

**POLICY AND FINANCE COMMITTEE MEETING**

Anne French Room

23<sup>rd</sup> May 2022 - 09.00 hours

Minutes

**PRESENT:**

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

**IN ATTENDANCE:**

Ms K Jones, Chief Executive (CE),  
Mr J Laband, Project Support Officer  
(PSO-JL)  
Mrs E Maurice, Head of Finance (HoF)  
(Via Teams)  
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 (DL)  
(For item 2.3 Only)  
Mr Paul Veron, Strategic Adviser  
(Transport) (For item 3.1 & 3.2 Only)  
(PV)

Apologies: Mr C Harris

**AGENDA ITEM**

**ACTION**

01/05/2022 Minutes and Matters Arising

1.1 Minutes from the meeting held 25<sup>th</sup> April 2022 – Tabled and Approved.  
Mr Snowdon requested to remove the named individual in relation to Item 9.1.

1.2 Minutes – Confidential Annexure 25<sup>th</sup> April 2022 – Tabled and Approved.  
Ms Burgess suggested the deletion of the number “4” in the text of recommendation number 5 of the minutes of Item 8.8.1.

1.3 Matters Arising

1.3.1 Sports Facility - Verbal update from Mr Abel.

Mr Abel has provided the project scope to the Programme Manager (PM) and a further update from the PM will be provided at a future meeting.

Mr Snowdon queried the progress of a joint presentation on the subject following a previous resolution made by the Policy and Finance Committee.

**BA/PM**

1.3.2 Work Permit Exemptions – Verbal Update from the Head of Government Support.

The Committee were advised that a definition for Carer had been obtained from Health and Social Care, and also a legal definition from Law Officers. A meeting is scheduled for 24<sup>th</sup>

May with Law Officers to discuss the subject. It was highlighted that wider thinking could be applied to the subject as work permits are still required for some individuals conducting essential works on critical Island infrastructure.

It was queried when an amendment to the Ordinance may be tabled for the States, it was suggested that it is possible for the item to be submitted to the July Billet.

HoGS

**1.4 Minutes – Account Meetings – Policy and Finance & General Services Committee** – Tabled and Approved

No Further comments from Members

**02/05/2022 Administrative Matters**

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

Mr Abel advised that the agenda for the Bailiwick Council would be circulated by the PA of the Chief Executive to inform members of matters being discussed at the next meeting on 6<sup>th</sup> June.

PA/CE

**2.2.1 Remembrance Day Duties**

A previous decision of Policy and Finance Committee, circulated via email, stated that Sark, and not Alderney would attend the Remembrance Day service for 2022 at the Cenotaph in London.

For a formal decision on this item, Mr Abel is to forward the email correspondence to the Project Support Officer (PSO-JL) in order for it to be tabled for ratification at the June P&F meeting.

BA/PSO-JL

**2.2 Finance (Grants and Subsidies)**

**2.2.1 States of Alderney Management Accounts** – April 2022 – Tabled and Noted

The Head of Finance updated the Committee on the current status of the management accounts where various budgets had exceeded expenditure, where some were showing debits and where it is forecasted that there may be additional expenditure required in relation to some priority issues such as Healthcare and the Ambulance Service.

**2.2.2 Economic Development Reserve** – April 2022 – Tabled and Noted

The Head of Finance provided a summary to the Committee on the various sections within the Economic Development Reserve fund and informed the Committee that the meeting to discuss the fund between the Head of Finance, the Chief Executive, Chair and Deputy of Economic Development Committee, and the Project Support Officer would be held on 24<sup>th</sup> May 2022. A more detailed report will be provided to Policy and Finance Committee in June following the aforementioned meeting taking place.

**2.2.3 SoA Employee Numbers Update** – Tabled and Noted

The Head of Finance updated the Committee on staff numbers noting that there hadn't been little movement of staff. However, there had been some reallocation of staff across various positions. Mr Carter queried whether it is worth having full time employees as opposed to bank staff being called in on a regular basis. It was highlighted that in many cases it is cheaper to call on bank staff as there were less benefits, pension, leave entitlement etc. to pay for, however, full time roles are being considered and what duties those roles include might look like.

Mr Kelly raised whether there was availability of bank staff for administrative or secretarial roles. It was advised that it is possible to cover lengthy absences and or specific projects where assistance is required.

Mr Snowdon requested the annual costs of the Civil Servants over the last 5 years and further to this Mr Carter requested to include the relevant % pay rises for each year and also any changes of establishment.

**The Policy and Finance Committee resolved to note the staffing update as at the end of March 2022.**

HoF

#### **2.2.4 Capital Reinvestment Policy** – Report with Recommendation

The Strategic Financial Adviser spoke to the item outlining that the Committee had requested the development of a mechanism to ensure that any future proceeds from disposal of States property assets were re-invested in new property assets. Committee was advised that it was not appropriate to ring-fence capital receipts as these must be used to fund the overall capital programme before using the profits of the Alderney Gambling Control Commission (AGCC).

It was suggested that the Committee could achieve its desired outcome by agreeing a Policy to commit to future capital investment of an amount equivalent to income generated from land and property sales.

It was queried how such income would be reported, it was advised that a report would be provided to the Policy and Finance Committee annually as part of the capital prioritisation process, to inform members of all property sales and the matched investment.

**The Policy and Finance Committee resolved to:**

- a) Agree a policy to ensure that capital receipts from property asset disposals are reinvested in new property assets by making matched funding available in future programmes, and**
- b) Request States Treasury to maintain a memorandum account to keep a record of capital receipts and matched infrastructure investment.**

SFA/HOF

#### **2.2.5 School Bus** – Verbal Update as to Position - See Confidential Annexure

**2.3 Healthcare Review** – Confidential Item - Verbal Update from Strategic Adviser – Noted - See Confidential Annexure

**2.4 ACRE** – Confidential Item – Verbal Update from the Chief Executive – Noted - See Confidential Annexure

**2.5 Alderney Housing Association Quarter 1** - Report from the Strategic Financial Adviser – Tabled and Considered

The Strategic Financial Adviser provided a summary report which was produced following the assessment of the quarterly information provided by AHA enabling the Committee to monitor performance of the AHA. It was suggested that any queries on the submitted report should be passed on to Ms Burgess who is in a position to raise any issues at the Liaison Group Meeting. It was noted that the waiting list numbers had increased by the end of April and further during the month of May.

A query was raised about support for individuals on low incomes who may be struggling to pay rent and bills due to the increase of the cost of living – agreed that this was a matter for the AHA and would be raised in the next Liaison Group Meeting.

It was noted that the AHA public meeting/presentation was scheduled for September where further information on future plans should be available.

**The Policy and Finance Committee resolved to:**

- a) Note the key issues in the report; and**
- b) for Ms Burgess to relay comments made by the Committee to the next Liaison Group meeting.**

**AB**

**2.5.1 AHA Report Appendix** – Appendix to item 2.5 - Tabled and Noted

**2.5.2 Final Communications Protocol** – Protocol from the Strategic Financial Adviser - Tabled and Noted

It was highlighted that the inclusion of the Protocol on the agenda was for Members to have sight of it prior to it being signed.

It was requested that the provision of an annual public meeting should be included in the protocol. The committee were advised that this had been discussed with AHA for inclusion in the Communication Protocol or Framework Agreement after the September meeting. The Committee expressed a preference for this to be resolved now rather than wait until September.

**The Policy and Finance Committee resolved for the immediate inclusion of an AHA requirement to host an annual public meeting in the communications protocol or within the Framework agreement with AHA.**

*For: Messrs Carter, Mckinley, Abel, Gentle, and Snowdon*

*Against: Ms Burges, Messrs Kelly, and Roberts*

**2.6 Duty Free Concession – Confidential Item** Report from The Head of Government Support – Tabled and Considered - See Confidential Annexure

**03/05/2022    Transport, Economy and Renewable Energy**

**3.1 Air Transport** – Confidential Item - Verbal Update from the Strategic Advisor (Transport) Noted - See Confidential Annexure

**1.2 Ferry Update** – Verbal Update from the Project Support Officer – Noted - See Confidential Annexure

**1.3 Air Alderney** – Confidential Item – Report from the Head of Government Support – Tabled and Considered - See Confidential Annexure

**04/05/2022    Legislation, Conventions & Policy and Finance**

**4.1 Proposed Legislation for the Regulation of Notaries Public** – Letter to Deputy Ferbrache – Tabled and Noted  
Letter to Deputy Ferbrache highlighting the Committees response to the proposals tabled at its April meeting in relation to the Proposed Legislation for the Regulation of Notaries Public.

**The Policy and Finance Committee resolved to note the item**

**N/A**

**4.2 War in Ukraine - Ukraine Visa Scheme Option** - Letter to Deputy Prow – Tabled and Noted  
Letter to Deputy Prow highlighting the Committees thoughts decision following discussion of Ukraine Visa Scheme Options at its April Meeting.

**The Policy and Finance Committee resolved to note the item**

**N/A**

**4.3 War in Ukraine – States of Alderney Donation – For ratification** Tabled and Approved  
Ratification of agreement that the donation of funds is made to the Ukraine Appeal DEC Fund. Email agreement was obtained on 16<sup>th</sup> May 2022.

**The Policy and Finance Committee resolved to ratify the decision that the full donation of £24,073 is made to the Ukraine Appeal DEC Fund.**

**Treasury**

**4.4 Matrimonial Causes (Bailiwick of Guernsey) Law 2022 – For Ratification**  
The item had been tabled at Policy & Finance Meeting on Monday 25<sup>th</sup> April. The Committee was asked to approve the amendments to the Separation, Maintenance and Affiliation Proceedings (Alderney) Law, 1964, as set out in the Matrimonial Causes (Bailiwick of Guernsey) Law, 2022. A number of queries were raised in relation to it which required further research and input from States of Guernsey Civil Service and Law Officers of the Crown. This advice was obtained and circulated to Members after which they provided their approval by email on 28<sup>th</sup> April 2022.

**The Policy and Finance Committee resolved to ratify the decision to approve the amendments to the Separation, Maintenance and Affiliation Proceedings**

**(Alderney) Law, 1965 as set out in the Matrimonial Causes (Bailiwick of Guernsey) Law, 2022**

PSO-JL

**4.5 Rules of Procedure for Committees – For Ratification**

At the Policy and Finance Meeting on Monday 25th April, it was resolved for the revised Rules of Procedure to be submitted to the States Billet. Also tabled at the meeting, but not considered were two documents which are consequentially affected by those revised rules of procedure; Code of Conduct for States Members and Protocol on Confidentiality and Access to Information for States Members – the code of conduct requires a States Resolution for it to be amended. Members were provided with the amendments to those documents in an email on Friday 29<sup>th</sup> April 2022. The Project Support Officer noted that the original vote obtained via email was 7 in favour and 2 nil reply.

**The Policy & Finance Committee resolved to;**

- **ratify the approval of the amendments to**
  - **The Rules of Procedure for States Committees;**
  - **The Code of Conduct for States Members; and**
  - **The Protocol on Confidentiality and Access to information for States Members, as set out above; and**
- **ratify the approval of those documents to be submitted to the May Billet for the States of Alderney.**

N/A

**4.6 Mouriaux to Platte Saline Sewer Project Sewerage Law**

– Report from Treasury & Mouriaux to Platte Saline Project Board – Tabled and Considered Members were updated on the Mouriaux to Platte Saline Sewer project which included an overview of the different phases of the project and the budget allocation for those phases. Members were also provided with information around the Sewerage law and how it was initially designed to collect a fee from new build properties to contribute to the maintenance of the public sewer. When the project was initially discussed P&F agreed that the Law should be amended to exempt the charge for these properties. A number of reasons were tabled which suggested why upon assessment that the law is repealed in its entirety as in summary it no longer serves its original purpose, these include;

- The fee is difficult to administer as it is charged retrospectively once a property has been connected, and usually relates in the charge being queried/disputed;
- There is no failsafe way of ensuring that all relevant properties have been charged;
- The fee collected is relatively small and is not proportionally linked to maintenance costs;
- As the public sewer has been provided by the States properties should be encouraged to join, as opposed to discouraged;
- The alternative method of emptying cesspits is an outdated subsidised service, as SWD have to produce the vehicle/plant/labour;

- There is the opportunity to charge a higher (unsubsidised) charge as a deterrent for anyone remaining on a cesspit, who has the opportunity to connect to the public sewer

**The Policy and Finance Committee resolved to;**

- **note the update on the Mouriaux to Platte Saline Sewer Project; and**
- **agree the repealing of the Sewerage (Alderney) Law in its entirety, for ultimate consideration by the full States of Alderney.**
- **Authorise Treasury to liaise with the Law officers in regard to the drafting of the necessary repealing legislation.**

*Proposer: Mr Kelly*

*Secunder: Ms Burgess*

**Billet Item/Treasury**

**4.7 The Human Rights (Bailiwick of Guernsey) (Amendment) Law, 2022–**

Report from The President's Office – Tabled and Approved

The Head of Government Support spoke to the item and informed the Committee that this was the final version of the legislation which was originally brought to it as an item in May 2021.

**The Policy and Finance Committee resolved for The Human Rights (Bailiwick of Guernsey) (Amendment) Law, 2022 to be submitted to the Billet for the Meeting in June of the States of Alderney.**

*Proposer: Mr Abel*

*Secunder: Mr Roberts*

**Billet Item**

**05/05/2022**

**Items for Development/Discussion**

**5.1 Open Meetings** – Report from The Project Support Officer – Tabled and Discussed

Members were invited to discuss the location for open meetings and other procedures of the same. Originally, it was proposed that the availability of the courthouse should be researched, however, following discussions, it was not possible to use that location, so it is proposed to use the Anne French Room at the Island Hall.

It was proposed that a form of the Rules of Attendance is to be publicised prior to the open meeting and for those to be the same for all Committee meetings as they are currently followed in BDCC and the States.

It was raised whether the Committee would be minded to conduct a dry run of an open meeting.

**The Policy and Finance Committee resolved to agree to conduct dry runs(s) of open meetings prior to the commencement of the holding of open meetings where the general public are able to attend.**

**5.2 Community Economic Support Initiatives 2022-23** – Report from Mr Carter - Tabled and Considered

It was highlighted that given the current pressures on the cost of living and the relatively low average wage/salary in Alderney there is not the cushion of disposable income as there maybe elsewhere for lower income houses to be able to cope with the increasing demands. It was proposed that a proactive approach be adopted in order to be able to assist as necessary in any crisis and to be mindful that the effect may be intensified on low-income households should there be a delay in acting.

It was suggested that the need may be larger than is currently anticipated and the proposed £15,000 may not be sufficient.

It was requested that a letter be sent to Policy and Resources in Guernsey outlining the Committees considerations.

**The Policy and Finance Committee resolved;**

1. **To note the current situation and to monitor the situation over the coming years (2022-24).**
2. **To consult with interested island-based organisations on developing a coordinated response to the emerging economic emergency.**
3. **To ask the Head of Finance to investigate what simple system could be implemented to support those in financial need in a pragmatic, sensitive and meaningful way for a time limited period.**
4. **To set aside initially, a budget of £15,000 for support.**
5. **To engage with AEL to devise an appropriate means of addressing fuel poverty for those in financial need. (KG to Action)**

Treasury

**5.3 General Housing Standards** Report from Mr Gentle – Tabled and Considered

Mr Gentle felt the Committee should be seen to be active in addressing the improvement of standards of properties particularly in the rental market on Alderney.

The possibility of extending the Tourist Accommodation Law regarding minimum standards to all rental properties was raised, this would ensure specific standards for rental properties which includes minimum standards regarding e.g. fire regulations.

It was raised that implementing further restrictions or requirements may be detrimental to the private rental market as landlords may pull out due to increased regulation.

**The Policy and Finance Committee resolved to direct Mr Gentle, with appropriate Civil Service and Law Officer Support as needed, to produce a policy proposal for consideration prior to any public consultation.**

*Messrs Carter, Kelly, Mckinley Abel and Gentle voted for  
Messrs Roberts, Snowden and Ms Burgess Abstained.*

KG

**5.4 Real Property Reform, Alderney Law 2016** – No Report Tabled – Verbal Discussion

This item was raised on this agenda as it appeared that for a number of years, banks were unwilling to lend money against or provide a mortgage to



buyers of leasehold properties. This item was included in the housing task group work presented to the Committee at its April meeting. It was proposed that considering this law was drafted in 2016 but never enacted, it may need revisiting in order to align it with current identified needs, and for a Civil Servant to be allocated to the task of liaising with law officers to determine any revisions that needed to be made to it and to hold potential discussions with major banks about the current state of lending. Once further information had been obtained the item may be tabled at Policy and Finance again in order for it to be considered for Billet submission.

CE

**5.5 Property Tax Options** – Verbal Discussion – Raised by Mr Abel.

Mr Abel raised the item and offered members the opportunity to discuss different taxes on properties, including second homes, empty homes and furthermore, potential taxes on vehicles.

It was raised by Members that elsewhere in the world, there are a number of property tax concepts that are being utilised to ensure properties are being utilised as economic and social drivers or where they're not utilised or lived in, that that the economy is still being contributed to by owners.

**The Policy and Finance Committee resolved for Finance Committee to table a paper to Policy and Finance as part of the 2023 Budget Strategy.**

CH

**Additional Item**

**Visit of Alderney Gambling Commissioners** – Annual Report Tabled and Considered

The Majority of the Alderney Gambling Commissioners were present at the meeting for the handover of the annual report, the attendance was welcomed by the Policy and Finance Committee as was the introduction of the report.

A summary of activities was provided in verbal update to the committee covering areas including, investment in the Bailiwick Of Guernsey, important work in relation to Anti Money Laundering and the Financing of Terrorism and investment in Alderney – it was highlighted that the AGCC has put almost £2m of profits back into the Island's account in 2021 which is a significant increase on 2020 and 2019. There was also consideration of what effect global events would have on the commission including, Brexit, the war in Ukraine, and the Covid-19 pandemic.

It was noted that there were a number of personnel changes occurring within the commission.

Mr Abel noted the appreciation of the States of Alderney for the Commissions support in terms of funding for the States of Alderney.

The strong position of the AGCC was noted and was compared to other jurisdictions.

The visit of the Commissioners came to a close by The Policy and Finance Committee Chair being presented with the annual report from the AGCC, the report would be uploaded to the AGCC website

N/A

**06/05/2022** **Items for Future Billet Submission**

- **The Human Rights (Bailiwick of Guernsey) (Amendment) Law, 2022**

- **The Sewerage (Alderney) Law**
- **Work Permit Exemptions**

**07/05/2022** **Any Other Business – For Information & Noting**

**7.1 International Agreement – Aviation** Report from the Project Support Officer on Behalf of the External Relations Office (SOG) – Tabled and Noted. Mr Abel spoke to the item providing a brief overview of the report submitted, the information in the report covers two governance-related Protocols in relation to the International Civil Aviation Organization (ICAO), and two Air Services Agreements.

**The Policy and Finance Committee resolved to;**

1. **Note the protocols relating to the Convention on international Civil Aviation (Chicago Convention) and not object to the inclusion of the Bailiwick of Guernsey in these Protocols.**
2. **Note the two Air Services Agreements (Norway and Iceland) and not object to their application to the Bailiwick of Guernsey.**
3. **To direct officer to formally communicate its views to the UK authorities.**

PSO-JL

**7.2 – Confidential Item** – See Confidential Annexure

**08/05/2022** **Exception Reporting & Questions by Members**

**8.1 General Services Committee (GSC)**

**8.1.1 Sale of Assets**

The Committee were informed by Mr Kelly that an email would be circulated on this matter at a later date.

**8.2 Building Development Control Committee (BDCC)**

See Confidential Annexure

**8.3 Finance Committee (FC)**

Minutes of the May Finance Committee were circulated in the week Commencing 16<sup>th</sup> May.

**8.4 Economic Development Committee (EDC)**

Ms Burgess advised that EDC met on 16<sup>th</sup> May and the minutes would be provided to the Policy and Finance Committee.

It was also highlighted that the Alderney Chamber of Commerce attended the meeting and a number of items were discussed including its views on recent public consultations that had taken place.

**8.5 Good Governance Group (GGG)**

Mr Gentle Advised that the group are undertaking an assessment of the points made at the GGG presentation to P&F on 13<sup>th</sup> May and that a full public consultation plan was being devised and would be undertaken.

**8.6 Energy Group**

**8.6.1 Energy Group Mandate** – Mandate – Tabled and Considered  
Members discussed the mandate as tabled by the energy group where a number of points were made. It was suggested

that the fourth point under the requests was removed from the recommendations as there would be the same number of voting Members as non-voting Members.

**The Policy and Finance Committee resolved to agree to;**

- 1. The use of up to £5,000 of the original monies voted for the Ore Catapult Development Services Limited OCDSL work (not fully utilised) to commission a local expert (single supplier) to assist with evaluating insulation options for the Island; (*Unanimous*)**
- 2. A call for expressions of interest for offers of Power Purchase Agreements (PPA's - long term electricity supply agreement between two parties) for wind turbines; (*Ms Burgess Against & Mr Snowdon Abstained*)**
- 3. A call for expressions of interest for offers of PPA's for tidal energy, and/or tidal energy pilot projects. (*Unanimous*)**

## **8.7 Island Plan Group**

### **8.7.1 Update from Chief Executive**

The Chief Executive outlined the next steps for prioritising the work under the Island Plan  
It is the intention that a paper will be submitted to the Committee which sets out the identification and prioritising of current pieces of work in line with the budget process and for a prioritisation workshop to take place at a date which is yet to be determined. In undertaking this prioritisation process we are mirroring the process undertaken in Guernsey which provides the direction at the action planning level required to achieve the outcomes of the strategic plan.

**CE**

## **8.8 Housing Task Group**

Nil Report

**09/05/2022**

## **Reporting by Representatives**

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

Messrs Snowdon and Roberts listed a number of items being discussed in the States of Guernsey;

- The Aurigny Review
- Secondary Pensions
- Justice Review
- Regulation for the Minimum Standards of Estate Agents
- Revision of Double Taxation

### **9.2 AeGL Update**

Nil Report

### **9.3 AEL Update**

Nil Report

### **9.4 AHA Update**

Nil Report – Covered under item 2.5

**10/05/2022**    **Resolutions Made**

**As stated within the minutes above.**

**11/05/2022**    **Items for Press Release**

**Meeting closed: 16:00**

**Signed: Bill Abel**

**Date: May 2022**