it is not a debate, really, it is just a series of questions, which I am now going to answer, hopefully.

1295 **The President:** Well, if you look at the proposition—and I have to say, it caused me a little surprise—but it is framed:

On 4 May 1977, the States resolved to instruct all committees to prepare an annual report, and for that report to be debated at the December States Meeting.

1300 I do not think you were on the States then, Mr Jean, 1977?

**Mr Jean:** No. *(Laughter)*

**Mr McKinley:** Right, can I just start, sir, with the crane. I have spent most of today either in the Harbour Office or talking to the Harbourmaster about the crane, and you will all remember, there was a major problem about a month or so ago. That major problem was almost certainly caused by using the crane for a dual purpose, not just lifting goods and food and other things from the boats but also lifting aggregate, sand, gravel, whatever you may have from the boat. That crane, I have learnt today, is not designed to do both jobs; it is designed to lift from the boat our weekly supplies. You need another thing, called a long-reach excavator which can either be bought at a fair cost, or could be rented, possibly, or we could ask our suppliers of aggregates to come on a boat which has an excavator or crane-type thing on board, that is what I think should be the answer, but we are not going to be able to buy one.

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1315 What we are, I believe, going to do is to keep our present crane when the new crane arrives,  
1320 hopefully at the end of January, we can then use the existing crane for as long as it can work to  
lift gravel and aggregate but not anything else. We are not quite sure what we are actually  
planning to do with that crane; I do not think it is a buy-and-return, I think we are being asked to  
keep it. So we will have two cranes, one of which will be used specifically for lifting foodstuffs,  
drink, vital supplies and things that arrive every week on the boat; the other one will be used,  
perhaps—we hope, we have got to look into this, I cannot give you a definite answer at the  
moment, because there are a number of people we might have to consult. If there are subsequent  
questions, if you want to ask me a question halfway through this, I would be delighted to try and  
answer it, but those are a few things which...

1325 **The President:** I think we are just at the stage, now, where you are summing up and dealing  
with the questions that have already been raised, if you choose to answer them.

**Mr McKinley:** Harbour developments: I understand Ms Burgess's comments. It is something  
1330 which I put in my report because we are starting now, only starting now, but we are also talking  
about a Harbourmaster plan in due course, and I think, actually, one of our Guernsey civil servants  
who is here at the moment is going to help us with that, so that will progress. We will obviously  
have to establish a small sub-committee to work on that, and it will be a very important role.

Coastal erosion: yes, I understand exactly what Mr Jean is talking about. My concern is that if  
1335 they do go ahead with the marina development they will have to reinforce that wall. I do not think  
the present owner is going to do that, unless he can be ordered to do so by the States, and I do  
not know whether that is possible. So it is a very serious problem

The swimming pool: I am glad that you support what I said about that and I think it will go  
ahead and we must have a swimming pool for our young children. It would be nice if we could  
continue development on the major one so that we could all use it.

1340 Whitegates: I understand what you have said, but the General Services Committee has talked  
about it several times now—when you were not around, actually, at the time—and we have  
agreed to push it to the BDCC, so we are waiting, really, for the BDCC to tell us what can or cannot  
be done with Whitegates. I understand, incidentally, what you said about its present use, and  
therefore, the Land Use Plan may have to be revised for any future use.

1345 La Vallee: good, thank you very much, I am delighted that someone has decided to do  
something about that.

The marina: it is taking a long time, because we have not been able to see them, we cannot  
talk direct, face-to-face, we have to go on Teams meetings, we have to go on other types of  
1350 meetings, and at the moment, they are not wishing to spend any more money—they have spent  
quite a lot of money on this already, they do not want to spend any more. They want to know,  
first of all, whether the land that they would like to use will be going to be used for the project,  
and that is exactly what they are going through at the moment with the Planning Office, and it has  
not come towards BDCC yet, but it will go to the BDCC, obviously. Then, when they have been  
given permission to build what they wish to build on this land—private land or States land—they  
1355 will decide whether or not to spend any more money to go ahead to build the marina, which  
makes perfect sense to me.

I hope, sir, that is... (*Interjection*) Oh, the old Connaught building, I have asked this question, it  
came up actually at yesterday's General Services Committee meeting where we talked about it.  
There is work that has to be done inside the building before we can start considering what to use  
1360 it for. At one stage there was talk about, possibly, COVID cases, and I hope that is not going to be  
the case, but certainly or possibly as visitors' accommodation, but we have to look at the inside of  
it first and repair it before we can resume.

Thank you, Mr President.

1365 **The President:** Thank you.



Just for the sake of completeness, Mr Gentle, I did not ask you, in fact, whether you wanted to say anything following the statements that were made around the BDCC report.

**Mr Gentle:** Thank you, sir; I did then, but, no, not now, thank you.

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**The President:** Are you sure? Please, feel free.

**Mr Gentle:** Yes, I am positive, thank you. I can speak to Mr Dean afterwards.

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

### VIII. Questions and Reports – None

**The President:** Finally, Madam Greffier, Item VIII.

**The Greffier:** That is Questions and Reports, sir; I have not received either, I am assuming there are none.

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**The President:** Well then, that brings the formal part of the meeting to a conclusion, but I would seek your indulgence for a moment or two.

### Thank you to departing States Members – Mr Dean, Mr Dent and Mr Jean,

**The President:** This is the last meeting for three of our very valuable States Members, and I think Mr Dean and Mr Dent would forgive me if I turn, firstly, to Mr Jean, who has served these States and this Island with distinction for a very long time. I first met him about 25 years ago. We have had our differences of opinion over the years about matters of policy, but he has always been willing to have a discussion and he has always been willing to listen to an alternative point of view. I have often said to people, 'If you cut Louis in two, he would have "Alderney" written through him,' because his commitment and his dedication to this Island, in my experience, is second to none. (**Several Members:** Hear, hear.)

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He is an eccentric; I hope he does not mind me saying that. He is always interesting in States meetings; he is never short of a word or two. And certainly he keeps me on my toes to see whether I can keep him within some parameters of what we are supposed to be speaking about on a particular occasion. But I think the States will be worse without him, because he brings experience, he brings passion, he brings an understanding of the heartbeat of this Island, and I think that, for those of us who have not had that wealth of experience, hopefully, we can use him as a good friend in the future, should we need any background or guidance on matters which we need to know about in this Chamber.

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So I shall really miss turning to my right and looking and waiting for the finger to come up. I have watched him in the States for many years, and he has never changed, I have to say. I have seen sparring and jousting with former Presidents; I think I have been more fortunate than some of them, but again, I think that is testament to the relationship that I have, and I have always had with Louis. I respect him immensely. He was very gracious in defeat after the presidential election; he wished me all the best, and it came from the heart. We had a great day, I think. We had some fun, we respected each other, and I think that it improved the quality of the whole process. So I

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think, Louis, that is probably about as much as I should say about you; I will give you the opportunity to say how good I have been in a moment! (*Laughter*)

1410 If I can now turn to the other two Members who are leaving tonight, just a general point, and Mr Dean has already made it: this is a really hard job, to be a States Member, and it requires a variety of skills, not least of which to be constantly contacted and constantly stopped and questioned, and I have seen, in the 18 months that I have been doing this job, how much of people's lives it takes over, so it really is a difficult job, and it would be a very easy job to say, as many do, 'I am not going to do it.' But democracy does not work like that; democracy only works, 1415 particularly in a small community like this, when people recognise they have a responsibility to the community and offer themselves in public service, often, I suspect, against the better wishes of their friends and partners, but nevertheless, they want to serve the Island and they want to do the best for the Island, and I think that it is, on occasions, unfair, the level of criticism which they attract, because in the end—yes, they are accountable—but in the end, they are human beings, 1420 and it hurts, and I know that that is something which I have observed on many occasions.

So I think that, to Mr Dean and Mr Dent, who have chaired Committees with that additional responsibility for the last four years, I think that actually attracts an even greater thank you, because they have to lead a team, and those teams do not always agree, but it requires a strength and purpose in order to make a coherent group who all, in the end, sing from a consistent hymn 1425 sheet. So I think both Mr Dean and Mr Dent—I know from my experience the amount of work—I know the amount of work Mr Dean put into the Land Use Plan; I have seen on a day-to-day basis the amount of work that Mr Dent puts into his responsibilities; and I think it is far more than a full-time job, and on occasions, I have to try and counsel him at the weekends to just turn his laptop off for a day, but he will not, because he is committed, he is available and, as Ms Burgess said, he is always prepared to discuss and explain. 1430

So I think we have been blessed, frankly, to have three Members of such quality amongst us for some time. And I am also sure, seeing two of our newly elected Members here tonight, that they will take up the baton and they will also discharge their responsibilities in the same calm, thoughtful, and professional way that we have become used to.

1435 So, I think a round ... unless Mr Jean would like to say a word or two?

**Mr Jean:** If I may, a word or two.

**The President:** Just keep it on point, Mr Jean, please.

1440

**Mr Jean:** I would say the same as yourself, in many ways, I too respect the duties of the Chairman and what they have done—the outgoing Chairman—and I am very grateful to both of them for all they have done. We have not always seen eye to eye, but in the main, often, we have, and that is important.

1445 And as regard myself and your own kind remarks about me, I will say this: that I always hope to be a friend to the States of Alderney, and if any of the knowledge in my head can be shared or I can be of use to any one of you, then of course, I will always be there, certainly.

I thank the civil service and all the people who have helped me throughout all the years I have been here and all the time that I have enjoyed, and particularly, I would like to thank the public 1450 for all those years of tremendous public support that I have received from all of you, and I am very grateful for all of that. I have enjoyed and been very proud to serve you all over these years, and in Guernsey too, for many years. It has been wonderful, it has been a privilege, and I have enjoyed it very much, and I thank you very much for your kind words, sir. Thank you, indeed.

1455 **The President:** Thank you, a round of applause.

*There was a round of applause.*

1460 **The President:** Very fitting, Mr Jean, that you should have the final word. (*Laughter and Interjection*)  
I think we can now move...

**Welcome to the new Greffier, Mr Dave Knight**

1465 **The President:** Oh, one final matter. I should have introduced Mr David Knight, who has been sitting here, soaking it all up all evening. He is the new Greffier, who will take up his post on 4th of January. He is coming to us from Guernsey, from the Bailiff's Office. And also thank you to Mrs Kelly, who has been invaluable to me in the period that we have not had a Greffier, so thank you very much to you, and Merry Christmas!

1470 Perhaps we can close the meeting.

**PRAYERS**

*The Greffier*

*The Assembly adjourned at 7.28 p.m.*