

POLICY AND FINANCE COMMITTEE MEETING
Anne French Room
28th March 2022 - 09.00 hours
Minutes

PRESENT:

Mr W Abel, Chairman
Mr I Carter – Joined 11:40AM
Mr G McKinley
Mr K Gentle
Mr B Kelly
Ms A Burgess – Joined 11.45AM
Mr A Snowdon
Mr S Roberts

IN ATTENDANCE:

Mrs E Maurice, Head of Finance
Mr J Laband, Project Support Officer
Mrs S Pengilley-Price, Head of Govt
Support (HoGS) (Via Teams)
Mr S Taylor, Strategic Financial Adviser
(SFA) (via Teams)
Mr D Llewellyn, Strategic Adviser (SA)
(For items 2.3 and 8.1 Only)

Apologies: Ms K Jones, Chief Executive (CE), Mr C Harris

AGENDA ITEM

01/03/2022

Minutes and Matters Arising

ACTION

1.1 Minutes from the meeting held 21st February 2022 – tabled and approved.

Item 2.3 - Code of Conduct Review Panel

Mr Gentle queried as to why this item appeared in both the public minutes and the Confidential Minutes. The Project Support Officer suggested that the reasoning behind the Committees decision should be confidential as it was a confidential process, but the vote and outcome of that item could be declared in the public minutes following permission being provided from the two applicants. It was queried why it was not a named vote, to which the response was that there is nothing in the Rules of Procedure that suggests votes should be named. It was proposed by members that named votes in the rules of procedure should be queried with Law Officers and a report comes back to P&F for a consideration with all members present.

JL

Item 2.4 – Increasing the number of Code of Conduct Panel review members

Mr Kelly queried the progress of that item and requested an update on who is conducting the piece of work. A response on the progress of that item is to be available for the next meeting.

Item 2.5 – Duty Free Concession.

Mr Kelly queried what the current progress is of this item, The Head of Government Support (HOGS) advised that there had been two responses to the request for expressions of interest which are now being evaluated. Further information will be required, and an update will be presented to the committee as soon as a recommendation is available.

Item 7.2 – The Storage and referencing of confidential minutes.

Mr Kelly requested a progress update on item, The Project Support Officer advised that initial conversations on the matter had taken place with Liz Dene, and a list of areas that require addressing have been identified and a further update on the progress of the item will be provided at the next committee meeting.

JL

1.1.1 Minutes – Confidential Annexure – 21st February 2022 – tabled and Approved

1.1.2 Alderney Community Sport Facility – Report from the Chief Executive tabled and considered.

Mr Kelly requested for the following to be noted in the minutes; that the swimming pool is not within the Braye Opportunity area and as such, the reference in the submitted report should be removed.

Mr Abel advised that there is a press release ready to be issued which highlights the process to date. It was noted that the expressions of interest mentioned in the report by the Chief Executive, should not be issued until after any press release has been circulated.

The Policy & Finance Committee resolved;

- **To approve the Programme Manager initiating, at the earliest opportunity, an Expressions of Interest process for a School and Community Sports Facility separate to prioritising the remaining items in the Island Plan; and**
- **For a Press Release to be circulated in relation to the current position of the swimming pool and Community Sport Facility Proposals.**

CE/BA

1.1.3 Minutes – Special Confidential P&F – 23rd February 2022 – See Confidential Annexure

02/03/2022 Administrative Matters

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

Mr Abel spoke to the paper he circulated by email on March 27th on the Bailiwick Council meeting dated 9/3/22 which on its agenda included the following items;

- Free Trade Agreements
- UK-EU Trade and Cooperation Agreement
- French Vessel Licensing
- UK-France Maritime Security Treaty
- Human Rights reform
- War in Ukraine
- Response to sanctions

Mr Abel tabled a late note to Members of P&F with regard to the Channel Island All Party Parliamentary Group meeting held in the House of Commons, Westminster, on March 21st.

Items discussed related to updates from Channel Islands and Isle of Man delegations and questions were put and discussed by members of the House of Commons and House of Lords, who were present.

2.2 Finance (Grants and Subsidies)

2.2.1 Alderney Wildlife Trust – Grant Applications 2022 – Report from Head of Finance dated 16th March tabled and considered.

The States had received two grant applications from Alderney Wildlife Trust (AWT) for 2022. These are for general operational support/ provision of services (£16,000) and for Community Woodland management (£1,000). Both grants are for the same sum applied for in 2021 and the budgets for 2022 agreed by the States includes these sums. The grants and supporting correspondence form the service level agreement between the States of Alderney and AWT.

The Policy and Finance Committee resolved:

- a) **To award a revenue grant of £16,000 to AWT for provision of operational services and £1,000 for Community Woodland management for 2022 in line with budget; and,**
- b) **That the Service Level Agreement with AWT is updated in respect of the main operational grant that the above funding relates to.**
- c) **That future submission of items relating to this matter only include a cover note and not the relating correspondence to it.**

2.3 Early Years Childcare Provision - Report from The Chief Executive's Office dated 28th March tabled and considered.

In July 2021, the Civil Service was requested to produce a report on the existing provision of childcare facilities on Alderney. Due to personnel availability this was commenced in October 2021. An interim report was presented in December 2021 to P&F with a full description of the Childcare provision available on the island and informing them that, since concerns had been raised, a new provider has established extensive additional childcare provision for working parents with children aged 6 months to 4 years old. The updated report contains further information from the updated Alderney Census report. Mr Abel is due to respond to Mr Winder's Chief Pleas following the discussion of this item.

The Policy and Finance Committee resolved;

1. **That the States of Alderney should continue to monitor the current providers.**
2. **That the States of Alderney should commit to a fair and transparent support model for early years provision that is equitable amongst all providers.**
3. **That an evaluation report should be presented to the States of Alderney in October 2022 to evaluate the impact of the new provision on childcare availability including summer school holiday 2022 care.**

DL

2.4 Alderney Housing Association (AHA) Protocol – Report from The Strategic Financial Adviser dated 28th March tabled and considered.

The Strategic Financial Adviser (SFA) advised the committee that part of the Framework agreement, agreed in 2010, requires a communications protocol which sets out what information the AHA provide to the States of Alderney and vice versa. The AHA have been consulted on the draft.

Mr Snowdon suggested the inclusion of an annual public engagement in the protocol following the Committee’s decision relating to a public drop-in taking place.

The Policy and Finance Committee resolved to:

- a) **Agree the draft Communication Protocol with AHA;**
- b) **Request the Chief Executive to finalise and implement the protocol as soon as possible subject to any final comments from the AHA; and**
- c) **Request that the AHA considers hosting an annual drop-in session, or similar public engagement event, to obtain feedback from the community and tenants.**
- d) **SFA to agree an appropriate mechanism with AHA for a public engagement event, to be included in either the “Framework Agreement” or the “Protocol” document.**

CE/SFA

2.5 Alderney Housing Association – Quarterly Report Summary – Report from Strategic Financial Adviser (SFA) dated 28th March 2022 tabled and considered.

The Committee agreed that the suggested report summarising the key issues from AHA would be appropriate in future with access to the detail in Appendices as required. It was also agreed that the proposal for an annual public meeting/ engagement event be raised at the quarterly liaison meeting.

The Policy and Finance Committee resolved to;

- a) **Note the key issues in the report;**
- b) **Receive a summary report quarterly from the SFA in the same format presented at the March 2022 meeting of Policy and Finance Committee based on information provided to the SoA by the AHA; and**
- c) **Use the quarterly liaison meetings with AHA to raise any matters arising from the future summaries.**

CE/SFA

2.6 Nunnery Update – Verbal - Verbal Update from Chair of Policy and Finance Noted

The Committee discussed the current use of the Nunnery and suggested there be a press release informing the public as to that current use.

It was also highlighted that there is an Expression’s of Interest group for the Nunnery as resolved by the Policy and Finance Committee in May 2021. It was requested that the members of that group should be determined as it was unclear as to which Members were part of that group.

***Post Meeting Note**, the Nunnery Expressions of Interest Group is comprised of;

- Ms. K Jones, Chief Executive;
- Mr. B Abel – Chair - Policy and Finance Committee;
- Ms A Burgess, Chair - Economic Development Committee; and
- One independent member.

The Policy and Finance Committee resolved for a press release to be circulated in relation to the current use of the Nunnery which should include a comment on the Committee's support for its use by the Ambulance Service as accommodation.

CEOffice

03/03/2022 **Transport, Economy and Renewable Energy**

3.1 Alderney Airport Rehabilitation Project – Verbal Update from The Head of Government Support – See Confidential Annexure

3.2 The Subsidised Seasonal Passenger Ferry 2022 – Verbal Update from the Project Support Officer - Noted.

The Agreement for the Subsidised Seasonal Passenger Service has been reviewed by Law Officers and is due to be finalised in the week commencing 28/3/22. The Committee was informed that a press release has been drafted and is ready for circulation once the agreement is signed. It was confirmed that issues raised by the Committee at its February meeting in respect of the subsidy payment and accommodation publicity had been resolved satisfactorily.

3.3 Guernsey Tax Review – Options for Tax raised on internet sales – discussion paper from States of Guernsey tabled and discussed – See Confidential Annexure.

TREASURY

04/03/2022 **Legislation, Conventions & Policy and Finance**

4.1 Damages Law Commencement Ordinance and Personal Injury Discount Rate Consultation, For Ratification – Report from the Project Support Officer Tabled and Considered **Approved**

The Policy & Finance Committee resolved to ratify the following;

- **To be included in the commencement ordinance, and**
- **To share the consultation with P&R and not conduct its own consultation.**

CEOffice

4.2 Reduce Voting Age from 18 to 16 – Verbal Update from the Head of Government Support and ordinance tabled and approved

Members discussed that amendments such as these can take some time and therefore noted that it is important that the tabled amendment is passed in good time for the 2022 election process.

The Policy and Finance Committee resolved;

- **To approve the amendment to the Government of Alderney (Amendment) Law 2022, in relation to the reducing of voting age from 18 Years to 16 Years and for this item to be placed on the Billet for the April meeting of the full States for formal approval.**
- **For Mr Carter and Mr Jenkins to implement engagement with St Anne's School and discuss with pupils of using their vote once the legislation is sanctioned.**

Billet Item

4.3 UK – France Maritime Security – Memorandum of Understanding – See Confidential Annexure

****Mr Carter & Ms Burgess Joined the Meeting (returning from the Commonwealth Parliamentarians Conference IOM).***

4.4 Export (Control) (Miscellaneous Goods) (Bailiwick of Guernsey) (Amendment) Order, 2022 – Statutory Instrument Tabled and Noted

Post Meeting Note - *The Export Control Bailiwick Order is to be laid before the States of Deliberation and not the States of Alderney. In s. 12(1) of the Export Control (Bailiwick of Guernsey) Law, 2006 (guernseylegalresources.gg), “the States” refers to the States of Deliberation*

The Policy and Finance Committee resolved to note the item.

CEOffice

4.5 Import (Control) (Alderney) (Amendment) Order 2022 – Statutory Instrument Tabled and Approved

Post Meeting Note - *Law Officers have advised that the Import Amendment Order doesn't need to go to the States but should be published in the Alderney Gazette and on Public Notice Boards instead (according to the primary legislation that the Order is made under).*

The Policy and Finance Committee resolved to approve the “Import (Control) (Alderney) (Amendment) Order, 2022.

CEOffice

4.6 Proposed Legislation for the Regulation of Notaries Public – Report from Emma Brown, Strategy and Policy Officer (SOG) tabled and noted.

The Policy and Finance Committee resolved to note the item.

CEOffice

4.7 Economic and Financial Crime Bureau and Financial Intelligence Unit (Bailiwick of Guernsey) Law 2022 – Letter from the Bailiff of Guernsey, Policy letter and Legislation tabled and Considered

Legislation outlining the establishment of an office known as the Office of the Director of the Economic and Financial Crime Bureau and the determining of the Holder of that Office and the functions that Officer carries out.

The Policy and Finance Committee resolved to approve the legislation and for this item to be placed on the Billet for the April meeting of the full States for formal approval.

Billet Item

4.8 London Protocol – A6 Amendment Declaration – See Confidential Annexure
Report from the Project Support Officer tabled and considered.

05/03/2022

Items for Development/Discussion

5.1 Draft Rules of Procedure for Open Meetings- Report from Mr Carter tabled and considered

Members discussed the draft Rules of Procedure and raised a number of queries on the document including the wording and amount of time Agendas are agreed before scheduled monthly meetings.

It is understood that open meetings will take place for scheduled monthly meetings, for Policy and Finance Committee.

Mr Snowdon queried whether the Court of Alderney had been secured as the location for proposed Open Meetings to take place. Mr Kelly advised that he would liaise with the Greffier in relation to the use of that building.

The Policy and Finance Committee resolved for

- **Mr Carter to discuss the draft Rules of Procedure with Law Officers where the comments and draft will be resubmitted to the Policy and Finance Committee; and**
- **For Mr Kelly to liaise with the Greffier for the use of the Alderney Court for open Policy and Finance Committee Meetings and General Services Committee meetings.**

IC/BK

5.2 Sale of Assets – Report from Mr Kelly Tabled and Considered – See Confidential Annexure

06/03/2022 **Items for Future Billet Submission**

- **Reduce Voting Age from Age 18 to 16**
- **Economic and Financial Crime Bureau and Financial Intelligence Unit (Bailiwick of Guernsey) Law 2022**
- **Rules of Procedure for Committees and States meetings including Open Meetings Procedures.**
- **Sale Of Assets – Slaughterhouse**
- **Energy Group report**
- **Ukraine Statement, Debate and Proposition**

**Lunch Taken 13:00*

**Reconvened 14:00*

07/03/2022 **Any Other Business – For Information & Noting**

7.1 Island Plan Public Facing Documents – Documents from Mr Carter Tabled and Considered.

Mr Carter informed members of the proposed process, including that progress on the Island Plan will be reported back to the States of Alderney every six months.

The Policy and Finance Committee resolved;

- **To note the item.**
- **For a Progress report to be submitted to the States every 6 months.**

CEOffice

7.2 Confidential Item – See Confidential Annexure

7.3 Dangerous Weapons Licensing – See Confidential Annexure

7.4 Condemning of Actions against Ukraine – States Debate.

Members discussed Condemning the Actions of Russia against Ukraine and that the subject should be included in the upcoming Billet for the States to debate on the 20th April 2022.

7.5 ACRE – See Confidential Annexure

7.6 Marina – See Confidential Annexure

7.7 Medical Care On-Island – See Confidential Annexure

7.8 States Members iPads

Mr Gentle queried why the States Members were being asked if they wished to purchase the iPads that Policy and Finance were given and resolved to retain. The convenience of the additional screen and ease of use in comparison to the recently deployed laptops was a key point in members electing to retain the devices.

The Policy and Finance Committee Resolved;

- **To retain the iPads utilised by Members as they are a convenient tool alongside laptops, and to do so for the duration of a Member's time in office;**
- **To Request the Project Support Officer checks rationale on IT related issues and support available for the devices following the IT transformation project.**

08/03/2022 Exception Reporting & Questions by Members

8.1 General Services Committee (GSC)

Ambulance Service – Verbal Update Strategic Adviser (DL) – See Confidential Annexure

Other Matters:

Mr Kelly raised the Emergency Operation Plan and his concern in relation to responsibility as GSC is responsible for emergency services and planning, but the Chair of P&F is the representative of the States of Alderney in Guernsey. It was suggested that one of either Chair should be responsible for both and not one or the other. It was also queried how the spokesperson of the operational group was appointed. Mr Kelly is to submit a paper on the matter.

8.2 Building Development Control Committee (BDCC)

Mr Gentle informed the Committee that Members of the Development and Planning Authority (Guernsey) and the Director of Planning would be attending the BDCC meeting on April 5th.

8.3 Finance Committee (FC)

Mr Carter informed the Committee that the Finance committee had received a presentation from Guernsey Post.

The Committee were informed that income in the philatelic sales area was higher than been budgeted in relation to the previous allocation process but was also due to an appointed GSY Post member being assigned to manage this area.

8.4 Economic Development Committee (EDC)

Ms Burgess informed the committee that the Chamber of Commerce are due to discuss with the committee the three latest public engagement events including, Secondary Pensions, Tax Review Meeting and The Runway Rehabilitation.

8.5 Good Governance Group (GGG)

The Committee was informed that the Good Governance Group presentation to P&F is scheduled for April 21st at 11:00am following the latest Tax Review meeting in the Anne French Room.

8.6 Energy Group

Mr Abel informed the Committee to refer to his late report submission to P&F and that he was planning the submission of a full report from the Energy Group to the States of Alderney.

8.7 Island Plan Group

Update as per Item 7.1

8.8 Housing Group

The Committee to expect a report at the April meeting from the housing group.

09/03/2022

Reporting by Representatives

9.1 Alderney Representatives for States of Guernsey – Update

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

Nothing to report.

9.3 AEL Update

Mr. Gentle gave an update stating that the completion date for all current work in the Power Station was expected to be the end of June when the final phase of commissioning would take place. The recent board meeting discussed the audit, and the future implications of rising fuel prices.

9.4 AHA Update

Ms Burgess advised that there were no adverse comments on the implementing of RPIX increases for this year from tenants.

10/03/2022

Route De Souffrance and Vaindiff Farge – Louis Jean – 14:00 – 15:00

Mr Jean was invited by the Chair, to speak the Policy and Finance Committee in relation to Route De Souffrance and Voindiff Farge.

Mr Kelly introduced the item whereafter Mr Jean described his interpretation of the Land and Property law and how Route De Souffrance and Voindiff Farge are identified or referred to therein.

Mr Jean suggested to the Committee that each of the title deeds for properties on Alderney include the listings of rights of access to those properties and those title deeds are the determination of those accesses in law.

The Committee requested further clarity on the term Route de Souffrance from law officers and whether it is feasible to cover all Route De Souffrance in any deed by single ordinance.

The Policy and Finance Committee resolved;

- **To request the CE Office to seek clarification from Law Officers on the whole package approach that was proposed by Mr Jean in relation to how title deeds of land and property form an integral part of the 1949 law;**
- **For Law Officers to Investigate a single covering ordinance for all Route De Souffrance or Vaindif Farge in marked on any deed; and**
- **To seek definition from Law Officers of Route De Souffrance.**

11/03/2022 **Resolutions Made**

As stated within the minutes above.

12/03/2022 **Items for Press Releases**

Meeting closed: 16:35

Signed: Bill Abel

Date: March 2022