

POLICY AND FINANCE COMMITTEE MEETING
Anne French Room
21st February 2022 - 09.00 hours
Minutes

PRESENT:

Mr W Abel, Chairman (Via Teams)
Mr I Carter
Mr G McKinley
Mr K Gentle
Mr B Kelly
Ms A Burgess
Mr C Harris
Mr A Snowdon
Mr S Roberts

IN ATTENDANCE:

Ms K Jones, Chief Executive (CE)
Mr J Laband, Project Support Officer
Mrs S Pengilley-Price, Head of Govt Support (HoGS) (Via Teams)
Mr Stephen Taylor, Strategic Financial Adviser (SFA) (via Teams)
Mrs E O'Toole, Finance Manager (FM) (Via Teams)
Mr W Tate, President of The States of Alderney (For Items, 2.3, 2.4 and 2.7 Only)
Mrs C Veron, Policy Assistant (For item 2.7 Only)
Doctor N Brink MBE, Director of Public Health (Via Teams for item 2.7 Only)
Mr. K Murphy, Emergency Planning Officer (Via Teams for item 2.7 Only)
Mr P Veron, Strategic Adviser (For items 3.1 & 3.2 Only)
H Carre, Senior Policy and Legislation Manager (Via Teams for item 4.1 Only)
Deputy T Bury (Via Teams for Item 4.1 Only)

Apologies: Mrs E Maurice, Head of Finance

AGENDA ITEM	ACTION
01/02/2022 <u>Minutes and Matters Arising</u>	
1.1 <u>Minutes from the meeting held on 17th December 2020</u> – tabled and approved.	
1.1.1 <u>Minutes – Confidential Annexure – 24th January 2022</u> – tabled and Approved	
1.1.2 <u>Hybrid Meetings</u> The Chief Executive (CE) advised that there was nothing to report at this meeting.	CE
1.1.3 <u>IT Training</u> The CE advised that conversations had taken place with the Programme Manager on IT Training for States Members and that a programme will be put in place for members at their discretion whether that's in groups or as individuals and they will be contacted in due course, dates to be confirmed.	CE/PM
1.1.4 <u>Marina – See Confidential Annexure</u>	

02/02/2022 **Administrative Matters**

2.1 External Relations Update (Bailiwick Council/ALG/MOJ/Normandie) - Verbal update noted.

Nothing to report.

2.2 Finance (Grants and Subsidies)

2.2.1 Dairy Farm Management Contract – See Confidential Annexure – Report from Head of Finance dated 14th February tabled and considered.

2.3 Code of Conduct Review Panel - Report from The President dated 2nd February tabled and considered

The President provided a verbal update to support his report outlining that there had been two responses from the public advert/search that commenced as a result of the resignation from the Code of Conduct Review Panel of Mr Roy Burke. The two applications were submitted by Mr James Dent and Mr Anthony Barnes.

The Policy and Finance Committee resolved to not approve the appointment of Mr James Dent (5 votes against & 3 for) and Mr Anthony Barnes (5 votes against & 3 for) to the Code of Conduct Review Panel for States Members.

2.4 Increasing the Number of Code of Conduct Review Panel Members – Report from Mr Carter dated 21st February tabled and considered.

Due to the potential for a democratic deficit to develop if there were insufficient panel members to populate both a hearing and appeals panel there is a need to have a fall-back position *in extremis* for the President to have access to another source of appropriate personnel. The proposal is that the President should have the ability to appoint panel members from the Guernsey Code of Conduct Panel who have the experience of dealing with hearings. This change of approach would require an amendment to the current Alderney Code of Conduct Panel Procedures.

The President proposed adding an additional paragraph to the Code of Conduct as follows:

“In the event that the President is unable to appoint a hearing panel from the existing members, he may, with the agreement to the secretary to the Guernsey Code of Conduct Panel, appoint temporary members from the Guernsey Panel having consulted with the Chair or the Vice Chair of the Policy and Finance Committee”

This would allow those members to perform duties on an *ad-hoc* basis.

Mr Kelly highlighted that he had been tasked by the Good Governance Group with making amendments to the current Code of Conduct procedure and suggested deferring this item until the next Policy and Finance meeting where a paper, including those amendments suggested by Mr Carter and the President would be tabled.

The Policy and Finance Committee resolved for Mr Kelly to submit a paper to the next Policy and Finance Committee in advance of its meeting in March which includes revisions to the Code of Conduct suggested by Mr Tate and Mr Carter and in the interim to amend the current code to allow the appointment on a temporary basis of members of the Guernsey Panel if the need arises.

Billet Item

2.5 Alderney Duty Free Concession – Report from Head of Government Support dated 31st January 2022 tabled and considered.

The Duty-Free provision at the airport ceased when the direct Alderney - Southampton air route ceased in 2020 and Randalls pulling out from this service. Now that the direct route is operating again, the States of Alderney have been approached by the Guernsey Airport Commercial Manager with regards to what our intentions are with regards resuming this service. A tender process has been set up and is ready for deployment and the Committee are asked to sanction the commencement of that tender process.

The Policy and Finance Committee resolved to approve that the Duty-Free agreement is put out to tender as soon as possible.

HOGS

2.6 Covid Update Post Raising of Regulations – Verbal Update from Head of Government Support Noted

The Policy and Finance Committee were advised that restrictions ended as of 17th February 2022. Although restrictions have ended, Covid-19 is still a notifiable disease. There is to be a de-escalation of contact tracing and testing will only be implemented where there are a significant number of cases that arise out of a single event. Continuation of good hygiene habits are encouraged, and members of the public are advised to stay at home if symptomatic.

As a result of the ending of restrictions, staff of the Welcome Teams had been redeployed within the States of Alderney to other positions, but staff are still available to respond in the event of another outbreak.

A decision on whether Lateral Flow Tests are to remain free of charge will occur post March 31st and is dependent on Public Health policy.

Doctor Brink is to present the latest testing strategy to the Policy and Finance Committee in due course.

The Policy and Finance Committee agreed to send a letter of thanks to members of the Welcome team in appreciation of its members during the pandemic and that the SoA would mark the members of the Welcome teams' contribution to the emergency response with a small celebratory event.

HOGS

2.7 Nuclear Risk and Response – See Confidential Annexure - Confidential Briefing via teams from Dr Nicola Brink and Mr Kevin Murphy noted.

03/02/2022

Transport, Economy and Renewable Energy

3.1 Alderney Airport Rehabilitation Project – See Confidential Annexure - Report from The Strategic Adviser dated 11th February tabled and considered.

3.2 Ferry – Invitation for Expressions of Interest – See Confidential Annexure – Report from The Strategic financial Adviser dated 21st February tabled and considered.

3.3 Guernsey Tax Review – Report from Mr Carter dated 14th February tabled and discussed.

Members discussed the document tabled and what potential implications the introduction of GST would have on Alderney. The Committee are awaiting a paper to be submitted to it which includes the summary of the Shopping Basket data obtained for January 2022, The Committee was advised that the data from the exercise was submitted to Guernsey Data and Analysis on January 27th.

The Policy and Finance Committee resolved that it should be provided with the most recent Shopping Basket Data (January 2022) in good time for the next Guernsey Tax Review Briefing in March.

CE Office

3.4 Alderney Electronic Census Report – Census Report from States of Guernsey, Data and Analysis dated 15th February tabled and **noted**.

N/A

04/02/2022 **Legislation, Conventions & Policy and Finance**

4.1 Revision to Children Law – Report and Briefing from Helga Carre, Senior Policy and Legislation Manager dated 14th February 2022 tabled and considered.

The Committee was briefed on this Guernsey Government Work Plan top-10 action to support vulnerable children through revision of the Children’s Law and provided with the opportunity to ask questions on the revisions to the Law.

Grounds for referral was raised as an area that has been a cause for delay previously as either of the parents would not accept the Grounds for referral.

It was highlighted that there was a lack of continuity in relation to social workers, and whether there was a mechanism to encourage social workers to stay in post longer. Guernsey housing regulations were identified as a contributing factor to this issue.

The very low number of referrals from Alderney was queried and whether the system is user friendly for all system users.

The Policy and Finance Committee resolved;

- **To note the update;**
- **To agree that we would welcome consultation on the final suite of proposals for change; and**
- **If it has any views it would like to share them with the Children & Young People’s Board on this matter, at that time.**
- **It was requested for research to be conducted by Guernsey Children & Young People’s Board on why there are such low numbers of referrals from Alderney**

CEOffice

4.2 Human Rights Act 1998 – Report for Ratification from Cathy Stott, External Relations Officer dated 31st January **Approved**

The Policy & Finance Committee resolved to ratify the support of the draft legislation circulated on 27/1/22.

4.3 The Public Functions (Transfer and Performance) (Bailiwick of Guernsey) (Amendment) Law, 2021 - Report from The Deputy Bailiff of Guernsey dated 26th January 2022 tabled and considered.

The amendment to the law transfers functions of Guernsey Committees to the Committees of the States of Alderney and Sark. Approving this amendment, would allow any Bailiwick legislation, that has connotations to Alderney, to its States Committees from the States of Guernsey, this would be sanctioned by ordinance of the States of Alderney and thus is an enabling law.

The Policy and Finance Committee resolved to support the amendment to the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) (Amendment) Law, 2021

Ian Carter Proposed

Bill Abel Seconded

BILLET ITEM

4.4 Consultation being Undertaken by the UK Government regarding Human Rights Reform – Report from Cathy Stott, External relations Officer dated 11th February 2022 tabled and noted.

The Committee did not register any views on the consultation but agreed to provide contributions that may assist with the ongoing engagement.

The Policy & Finance Committee agreed to provide any views that may assist with the ongoing engagement with the Ministry of Justice during the consultation.

CEOffice

****Lunch Taken 13:00***

****Chris Harris Left the Meeting***

4.5 Land Use Plan Review Paper- See Confidential Annexure – Report from Mr Gentle dated 11th February 2022 tabled and considered.

05/02/2022

Items for Development/Discussion

5.1 IHRA Questionnaire – Report from The Project Support Officer dated 16th February tabled and considered.

The Committee were readvised as to the aim of the survey questionnaire, which was to obtain the community view on the recommendations made by IHRA.

A verbal update on the data was provided to the Committee and a request was tabled as to how it would like to proceed with the data.

The Policy and Finance Committee resolved for recommendations to be provided to it at a future meeting following the outcomes of communications with Guernsey and Jersey regarding WW2 heritage and the involvement of IHRA.

CEOffice

5.2 Rules of Procedure for Committees and States Meetings including Open Meetings Procedure – Report tabled from Mr Carter Dated 21st February 2022 tabled and considered

The Committee discussed an appropriate way forward in terms of the redrafting of the Rules of Procedure. A two-stage approach was proposed, so that for the March Billet, rule 19 was deleted and rule 17 which would require amendment should be submitted to the Billet at a later date following guidance being received on the redrafting of that rule.

The Policy and Finance Committee resolved for the removal of Rule 19 from the Rules of Procedure and agreed to a two phased approach which will see the proposed amendment of Rule 17 at its next meeting before being submitted as a

BILLET ITEM

5.3 States of Alderney PR Update and Development – Verbal Update from Alistair Forrest (AF) dated 21st February considered.

AF briefed the Committee on a model to change public perception on States business including proactive stories as opposed to reactive stories, the removal of Rule 19 to publish news faster and by holding meetings with the media to enable the preparation of press releases in advance of Committee minutes and ultimately create a rolling news facility to assist in the promotion of Alderney and the work of the SoA.

The Policy and Finance Committee resolved to note the briefing

CEOffice

06/02/2022

Items for Future Billet Submission

- **Reduce Voting Age from age 18 to 16 – Verbal Update**
 - The Project has been drafted by the Law Officers, but consequential legislation is being assessed and may require tweaks to those pieces of consequential legislation. A report is expected for the March Policy and Finance Committee Meeting and then onto the Billet for April.
- **The Public Functions (Transfer and Performance) (Bailiwick of Guernsey) (Amendment) Law, 2021**
- **Rules of Procedure for Committees and States Meetings including Open Meetings procedures**
- **The Alderney eGambling (Amendment) Regulations, 2021**
- **Amendments to Beneficial Ownership and Companies Laws**
- **Emergency Regulations:**
 - **The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 14) Regulations, 2021**
 - **The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) Regulations, 2022**
 - **The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (Amendment) Regulations, 2022**

07/02/2022

Any Other Business – For Information & Noting

7.1 Financial Services Commission Fees SOG – Report received from Pierre De Garis Executive Legal Assistant to the Civil Advisory and Legislation Team dated 31st January tabled and noted.

The Item highlighted a typographical error within the legislation which required an amendment to the legislation.

The Policy and Finance Committee resolved to note the item.

CEOffice

7.2 Referencing and Storage of Minutes of Confidential meetings – Discussion Item.

The Committee queried the referencing and storage of confidential minutes within the Electronic Filing System for the States of Alderney. The CE advised that there is an ongoing piece of work which determines which staff have access to what information on the IT filing system and that historical access to those files is reviewed.

Recordings of meetings on Microsoft Teams was raised and the security of those recordings, the Committee was advised that steps are being taken to mitigate the risk of recordings being available to individuals where it is not appropriate for those individuals to have that access.

The CE advised that Liz Dene (SoG), will be advising on Committee Secretary functions and the management of information and decisions the organisation is making. Consultation and work to commence in March 2022.

CEOffice

7.3 Stopping the Small Boats – Policy Exchange Proposal – Policy Exchange document Tabled and noted.

Following a discussion, the Committee deemed a nil response to the Policy Exchange proposal appropriate. The CE advised that a request for a draft letter be produced in liaison with States of Guernsey Communications if required.

CEOffice

7.4 Transferred Services 1948 Agreement

Mr Snowdon queried as to whether a document exists which provides a breakdown of all the transferred services provided by Guernsey to Alderney. SFA confirmed that services provided, and costings were developed as part of the financial relationships work by the SFA a few years ago. These are now reported in the States of Guernsey annual accounts. SFA to provide details to States Members.

SFA

7.5 Land Registry – Verbal Update

The Project Support Officer raised a request for the Committee to hold a standalone meeting where it would reconsider its position on the Land Registry IT system replacement and hosting business case when updated costings are obtained. The Court of Alderney's legal obligation to provide such information from the land registry was noted by the Committee.

The Policy and Finance Committee resolved to meet when the updated business case for the proposal with updated hosting costs were available.

08/02/2022

Exception Reporting & Questions by Members

8.1 General Services Committee (GSC)

Nothing to Report

Mr Snowdon queried the state of the pontoon and whether it'll be okay for this season. Mr Kelly advised that following expert advice, the pontoon is sufficient for continued use by dinghies during 2022.

8.2 Building Development Control Committee (BDCC)

Mr Gentle advised that the next open planning meeting which was scheduled for 24th March has been rearranged for Tuesday 5th April, when the Department of Planning Authority (GSY) members will be in attendance to observe proceedings.

8.3 Finance Committee (FC)

Nothing to Report

8.4 Economic Development Committee (EDC)

Ms Burgess advised that a meeting had taken place between EDC and The Committee for Economic Development (GSY) where it was resolved the Committees would meet quarterly.

8.5 Good Governance Group (GGG)

Mr Gentle Advised that the GGG presentation to P&F was due to take place on 3rd of March, subsequently, law officer advice pertinent to that presentation will not be received until March 17th and therefore the presentation has now been rearranged to the 21st April.

8.6 Energy Group

Group to meet with the Catapult group on Friday 25th February and will report back to P&F with a status update.

8.7 Island Plan Group

One page summary document being produced, and Visit Alderney are producing the published version of the full Island Plan document, this will be circulated to members as soon as possible.

8.8 Housing Group

The Policy and Finance Committee are due to receive a report from Rhys Jenkins, as minuted in the Committee's previous meeting, including information on the findings and recommendations from the drop-in session.

09/02/2022 Reporting by Representatives

9.1 Alderney Representatives for States of Guernsey – Update

Mr Snowdon provided the following updates:

- Report being proposed at the States of Guernsey on Electronic Voting mechanism for utilisation at the States of Deliberation.
- Potential establishment of a Development Agency, and SoA developing connections with that group (if established) and developing ideas. Areas covered by the group would include infrastructure projects in Guernsey.

9.2 AeGL Update – See Confidential Annexure

9.3 AEL Update

Mr Gentle advised that there is a meeting around the 8th of March to discuss the audit of accounts.

9.4 AHA Update

Ms Burgess advised that a meeting had been held with the operational lead and took comments from the Housing Groups to the AHA to receive its feedback, which will be compiled by the board, this will be included in the Housing Group's report being submitted to P&F.

10/02/2022 Resolutions Made

As stated within the minutes above.

11/02/2022 Items for Press Releases

Meeting closed: 17:05

Signed: Ian Carter

Date: February 2022

