

POLICY AND FINANCE COMMITTEE MEETING
Anne French Room
20th May 2021
0915 hours

PRESENT:

Mr W Abel, Chairman
Mr G McKinley
Mr I Carter
Mr R Jenkins
Mr K Gentle
Mr B Kelly
Ms A Burgess
Mr S Roberts

IN ATTENDANCE:

Ms K Jones, Chief Executive (CE) via Teams
Mrs S Pengilley-Price, Head of Govt Support (HoGS);
Mrs L Baines, Committee Secretary
Mr P Veron, Strategic Adviser (SA) (for item 6) (from 1050-1115)
Mr Stephen Taylor, Strategic Financial Advisor (SFA) via Teams;
Mrs E O'Toole, Finance Manager (TREASURY)

Apologies: Mr A Snowdon; Mr C Harris

In Attendance: Jorn Starck; Dr Isabel Picornell, Mr Jeremy Thompson; Sarah Kelly; Nicky Burland and Lord Faulkner (via Teams) for item 05.

AGENDA ITEM

ACTION

PART 1

01/05/2021

Minutes and Matters Arising

1.1 Minutes from the meeting held on 22nd April 2021 & Special Meeting 7th May 2021
– tabled and **approved**.

It was noted for amendment that Mr Jenkins was the P&F lead on Housing, not Mr Kelly.

CE OFFICE

1.2 Matters arising from previous minutes (other than on the agenda)

1.2.1 Plan/Strategy for 3rd Covid Wave Update

The Committee were advised that a working document would be circulated after the meeting which focusses on a different strategy for 'lockdown requirements' for Alderney in the event of a 3rd wave. The members were asked to send any feedback via email on this working document, so that their views can be included in the strategy discussions.

HoGS

1.2.2 Data Breach Update

The Committee were advised that this matter was still with the Data Commissioner for investigation. To remind members, the data protection breach involved a report that

had been previously tabled at P&F which was then featured in a BBC news report.
Noted.

02/05/2021

Administrative Matters

2.1 Forthcoming meetings and visits (External)

The following forthcoming meetings and visits were noted:

- President Forum – 17th May 12-1pm
- CfHSC Visit – 20th May – this had now been cancelled due to weather
- Deputy Ferbrache Visit – 5th June 10.30am Island Hall Public meeting
- Business Proposal Update – 14th June 10-12noon
- Head of Law Enforcement – 22nd June
- Secondary Pensions meeting – 29/30th June (to be confirmed)
- Tax Review – 9th June

2.2 External Relations Update (Bailiwick Council/ALG/MOJ/Normandie)

2.2.1 Alderney & Guernsey Joint Working Update

The Committee noted that the Chief Executive has advised the States of Guernsey that the closer working between Alderney and Guernsey has been approved by P&F. This is then being tabled at Policy & Resources Committee meeting on 25th May.

Members had raised concerns in a couple of areas, however these are not areas for immediate work. The work for this year is how the working relationship fits with the budget process and work programme of both the States of Alderney and Guernsey. The Chief Executive is to raise the concerns with Guernsey, of the lack of the promised briefing to P&F and the community to date regarding the airport runway extension. Mr Roberts requested a special meeting on the subject. **Noted.**

2.3 Items for June Billet

The following items for the June Billet were noted:

- Updates of Emergency Powers regulations – No.6
- ED Sub Committee Mandate
- States of Alderney & States Water Board Accounts for 2020

2.4 Finance (Grants & Subsidies)

Civil Service Pension 1982 Scheme Update

It was noted that the first set of feedback has been received which will then be analysed and reported back to the Trustees.

Grants/Support Schemes & Award Process – Report from Treasury dated 20th May 2021 tabled and considered.

The Finance Committee recently requested some clarity over the various grant and financial support schemes routinely managed by the States.

There are currently three major grant schemes operated by the States with agreed criteria for applications and evaluation. The schemes meet different needs and therefore justify different criteria. The principles of demonstrating applicant need, added value and effective scrutiny prior to committing public funds of public spending are consistent in all schemes. The schemes are:

- The grant scheme owned by Policy and Finance Committee;
- Tourism and Events Grants owned by the Economic Development Committee;
- Small Business Grants owned by the Economic Development Committee.

The Policy and Finance Committee resolved to note the current process and agreed that:

- a) Finance Committee should continue to undertake a financial review of all grant and financial support applications considered under the general scheme owned by Policy and Finance Committee; and**
- b) Economic Development Committee should continue to carry out the financial review for all small business and tourism grants.**

TREASURY

EDR Summary – April 2021 – FOR INFORMATION

Tabled and noted.

SoA Management Accounts – April 2021 – FOR INFORMATION

Tabled and noted.

It was noted that the Alderney Property Tax receipt for April has been received. The Partner Review is well underway with the Auditors, and special meetings are to be arranged to approve the audited accounts for inclusion on the June billet. Noted.

Information Management

Mr Carter stated that a simple index for everything that the States of Alderney does is needed.

The Committee were advised that there are a number of elements for consideration, such as the digital aspect of a SharePoint system. These conversations have been started in Guernsey, which is part of a larger piece of work. CE dealing.

CE

03/05/2021 Appointments – Elections/Changes/Additions

Nothing to report.

04/05/2021 External Transport, Economy and Renewable Energy

4.1 Nunnery Archaeological Dig Proposal for 2021 – Report from Chief Executive Office dated 13th May 2021 tabled and considered.

A proposal for a set of short excavations on the site of the Roman Fort at the Nunnery has been submitted.

Dr Monaghan is seeking permission from the States of Alderney for these to take place. Four trenches are proposed, of which two are planned for this August. Revised proposals would then be sent to P&F for further approval, for the remaining areas to be dug on another occasion, probably early spring 2022.

The Policy & Finance Committee resolved to approve the proposed archaeological digs at the Nunnery site for 2021.

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4.2 Fort Tourgis & Marina – Way Forward – FOR JUNE AGENDA

Mr McKinley requested a Teams meeting with the developers regarding the Marina project. Mr McKinley to organise.

GM

05/05/2021 AGCC Presentation – AGCC Representatives in attendance.

The Committee noted the annual update presentation from AGCC.

E-Gambling has proven very resilient during this difficult time, and the business is doing very well. A return to growth is being seen for this year, and the AGCC's high reputation is being maintained with having a high quality of licensees. The relationship between Alderney and Guernsey is very important to AGCC.

AGCC thanked the States of Alderney for their ongoing support. The members thanked AGCC for their continued hard work, but requested that the Commission keep in mind that they should advise licensees that Alderney should be considered when setting up in the Bailiwick.

06/05/2021 **External Transport, Economy and Renewable Energy - CONTINUED**

6.1 Alderney Runway Extension

Paul Veron, SOA Strategic Advisor, recently discussed the condition of the runway with the MD of Guernsey Ports. The condition of the runway is under continuous review and further maintenance work is planned in the next few weeks to maintain the viability of the runway until refurbishment is completed. **Noted.**

6.2 Meeting with Aurigny Update

Meeting with Nico Bezuidenhout, Chief Executive, Aurigny, Chairman of P&F and Strategic Adviser met with Aurigny's Chief Executive, along with the SoG Head of Procurement and the Head of Shareholder Responsibilities of the Guernsey STSB in Guernsey on Monday 26 April.

The principal purpose of the meeting was to meet Nico Bezuidenhout and to discuss how we continue to build on the constructive positive working relationship, which is emerging with Aurigny as we move forward.

Areas discussed were the re-establishment of routes as the Covid-19 restrictions are lifted - particularly Alderney-Southampton; progress on through ticketing and linked schedules- progressing; and the possible runway extension and ATR schedules to meet PSO requirements particularly for medical appointments – being evaluated as part of the project and will be discussed once details are available.

In conclusion the meeting with the new Aurigny Chief Executive was positive, informative, and underlined the continued need for good working relationships. **Noted.**

6.3 Political Governance for the PSO Contract Management Board – Report from Chief Executive and Strategic Adviser dated 7th May 2021 tabled and considered.

The Committee were advised that the Public Service Obligation (PSO) contract includes provision for an officer level Contract Management Board, which will involve senior staff from the Policy and Resources Committee and the States' Trading Supervisory Board in Guernsey, together with an officer from Alderney.

A governance structure will therefore need to be in place for the officer to receive appropriate political policy and strategic guidance, and to have a reporting line back for any material matters discussed by the Contract Management Board. A simple governance structure was proposed, as set out in the report.

The Policy and Finance Committee resolved to support the necessary governance structure for the officer involved in the PSO Contract Management Board as set out in the report and implement it with immediate effect.

CE/SA

07/05/2021 **Legislation, Conventions & Policy**

7.1 States Assets Policy Review – Report from Ian Carter dated 11th May 2021 tabled and considered.

During the last two weeks there has been much public debate about the extension / termination of a lease on the Nunnery, a States asset (Fort) which has resulted in the issue being publicly debated in the States of Alderney. Prior to this debate in order to make an informed contribution Mr Carter has sought policy guidance from the Civil Service regarding how States assets are managed and how they are utilised whether financially or for the public good.

The Committee were advised that the Programme Manager is already working on a States Assets Strategy and Supporting Plan, which includes the development of policy. Members requested a timeframe for this work. The Chief Executive advised that she will liaise with the Programme Manager once back in the office.

The Policy & Finance Committee resolved to:

- **Develop and publish a policy regarding the utilisation of States assets paying due regard to the economic, (financial, public good and community benefits), that use brings; and**
- **Develop through the civil service a systematic policy / documentation index and system which can be easily accessed (electronically) by Members and the General Public as an aid to good government.**

CE/PM

7.2 UKOT & CD Update – Report from Annie Burgess dated 29th April 2021 tabled and noted.

The agenda covered a diverse range of environmental issues from biological and climate change conventions to the impacts of BREXIT. Discussions amongst ministerial colleagues were most helpful in providing an insight into other small jurisdictions issues with regards to the environment. Mention was made of the Blue Islands Charter. Alderney was thanked for hosting the initial signing of it in 2019. The charter continues to gain signatures of support. Of particular interest was the use of educational initiatives to champion the environment and a discussion was held around the use of art exhibitions to encourage engagement with the public on their relationship with the environment. Jersey have been using Community Forums, and Senator Young has been invited to visit Alderney when able, to provide members with an insight to Community Forums. Noted.

The Policy & Finance Committee resolved to note the report.

7.3 Island Plan Update – Report from Island Plan Task Group (IPTG) dated 11th May 2021 tabled and considered.

The Island Plan task group has had its first meeting to establish (i) a draft overall vision; (ii) establish what plans are already in place and (iii) devise a set of themes and goals which will underpin the Island Plan vision.

Vision - In summary a draft vision statement was tabled to be further refined and revised in the light of feedback.

The Island Plan's overall aim is to ensure that the States maximise its prosperity and resilience, and in so doing, become a more self-sustaining Island with excellent accessibility, a vibrant economy, a happy, healthy community; and a community which values and protects its unique heritage and natural environment.

Plans and processes already in place are the following: Review of Governance, Land Use Plan (LUP), Harbour Plan, Tourism Plan, Integrated Transport Strategy (ITS) and the Digital Alderney Plan.

The Policy and Finance Committee resolved to:

- **Note the progress to date; and**
- **Read the attached initial thoughts and feedback any observations / feedback by May 27th to ensure that those observations can be incorporated into the next meeting's considerations in June.**

IPTG

7.4 Human Rights Legislation Amendments – tabled and considered.

In April 2021, Ministry of Justice officers contacted External Relations officers, following the implementation by the UK Government of the judgment of the European Court of Human Rights in the 2016 case of Hammerton v UK.

Due to a statutory bar in the UK's Human Rights Act 1998, a person could be deprived of their liberty in breach of their rights to a fair trial under Article 6 of the European Convention of Human Rights as a result of a judicial act done in good faith but would not be entitled to a remedy. The UK Government has now amended the Human Rights Act 1998 to address the lack of domestic remedy available.

As the State Party to the European Convention of Human Rights, the UK Government has invited the Bailiwick to confirm if it intends to amend its domestic legislation, by amending the Human Rights (Bailiwick of Guernsey) Law, 2000, in a similar way. HM Procureur and HM Comptroller have recommended that such a change be made.

The Committee is asked to decide whether it wishes to amend the Human Rights (Bailiwick of Guernsey) Law, 2000.

The Policy and Finance Committee resolved to agree to the proposed amendment to Section 9(2) of The Human Rights (Bailiwick of Guernsey) Law, 2000; and agreed for the same Policy Letter from Policy & Resources to be considered by the States of Alderney.

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08/05/2021

Items for Development/Discussion

8.1 P&F Items for Billet Debate with/without Resolution

Change to Rules of Procedure – The Policy and Finance Committee resolved to request that the Good Governance Group bring a proposal back to P&F for consideration.

GGG

8.2 Nunnery Lease re Outcome of States Debate – Report from Bill Abel dated 13th May 2021 tabled and considered.

The Policy and Finance Committee resolved that the notice of termination of the ABO tenancy is to be sent from the Chief Executive Office; and for a small working group (Nunnery Contract Management Group) to be formed to progress this issue. Nunnery Contract Management Group to consist of the Chief Executive, P&F Chair, EDC Chair and an independent non-member.

CE/BA/AB

8.3 Employment Board – Membership, Duties & Responsibilities – Report from Bill Abel dated 17th May 2021 tabled and considered.

It was noted that the majority of the responsibilities for 'Staff and Offices' should be carried out by the Chief Executive and the Civil Service in conjunction with the Policy and Finance Committee through the States' Employment Board (SEB).

The Chief Executive advised members that this fits well with the HR work associated with the joint working with Guernsey, and is part of a bigger piece of work.

The Policy and Finance Committee resolved to note that the Chief Executive is to progress this work alongside the joint working with Guernsey. Members will be briefed as the work moves forward. Noted.

CE

8.4 Recent CfED Visit – Reflection on Issues Raised

The Committee agreed that this was a very helpful visit, where Alderney needs to be more confident in taking the right steps forward for the benefit of the island. **Noted.**

8.5 Swimming Pool – Report from Programme Manager dated May 2021; and Bill Abel dated 17th May 2021 tabled and considered.

The Alderney Community Sports Centre (ACSC) have advised the pool is closed, the rebuild work has come to a halt prior to the completion of the structure and there is no insurance cover in place. Electricity and water is still reported to be connected and is being paid by the Trust.

The Policy and Finance Committee resolved to appoint the Chief Executive, Mr Kelly and Mr Abel to form a Swimming Pool Group (SPG) to advance this project.

CE/BK/BA

09/05/2020

Exception Reporting & Questions by Members

9.1 General Services Committee

Ambulance Review – Report circulated to Members via email tabled and considered.

The Policy and Finance Committee resolved to support an independent clinical review of the new service.

CE

9.2 BDCC

Nothing further to report.

9.3 Finance Committee

Nothing further to report.

9.4 Economic Development Committee

Nothing further to report.

9.5 Good Governance Group

Nothing further to report.

9.6 Energy Group

Nothing further to report.

PART 2

10/05/2020 **Any Other Business - For Information & Noting**

Letter to Deputy Brouard re Substance Abuse – The Committee noted that this letter had been sent to Deputy Ferbrache.

Letter to Deputy Roffey re Secondary Pensions Scheme – The Committee noted that this letter had been sent to Deputy Roffey.

Little Ferry Company Survey 2021 – tabled and noted.

Route de Souffrance Update – Mr Roberts advised that he is in contact with the Law Officers on this ongoing issue. **Noted.**

Taxi Complaints – it was noted that there is a Code of Conditions for Taxi Operators to follow, and that any issues would be a GSC matter. **Noted.**

Disability Needs at Airport – Meeting had with Ms Burgess, Airport Manager, and States of Guernsey representative to discuss disability equipment requirements at the airport – in hand. **Noted.**

Online Forms on SoA Website – Request received for forms that can be filled in online, and over the phone payments which is easier for public use. Members were advised that there is a software issue which is being looked into. Regarding the phone payments, it was noted that currently there are no secure phone lines for this service. A 'click here/pay now' application on the States website is currently being looked at to help resolve some of these issues. **Noted.**

Partnership Laws – GFSC have received copies, and are working with the Law Officers to sign off on the 'Alderney' Law. **Noted.**

School Website – Mr Abel advised that he has sent a letter to Guernsey. **Noted.**

Criteria of Covid Restrictions – Mr Kelly raised a query why the States of Guernsey are not following their own rules regarding restrictions. Mr Abel to take this to the CCA meeting after P&F. **Noted.**

Meeting closed: 12.45pm

Signed: Bill Abel

Date: May 2021