

Estates and Services Committee
Anne French Room
Tuesday 15th October 2013
09:15

Mr L Jean, Chairman
Mr I Tugby
Mr R Berry
Mr C Rowley

Mr R Burke, Chief Executive
Mrs K A Hatcher-Gaudion, Treasurer
Ms J Turner, States Engineer
Mrs E O'Toole, Minute Secretary

In attendance: Mr P Arditti; Mr N Harvey; Mr M Gaudion, Harbour Master (item 67/2013)

64/2013 Minutes of the previous meeting of 10th September tabled and **approved**.

65/2013 Matters Arising

65.1 St Anne's Church The States Engineer advised that works have commenced on site with set-up and scaffold access. The project is currently a week behind schedule in part due to weather and the contractor starting later than anticipated however the contractor is confident that the time will be made up. The works on phase 1 will be completed by the end of November 2013. **Noted**

The Chairman read out the progress report from Lovell Ozanne.

The Chairman requested the States Engineer enquire whether the beams will be treated and the type of nails used.

ENGINEER

65.2 Fort Doyle – Beam and Roof repairs funding update The States Engineer advised that the internal works have been completed and the beams are now supported on the new steel beams. Remedial works have been carried out on the brickwork. The electrics, specifically lighting, required replacement and this was included in the budget within the contingency. **Noted**

The building is therefore now useable and the Boxing Club has undertaken internal painting at their own cost. **Noted**

The contract for the external roof works have been awarded however work has not yet commenced. **Noted**

65.3 Chapel of Rest – Mignot Memorial Hospital The States Engineer advised that the Hospital advised that this matter is their responsibility and funding will be allocated to undertake the necessary works to the Chapel of Rest, early next year.

The Chairman requested that the Engineer follow up the matter in 6 months time to ensure the necessary improvements have been made. The Committee agreed.

ENGINEER

65.4 HGV Licences The Chief Executive advised that he was still pursuing the possibility of an Alderney licence with the Environment Department in Guernsey. **Noted**

Mr Tugby stated that the situation is becoming increasingly worse as there are very few qualified drivers available on island. **Noted**

The Committee agreed that Mr Berry, Roads and Transport, Mr Tugby and the Chief Executive should continue to work together to resolve the matter.

RB/IT/CE

65.5 Campsite Development Papers from the Campsite Operators tabled and discussed. The Chief Executive advised that himself and Mr Berry had a meeting with the Campsite Operators to discuss the agreement and site fees.

The Operators have proposed a number of alternative Lease and Operating Arrangements for consideration by the Committee as they are not in agreement with the current Operating Model as proposed by the Committee.

The Committee discussed the options at length and noted that an increase in site fees will not generate any more business taking into consideration visitor numbers were marginally down from the previous year. The Committee were not prepared to cede control of setting the

campsite fees and not in favour of any of the business models proposed by the campsite operators

The Committee agreed to maintain the resolution reached in February 2013 for the Lease Arrangement between the States and the Campsite Operators, with annual rent set at £3,500 per annum reviewable dependent on the income of the campsite. Chief Executive to deal.

CE

Caravans at the Campsite Paper from Mr Berry tabled and it was noted that this matter is the responsibility of the Building Development Control Committee (BDCC). Item referred to BDCC.

RB/BDCC

65.6 Continental Metals Business Proposal Following the presentation from Mr Bruekers on the 11th October to all States Members able to attend, the Chairman requested that:-

- the Engineer progress the matter of Guernsey remaining the Competent Authority applying an Alderney waste law;
- the Chief Executive invite Ms Victoria Ogier from the Law Officers Chambers, who is drafting the legislation, to the next meeting of the Committee; and
- the item to be on the agenda for the next meeting of the Committee along with the minutes of the meeting with Mr Bruekers.

ENGINEER/CE/AGENDA ITEM

In light of the other aspects of Mr Brueker's proposal with regards to the Impot and Recycling, the Chief Executive and the Chairman stated that options must be put together for the Committee to consider not only concentrating on Mr Brueker's proposals but also the proposed storage and garaging for plant at the harbour, a potential marina etc. to determine what is appropriate and what the priorities are for the Committee.

ENGINEER/CE/CHAIRMAN

10:00 Mr Roger Brookfield, Fire Safety Inspector, and Mr Derrick Williams, Alderney Fire Brigade, joined the meeting.

66/2013 Fire Services The Chairman stated that the purpose of Mr Brookfield and Mr Williams attending the meeting is due to concern being raised regarding recent fire safety inspection carried out, in particular one incident when the police were called to the inspection. The Chairman urged that Mr Brookfield and Mr Williams be as reasonable as possible with business during the tough economic climate.

Mr Brookfield gave a brief overview of the particular inspection in question and advised that due to the nature of the event which was proposed to be staged in building B, concerns were raised regarding fire safety.

As it was anticipated that between 200-500 people would be attending the proposed event, the building was subject to compliance with the Fire Services (Alderney) Law 2002, as tabled, when occupied, which stipulates that a building is a controlled premises "where seating or facilities are provided for at least 40 persons, or where it is reasonable to suppose that, on any occasion, at least 40 persons will be present", which means the fire inspector may, at any reasonable time, enter any controlled premises, or any premises which he has reasonable cause to believe to be controlled premises.

Mr Brookfield further explained that the company leasing the buildings from the States were contacted and written to, to advise/arrange the necessary inspection required in order to comply with the Law. One director had given consent to the inspections and subsequently part of the building A had a preliminary inspection however not the rest and neither was building B as the other director refused delivery of the letters of notification.

Mr Brookfield stated that he believed that the use of the police in this matter was reasonable.

Noted

Mr Arditti queried the specific details of which areas of building A and building B had thus far been inspected; Mr Brookfield advised that building B has not been inspected at all as less than 10 people occupy the building therefore the directors were within their rights to refuse an inspection, whereas building A is sub-divided into 8 units with approximately 15 people occupying the building and some areas have had a preliminary inspection. **Noted**

It was noted that an inspection of building A is scheduled for the 21st October 2013 and the majority of the directors have given permission for the inspection to take place. **Noted**

Mr Tugby queried if the fire regulations had changed over the past two years and raised a specific inspection on a hotel recently; Mr Brookfield advised that the inspection and the recommendations to upgrade sometime in the near future were discussed with the owner with a view to re-inspect the hotel in January 2014. **Noted**

Mr Rowley queried if Mr Brookfield have had any other issues with regards to inspections; Mr Brookfield advised that they have not had any other issues and gave two examples of where an inspection has proven to be good for the island, namely the Cinema and the Football Club. **Noted**

A confidential report of inspections, undertaken in the past 17 months, was circulated to Members.

The Chairman thanked Mr Brookfield and Mr Williams for attending the meeting and for the work they do. It was noted that should any issues arise in future, the Committee's input will be sought.

10:55 Mr Roger Brookfield and Mr Derrick Williams left the meeting.

10:55 Mr M Gaudion, Harbour Master, joined the meeting.

67/2013 Harbour and Fisheries

67.1 Monthly Report for September 2013 tabled and the following items were **noted**:-

- Bumblebee Boat Cruises continued to provide a good service carrying 129 passengers during September.
- Braye Harbour hosted the annual "Fish 'n' Ships" rally on Saturday 21st September which saw 76 French yachts visit the island from Cherbourg with a total of 360 crew and passengers in attendance. The Cherbourg Yacht Club had to be invoiced directly for mooring fees as the majority of yachts arrived outside working hours at the harbour.
- Alderney Shipping has seen an increase in the demand for freight and cargo to and from the island following the demise of Huelin Renouf.
- Revetment – The harbour team will keep a photographic diary of the revetment over the coming months.
- Huelin Renouf Shipping – A liquidator was sent to Alderney to assess the remaining assets of the company on island. The Harbour Authority requested that all services be removed from the on hire portacabin being used as an office by the company so that it may be returned to Events Services Guernsey as soon as possible.

It was noted that the company still has 15/16 shipping containers plus other goods on the commercial quay and the Committee confirmed that appropriate charges should be raised for storage whilst on States premises. The Treasurer was requested to pursue this matter.

TREASURER

- Sea Fisheries – The Jersey registered MFV "Loup de Mer" was discovered fishing illegally within the Alderney 3nm limit. Guernsey Sea Fisheries Officers boarded the vessel and cautioned the Master on scene.

New Harbour Crane The Harbour Master reported on the recent reports regarding the safety of the new Crane. He advised that the safety of the crane had been reviewed and was satisfied that it was safe. He had stated that the crane had been examined and additional ropes added and that the manufacturers were due to visit shortly to review the operational procedures in place. **Noted**

The Harbour Master thanked the Chairman for his support on the matter.

67.2 Harbour Office Project Update – It was noted that the project is currently 3-6 weeks behind schedule however with no cost implications expected. The contractor has supplied detailed information which has caused the delay and the Chief Executive stated that the issues were not unreasonable. **Noted**

First Floor Fit-out Paper from Mr Mark Bristow, Hamon Architects, dated 7th October 2013 tabled and considered. It was noted that the costs for the proposed fit-out have been reviewed by a quantity surveyor; the proposed work will be carried out by the current contractor of the project within the current programme and work procedure. It was noted that the cost of fitting out the 1st floor came within the allocated budget in view of the fact that the project had been managed to ensure costs were kept well within budget, and providing that no unexpected further costs were incurred for specialist electronic equipment during the move to the new harbour office. **Noted**

RESOLVED by a majority (Mr Tugby against) to approve AJ Bohan to carry out works on the first floor fit-out of the new Harbour Office at a cost of £26,254.46 to be taken from the allocated budget. Chief Executive to deal.

CE

67.3 Dedicated Pontoon for small passenger ferries Letter from Mr Dan Meinke, Managing Director of Bumblebee Boat Cruises, dated 3rd October 2013 tabled and discussed.

The Harbour Master stated that unfortunately for smaller ferries the harbour is limited to the facilities available however this is an issue that has been raised by the RNLI and advised that it has been agreed in principle to consider a dedicated pontoon, incorporating the existing dingy pontoon, for small ferries and the lifeboat.

The Harbour Master was requested to pursue the proposal and bring it back to the Committee for consideration.

HARBOUR MASTER

It was noted that capital funding has been allocated for the 'pontoon steps' in 2014 which could be allocated to this proposal. **Noted**

11:25 Mr Harvey left the meeting

67.4 Alderney Shipping – Increase in Freight Rates Letter from Mr Bruno Kay-Mouat, Managing Director Alderney Shipping, dated 27th September 2013; extract from the Inter-Island Shipping Agreement between the States of Alderney and Alderney Shipping Co Limited and extract from Policy and Finance Committee minutes of the 27th November 2012 tabled and discussed.

The Committee noted that in accordance with the Inter-Island Shipping Agreement, the States shall receive notification of a price increase on freight no later than the 1st September each year therefore the letter from Mr Kay-Mouat had not been received in a time and no financial case had been made in order to justify the increase.

It was further noted that this is the third consecutive year that notification of rates increase has been submitted after the 1st September. **Noted**

RESOLVED unanimously not to approve the request from Alderney Shipping Co Limited to increase freight rates by 3.5% in 2014.

TREASURY

Mr Tugby raised concern regarding the high freight rates on goods to and from England. The Chief Executive and Mr Tugby were requested to meet to discuss how the issue could be addressed.

CE/IT

67.5 Dive Permit – Elizabethan Wreck Letter from the Mr Mike Harrison, Coordinator Trustee Alderney Maritime Trust, dated 7th October 2013 tabled and considered.

It was noted that the Chairman, a private Trustee member, and Mr Rowley, Committee appointed Trustee member, had not been notified or made aware that an application would be submitted for a permit diving on the Elizabethan Wreck. **Noted**

RESOLVED unanimously to approve a diving permit to the Alderney Maritime Trust to dive on the Elizabethan Wreck during October and November 2013. Harbour Master to deal.

HARBOUR MASTER

67.6 Shipping Timber Letter from Mr G C Ward, Brecqhou Developments Limited, dated 12th September 2013 tabled and discussed.

Mr Tugby declared an interest.

The Committee agreed for the Chairman and Chief Executive to investigate the request further and seek necessary legal advice.

LJ/CE

67.7 Any other business relating to Harbour and Fisheries None.

11:55 Mr M Gaudion left the meeting.

65/2013 **Matters Arising (continue)**

65.7 Waste Disposal options The Chief Executive reported and the following was noted:-
Jersey option No further progress has been made since the loss of Huelin Renouf shipping.
Anaerobic digestion of waste Representatives from New Generation Biogas visited the island from the 7th to 9th October 2013 and made a presentation to Members. A proposal will be made to the States in the coming weeks.

Gate fees at Mont Cuet No further progress had been made on negotiations of gate fees for waste. Discussions to commence.

LJ

65.8 Dust Extraction Unit SWD Workshop – SWD Capital Expenditure It was noted that the Health and Safety Notice issued regarding dust extraction in the workshop has been extended to 31st March 2014 as the States Works have demonstrated that progress is being made to purchase equipment with the final design and funding yet to be approved; matter ongoing.
Noted

65.9 Airport Hangar See Confidential Annexure.

65.10 Any other matters arising from the minutes

Disabled areas The States Engineer advised that accessibility recommendations being produced by Mr Aindre Reece-Sheerin will be brought to the Committee for consideration at the next meeting.

ENGINEER/AGENDA ITEM

68/2013 General Works (including Agriculture)

68.1 Superintendent of Works Report – September 2013 tabled and **noted**.

68.2 Any other business relating to General Works None.

12:10 Meeting closed to convene the Water Board meeting

12:30 Meeting reconvened

69/2013 Recreation, Welfare and Environment (including States Land)

69.1 Lease of Land at Mannez – ARE Letter from Mr Declan Gaudion, Director Alderney Renewable Energy, dated 4th October 2013 tabled and discussed.

RESOLVED unanimously to agree to extend the 'End Date' of the lease of land at Mannez to the 31st December 2020. Chief Executive to deal.

CE

69.2 Festive Alderney – Victoria Street Christmas Market Paper from Mrs Alex Flewitt, Tourism and Marketing Department, dated 3rd October 2013 tabled and considered.

RESOLVED unanimously to approve the closure of Vicotira Street to traffic on Saturday 14th December 2013 between 09:00-12:30 to allow for safe access during the Christmas Street Market.

MARKETING DEPARTMENT

69.3 Land at Saye – Request for sale See Confidential Annexure.

69.4 Any other matters relating to Recreation, Welfare and Environment None.

70/2013 Roads and Transport

70.1 Any business relating to Roads and Transport

Meeting with Taxi Operators Mr Berry advised that the meeting with the Taxi Operators has been scheduled for the 5th November 2013. **Noted**

71/2013 Any Other Business

71.1 Weather Reports It was noted that Mr Brian Bonnard who has been providing the weather statistic for a number of years, is retiring. It was suggested that as the Airport already hold significant data relating to weather that they be approached in the first instance and requested to provide this service. The Chief Executive was requested to consider proposals of how this vital service can continue.

CE

Meeting closed 12:45am

DATE OF NEXT MEETING: 12th November 2013

Signed: Mr L Jean

Date: 12th November 2013