

**POLICY AND FINANCE COMMITTEE MEETING**

**Anne French Room**

**28<sup>th</sup> October 2021**

**0900 hours**

**PRESENT:**

Mr W Abel, Chairman  
Mr G McKinley  
Mr K Gentle  
Mr B Kelly  
Mr S Roberts  
Mr C Harris  
Mr I Carter  
Mr A Snowdon  
Mr R Jenkins

**IN ATTENDANCE:**

Ms K Jones, Chief Executive (CE) (via Teams)  
Miss A Bird, Admin Assistant  
Mr Stephen Taylor, Strategic Financial Advisor (SFA) (via Teams)  
Mr P Veron, Strategic Adviser (SA) (for item 3.3 and 3.4 only)  
Mr J Lancaster, (AEL) (for item 3.1 only)

Apologies: Mrs L Baines, Committee Secretary, Mrs E Maurice, Head of Finance (TREASURY), Mrs S Pengilley-Price, Head of Govt Support (HoGS); Ms A Burgess

**AGENDA ITEM**

**ACTION**

**PART 1**

**01/10/2021**

**Minutes and Matters Arising**

**1.1 Minutes from previous meeting for approval – 30<sup>th</sup> September 2021; Special Accounts meeting 26<sup>th</sup> May 2021; Special Budget meeting 20<sup>th</sup> September 2021 - 30<sup>th</sup> September items 6.10 and 6.13 revised, 26<sup>th</sup> May 2021 and 20<sup>th</sup> September 2021 – Tabled and noted.**

**CE OFFICE**

**02/10/2021**

**Administrative Matters**

**2.1 External Relations Update (Bailiwick Council/ALG/MOJ/Normandie)**

**2.1.1 Alderney & Guernsey Joint Working Update**

The Chief Executive updated the committee, advising that the HR harmonisation will be starting with a HR audit which will be able to provide information on how improvement can be made. The next meeting is currently being discussed and an update will be provided shortly. Guernsey planning service will be assisting us when they are able to but local governments in the UK could also be a possibility to assist us when Guernsey cannot.

**CE**

**2.2 Finance (Grants & Subsidies)**

**2.2.1 Civil Service Pension 1982 Scheme Update**

Members were advised that Head of Finance is still waiting to hear from a potential advisor of availability and will revert shortly.

**HoF**

**2.2.2 Economic Development Reserve Fund - September 2021 report -**

**Tabled and noted.**

**2.2.3 States of Alderney Summary Income & Expenditure Accounts – September 2021 - Tabled and noted.**

*Mr R Jenkins due to a conflict of interest left the room – 09:30.  
Mr James Lancaster was invited into the meeting.*

**03/10/2021 External Transport, Economy and Renewable Energy**

**3.1. AEL Liability re States funding for the accelerated network upgrade programme.**

A briefing note was presented by Mr James Lancaster, AEL Managing Director dated 28<sup>th</sup> October 2021 was discussed.

*Mr James Lancaster left the meeting 09:50*

**3.2. AEL Historic investment**

Following Mr Lancaster's presentation, the Strategic Financial Advisor provided an update on the States' historic investment in Alderney Electrical Limited. The Committee noted the current situation and agreed that the investment liability needed regularising by both parties. It was also agreed that this would be deferred until the 31<sup>st</sup> December 2023, at the latest, when wider strategic issues (i.e. SOA energy policy and the Concession Law) will have been resolved.

**The Policy and Finance Committee resolved to ask the Chief Executive to write to the Managing Director of AEL to outline its agreement to defer the outstanding liability until 31 December 2023.**

SFA

*Mr R Jenkins re-joined the meeting – 10:05*

*Mr P Veron joined the meeting – 10:00*

**3.3. Update on The Runway Rehabilitation Project – CONFIDENTIAL – See Confidential Annexure**

**3.4 The Seasonal Passenger Ferry Position in 2022 – CONFIDENTIAL – See Confidential Annexure**

*Mr Veron left the meeting – 10:40*

**3.5 ACRE**

**3.5.1 Verbal Update from Strategic Financial Advisor**

The Strategic Financial Advisor provided a verbal update on current matters in his role as interim Chair of ACRE. After discussion the Committee noted that he would be meeting with ACRE commissioners, advisors, and the law officers in the near future. Once this is complete, the committee will be briefed as appropriate in the context of the Communications Protocol agreed previously.

**A Special Policy & Finance meeting will be arranged once all information is collated.**

**3.5.2 Appointment of Commissioners**

The Committee discussed and resolved that no changes are required to the appointed commissioners at this time.

**The Committee requested that Law Officers attend the Special Policy and Finance Committee meeting in 3.5.1 to clarify the legal relationship between Policy & Finance/The States and ACRE.**

SFA

**3.5.3 Discussion on ACRE/Fablink Relationships – Note from Alex Snowdon**

This item had been covered within items 3.5.1 & 3.5.2.

**3.6 Crane breakdown (July 2021) – Additional expenses – FOR RATIFICATION.**

The committee agreed to the payment of the additional expenses from Channel Seaways. Mr Kelly was asked to write a letter to Mr B Kay Mouat to thank him and his team for assistance and their hard work.

**3.7 Tactical Coordination Group – Covid Update – Where we are and what next- Verbal Update.**

In absence of The Head of Government Support, the Chief Executive informed the Committee that she will try and gather information and report back with the update that would have been presented regarding the welcome team's status and progress from the past 12-18 months. Presentation deferred to next P&F meeting.

HoGS/CE

04/10/2021

**Legislation, Conventions & Policy**

**4.1 Hawkers Licence Application – Dealing with objections**

The Committee discussed an objection they had received against a current Hawkers Licence being used on an area of States owned land.

**The Policy & Finance Committee discussed and resolved that no changes are required to the licensing process and that no further conditions were required. It was noted that Mr Harris and Mr Kelly voted for conditions to be attached to the licence. Mr Kelly informed that users of States land needed to obtain permission and GSC may or may not apply conditions to its use. Mr S Roberts and Mr I Carter abstained from the vote due to family members working for the business related to the licence.**

**Hawkers licence approved.**

HoGS

**4.2 Transparency of Government – transparency of decision making and press/public access to P&F meetings.**

The Committee discussed opening up Policy & Finance Committee to the public. The agenda would be split into Part A which would be open to the public where States business items would be discussed; and a Part B which would be closed to the public where sensitive/confidential items would be discussed. This would be piloted for 6 months when a questionnaire would be distributed to obtain feedback from Media representatives, the public and Members. The feedback would be discussed to determine whether open meetings would continue and if so what changes may be required.

**The Policy & Finance Committee resolved:**

- a) **To pilot open Policy & Finance Committee for 6 months, commencing in February 2022.**
- b) **That the agenda for the open Policy & Finance Committee meetings would be split into Part A (Media/public present) and Part B (Media/public absent).**
- c) **That after 6 months to review the effectiveness of open meetings through questionnaire feedback from Media representatives, the public, Members, and Civil Servants.**

IC

**4.3 The Connaught – Lease and Partnership Agreement 2022 – CONFIDENTIAL – See Confidential Annexure**

**4.4 Partnership Alderney Law and Limited Partnerships Alderney Law**

These Laws were tabled and discussed.

**The Policy & Finance Committee resolved that these should be considered by the States of Alderney and be included in the November billet.**

**NOVEMBER BILLET ITEM - HoGS**

**4.5. Re-appointment request for AGCC Commissioner**

Mrs Isabel Picornell was first appointed as a Commissioner of Alderney Gambling Control the Commission on the 17<sup>th</sup> February 2007 with further 5 year extensions thereafter. Her current term will expire on 17<sup>th</sup> February 2022.

**The Policy & Finance Committee resolved to re-appoint Mrs Isabel Picornell as a AGCC commissioner at the end of her term for a further 5-year period ending 17<sup>th</sup> February 2027.**

**BA**

**4.6. Letter from Barbara Benfield re Elderly Care – dated 4<sup>th</sup> August 2021.**

Mr Kelly advised that he had spoken to Barbara Benfield and noted that she is happy that the Committee had acknowledged her letter and would consider and action valid items.

**BA**

**4.7. May Public Bank Holiday 2022 for Platinum Jubilee - Ordinance for approval.**

**The Policy & Finance Committee resolved that this should be considered by the States of Alderney and be included in the November Billet.**

**NOVEMBER BILLET ITEM - HoGS**

**4.8. Expressions of interest for the use of The Nunnery**

The Chief Executive presented her note to the Policy & Finance Committee for the future use of the Nunnery which included using it as short term let opportunity for a minimum of 6 months whilst expressions of interest for a more permanent use are received and assessed.

**The Policy & Finance Committee resolved: -**

- a) That expressions of interest should be requested for the use of the Nunnery;
- b) To identify the most appropriate resource within the States of Alderney to manage this process in line with advice from the Law Officers and where appropriate with Procurement in States of Guernsey;
- c) That the Civil Service calls for offers for the short term let opportunity;
- d) That the Chief Executive report back with progress on expressions of interest at the November Policy and Finance Committee.

**CE**

**4.9. States of Deliberation's directions to the Guernsey Competition and Regulatory – FOR RATIFICATION**

**Tabled, noted and ratified.**

**4.10 Amendments to eGambling Legislative Framework – For approval.**

A letter from the Alderney Gambling Control Committee was tabled and discussed.

**The Policy & Finance Committee resolved that the proposed Gambling and eGambling Amendments should be considered by the States of Alderney and be included in the November billet.**

**NOVEMBER BILLET ITEM - HoGS**

**4.11 Conditions of Employment (Alderney) Law, 2021**

The Employment Law will come into effect on the 7<sup>th</sup> December 2021.

A press release is required to advise the enactment of this law.

**CE**

**4.12 Route de Souffrance options**

The Committee discussed the options to deal with the current Route De Souffrance issue and agreed that a meeting with Law Officers would be beneficial to discuss options and before making any decisions.

**The Policy & Finance Committee resolved that the Law Officers be requested to attend a special meeting with the Committee on 18<sup>th</sup> November to advise on options. The Committee would discuss and agree on the way forward.**

**CE**

**4.13 Environment strategy**

The Committee noted that this policy had been previously tabled in June 2019 and January 2020 and agreed with Mr Carter's recommendation that the proposed Alderney Environment Policy and that this should be brought to the States December Billet.

**The Policy and Finance Committee resolved that this policy should be considered by the States of Alderney and be included in the November billet.**

**NOVEMBER BILLET ITEM - HoGS**

**4.14 District nursing service/support for community care at home – Options for discussion.**

The Committee discussed the provision of this support for the community.

**The Policy & Finance Committee resolved that this item should be considered by the new Connaught Liaison Group and that they report back at the November Policy & Finance Committee.**

**CONNAUGHT LIAISON GROUP – FUTURE AGENDA ITEM**

**05/10/2021 Items for Development/Discussion**

**5.1 Planning for Changes in Royal Protocol – Update**

No further update. Item to be taken off agenda pending further updates.

**5.2 IHRA Draft Questionnaire for consideration.**

The States of Alderney had agreed to work with the IHRA in 2019 and again this year. The proposed questionnaire to gain the views of the public on the matter was discussed. It was noted that the questionnaire states that the Alderney Society would be involved. However, following discussions the Alderney Society have declined and asked for all references to the Alderney Society and the Museum to be removed.

The questions/answers were discussed, and it was agreed that the 'strongly agree', as an answer, should be listed first.

All members voted for the Questionnaire to go out with the condition any amendments are circulated to members beforehand. Mr Kelly objected against the questionnaire going out.

**The Policy & Finance Committee resolved that:**

- a) **The WW2 Heritage Consultation Questionnaire should be issued to the community.**
- b) **All reference to the Alderney Society and the Museum to be removed.**

CE

**06/10/2021** Items for future billet submission:

- **Public Holiday Ordinance**
- **eGambling/Gambling Amendments**
- **Emergency Powers Coronavirus General Provision (Bailiwick of Guernsey) No11 Amendment**
- **Alderney Property Tax Appeals Panel**
- **Reports; ACRE, AGCC Accounts, AeGL Accounts, Connaught Accounts**
- **Partnership and Limited Partnership legislation**

**07/10/2021** Any Other Business

**7.1 Committee Meeting Dates 2022 for noting**

It was noted that dates for Policy and Finance may need to be revised when a venue for the P&F Open meetings is decided.

Generally P&F should be on the last Thursday of the month as is currently the case.

**The December meeting dates are later than usual and need to be revised.**

**A revised calendar is to be tabled at the November P&F meeting.**

CE OFFICE

**7.2 Discussion on the value of the open forum**

Members discussed if the open forum should be continued going forward.

**It was confirmed that open forums should continue, and it was suggested that the microphone facility should be provided for future meetings.**

**7.3 European Union (Sea Fisheries) (Brexit) (Bailiwick Guernsey) (No2) Amendment Regulations 2021.**

A letter was tabled from the Guernsey Policy & Resources Committee requesting comment from the Alderney Policy & Finance Committee regarding the No 2 amendment which extends the regulations (to 31<sup>st</sup> March 2022) for Police Officers from Jersey and the UK to act as Guernsey Police Officers when external support is required.

Members are in support of the proposition; have no comments; and noted that this item (for comments) does not need to be submitted to the States.

BA

**7.4 From emergency to living with COVID-19**

The Committee have been asked to comment on the policy document produced by the Guernsey Policy & Resources Committee. However, further information is required before discussing. The chairman has advised the members that he will revert when more information has been provided and a special Policy & Finance meeting will be called.

BA

**PART 2**

**08/10/2021** Exception Reporting & Questions by Members

**8.1 Authorities of Task/Working Groups – Clarifications**

It was noted that the Task and Working Groups are operating under a delegation from Committees to consider various tasks and that any recommendations are to be taken back to the relevant committee for action/confirmation. This process should be included under the rules of procedure for Committees.

BA

### **8.2 General Services Committee**

Nothing further to report.

### **8.3 BDCC**

Nothing further to report.

### **8.4 Finance Committee**

Nothing further to report.

### **8.5 Economic Development Committee**

The Committee have received Ferry and Air link reports which were presented in agenda item 3.3 & 3.4. They will also be focusing on Company laws which are being examined with the way that the Island plan and The Economic Development Groups project plan work together.

### **8.6 Good Governance Group**

Nothing further to report. It is noted that a meeting was held last week by the Group and P&F and the Group would be considering the comments made and determine what revisions may be required to their recommendations.

### **8.7 Energy Group**

Mr Abel tabled a funding request from the Energy Group to award a contract to Ore Catapult (renewables energy leader) to assist the Energy Group in the development of Alderney's Energy Policy and strategy options.

**The Policy & Finance Committee resolved to award a contract to Ore Catapult for £27,500 (including VAT and a contingency).**

BA/TREASURY

### **8.8 Marina Group**

The Chief Executive has received a letter from Braye Harbour Developments and a meeting is being arranged with the Marina Group to discuss and recommend a reply to the Chief Executive. The Group will report back to the November P&F.

### **8.9 Island Plan Group**

The consultation period comes to an end on the 8<sup>th</sup> November and The Island Plan Group have a meeting on 15<sup>th</sup> November to discuss the feedback. It was reported that Mr Mark Helyar, Guernsey Deputy and P&R member, may attend the meeting.

### **8.10 Housing Group**

The housing group have advised that they are in investigating issues and are recruiting a non-states member for the Group. An update will be provided once the project has progressed.

#### **8.10.1 Sheltered Housing**

It was advised that Alderney Civil Service will contact Guernsey over support and guidance in developing sheltered housing for Alderney.

#### **8.10.2 Whitegates**

The Committee discussed rebuilding Whitegates. The P&F Committee requested the Housing Group to explore options to build 11 x 2-3 bedrooms terrace housing units on the Whitegates site; the cost involved for the construction; and the funding required and sources.

**9/10/2021**

**Reporting by Representatives**

**9.1 Alderney Representatives for States of Guernsey – Update**

Deputy Peter Ferbrache may travel to Alderney next month for discussions with the Alderney Policy & Finance Committee on taxation and Alderney's views.

**9.2 AeGL Update**

No further updates.

**9.3 AeL Update**

Alan Bates was appointed to the Board of AEL at the recent AGM. The new generating units to be fully automated and commissioned by May 2022.

**Meeting closed: 2:30pm.**

**Signed: Bill Abel**

**Date: October 2021**