

POLICY AND FINANCE COMMITTEE MEETING
Anne French Room
23rd January 2023
0900 hours

PRESENT:

Mr N Vooght, Chairman
Mr I Carter
Mr K Gentle
Mr W Abel (via Teams)
Mr A Snowdon
Mr S Roberts
Mrs L Maurice
Mr B Woodhead

IN ATTENDANCE:

Mrs E Maurice, Temporary Chief Executive (TCE)
Mrs S Pengilley-Price, Head of Govt Support (HoGS)
Mr Stephen Taylor, Strategic Financial Advisor (SFA) (via Teams)
Mr P Veron, Strategic Adviser (SA-PV) (for item 4.1 only)
Mr J Laband, Project Support Officer (PSO-JL)
Mr N Clarke, Strategic Adviser (SA-NC)

Apologies: Mr B Kelly
Mrs L Baines, Committee Secretary (CS)

Declarations of Interest: Nil

AGENDA ITEM

ACTION

PART 1

01/01/2023

Minutes and Matters Arising

1.1 Minutes from previous meeting for approval – 12th December 2022 – tabled and approved.

It was raised that the Tax Review minutes under item 4.1 requires expansion to reflect the discussion that was held. CS/PSO-JL to action.

Mr Gentle Joined the meeting at 09:05.

Mr Carter queried whether the Asset Risk Consultant had been appointed – it was advised that they have, subject to due diligence being undertaken.

Mr Carter queried whether there would be a joint press release with AEL in relation to pricing – it was advised that Alistair Forrest was working on the current draft.

CS/PSO-JL

1.2 Policy and Finance Decision Progress Log – December Meeting – tabled and noted.

1.3 Policy and Finance Decision Progress Log – Amber and Red Items 2022 – FOR INFORMATION – tabled and noted.

The Chairman provided Members the opportunity to raise any items from the amber and red spreadsheet.

The PSO clarified that this spreadsheet represented the amber and red decisions for the entirety of 2022, not just December.

The TCE advised that the sale of assets item was green as the tender has been received, and the item will go on the Billet in February.

Mr Carter queried the progress of the Land Registry and that it's been falling over for a year, yet it is still functional and as such, is the replacement required. It was advised that the system is continuing to develop errors and that the business case for the replacement was at a final costings stage and would be presented to the Committee at a standalone meeting, once finalised.

Given the progress of some of the items within the amber/ red spreadsheet, It was suggested that a meeting takes place in order to prioritise those work streams within that spreadsheet alongside the work streams in the Island Plan.

It was proposed that going forward the red and amber actions from the previous meetings are listed at the bottom of the decision log and therefore become the matters arising, i.e.;

- *Minutes of Previous Meeting*
- *Decision Log of those minutes (with anything not actioned or ongoing listed from the previous meetings)*
- *Matters arising*

The Policy and Finance Committee resolved for a meeting to take place to discuss the amber and red items, and their integration with workstreams within the Island Plan.

02/01/2023

Administrative Matters

2.1 Annual Committee Appointments 2023

The following appointments were agreed by the Committee:

Deputy Chairman of Policy and & Finance: Bill Abel

Chairman of Finance Committee: Ian Carter

Members of Finance Committee (excluding Chairman):

- ***Bruce Woodhead***
- ***Lin Maurice***
- ***Nigel Vooght***
- ***Bill Abel***

Transferred Services – Nominated Liaison:

Committee for Environment & Infrastructure – Bill Abel

Committee for Health & Social Care – Boyd Kelly

Committee for Employment & Social Security – Kevin Gentle

Committee for Home Affairs – Boyd Kelly

Committee for Education, Sport & Culture – Ian Carter

Committee for Economic Development – Bruce Woodhead

States Trading Supervisory Board –

Nigel Vooght

**Committee for Policy & Resources
(including external relations) -**

Nigel Vooght

Sub Committees/ Action Groups

• **Air Transport Licensing Board –**

All P&F Members

• **Good Governance Group –**

- **Kevin Gentle**
- **Bruce Woodhead**
- **Ian Carter**
- **Alex Snowdon**
- **Non-Voting Member -**

Andrew Eggleston

• **Energy Group –**

- **Bill Abel**
- **Kevin Gentle**
- **Bruce Woodhead**
- **Non-Voting Member(s) -**

**Matt Birmingham (AEL)
Les Stewart
Laurence Page**

• **Housing Group –**

- **Bruce Woodhead**
- **Boyd Kelly**
- **Lin Maurice**
- **Bill Abel**
- **Non-Voting Member -**

Patrick Puddle

• **Alderney Airport Runway Group –**

- **Nigel Vooght**
- **Steve Roberts**
- **Alex Snowdon**
- **Bill Abel**

Board Appointments:

- **States of Alderney 1982 Pension Scheme Trustees – Noted as follows – In accordance with the rules of the Scheme the official Trustees of the 1982 Scheme (now closed) are the Chairman of the Policy & Finance Committee, The Chief Executive and the States Treasurer. Any additional positions are co-opted Trustees. The Trustees do not hold responsibility for the States of Alderney 2013 Scheme, which is administered separately.**
- **States Appointed Director of Alderney Electricity Limited – Kevin Gentle**
- **2 Directors to the Board of Alderney eGambling Limited – Boyd Kelly**

Nigel Vooght

- **Alderney Liaison Group**

The Policy & Finance Committee resolved to approve the appointment of the Chairman of P&F, Deputy P&F Chair and two other States members (as appropriate for specific meetings) as representatives to the ALG.

Membership: Chairman of P&F; Deputy Chairman of P&F and two Alderney Representatives or other such members as appropriate to the agenda.

- **Bailiwick Council**

Membership: Chairman of P&F, Deputy Chairman of P&F, Chief Executive and President

2.1.1 Constitution of Alderney Airport Runway Group & Appointment of Members –

Report from P&F Chairman dated 23rd January 2023 tabled and considered.

Following recent approval from the States of Deliberation regarding the Alderney Airport runway rehabilitation, the Chairman has proposed that a working group be constituted by resolution of the Policy and Finance Committee.

The high-level responsibility of the group would be to monitor the progress and workstreams relating to the overall rehabilitation project. This would ensure a coordinated approach to any work required, communication between appropriate staff, Members and Deputies, and mitigate the risk of duplication of work.

The Policy & Finance Committee resolved;

- i. **To constitute the Alderney Airport Runway Group for the specific period of time to completion and delivery of the project;**
- ii. **For that same time period appoint the following Members;**
Nigel Vooght
Steve Roberts
Alex Snowdon
Bill Abel
- iii. **For the Alderney Airport Runway Group to prepare a Mandate or Term of Reference at its inaugural meeting and submit it to the Policy and Finance Committee at the earliest opportunity for approval.**

SA-PV

Mr Roberts left the meeting at 10:00

2.2 External Relations Update (Bailiwick Council/ALG/MOJ/Normandie)

Bailiwick Council – A meeting was held on 17th January, where the following items were discussed.

It was noted that a number of items were discussed in the meeting of the week commence 16/1/23 – in particular, Free Trade Agreements and Alderney's representation within them. The PSO highlighted that there was a FTA paper agreed in the States in 2022 providing Guernsey the authority to negotiate agreements on Alderney's behalf.

The Policy and Finance Committee resolved for that FTA approved in the States to be circulated to all Members for information.

ALG – SEE CONFIDENTIAL ANNEXURE

MoJ – There is a view to rearrange the twice postponed visit, but the date is yet to be confirmed.

Normandie – Nothing to Report.

2.3 Finance (Grants & Subsidies)

2.3.1 SoA Management Accounts Summary – December 2022 – FOR NOTING – Report tabled and **noted**.

The Committee noted a verbal update provided by the Head of Finance highlighting that the tabled accounts were the first version and there are a number of items to finalise. The current surplus is showing as roughly £1million compared with £820k as per the revised budget. There are a number of items relating to income that are yet to be received.

It was noted that there will be a number of further amendments before the final version. Mr Vooght queried what had occurred to create such a large surplus. It was advised that there was significant income due to document duty which was not considered prudent to include in the 2022 budget, and savings made in various budgets due to costs being less than originally anticipated.

Mr Abel left the meeting at 10:16

Mr Roberts re-joined the meeting at 10:17

2.3.2 Economic Development Reserve Fund – December 2022 – FOR NOTING – Report tabled and **noted**.

The Head of Finance highlighted that there was no further movement of note and that the balance remaining is £137k from the 2022 budget will be forwarded into 2023.

03/01/2023

Island Plan

3.1 Review of responsibilities for each Committee – Verbal Update from the Chairman – noted.

The Chairman requested that Members review the progress chart provided in the agenda and the Island Plan itself, and for the respective Committees to address the areas for which they are responsible and for the Chairs report and feedback back to the Policy and Finance Committee with progress on items, and what commitments have been made.

Mr Gentle advised that the Land Use Plan has been extended to a 7-year plan and then working towards a potential 10-year plan.

A meeting of the Policy and Finance Committee will be convened after the other Committees have met to discuss the Island Plan.

Mr Veron joined the meeting at 10:30

04/01/2023

External Transport, Economy, and Renewable Energy

4.1. Air Transport Update – SEE CONFIDENTIAL ANNEXURE

Mr Veron left the meeting at 10:50

4.2. ACRE Update – Confidential/ Sensitive Item – SEE CONFIDENTIAL ANNEXURE

4.3 Tax Review Update – Verbal Update from the Chairman

The Chairman noted that the drop-in produced a good turnout with acceptance from the majority of the public that there is no better option.

The Committee thanked those Deputies that hosted the drop-in, and it was requested that this be communicated to them in a formal letter.

The Committee resolved for a letter to be sent to Deputies, Roffey, Ferbrache, Helyar and Mahoney thanking them for their time and effort in relation to the Tax Review public Drop-in.

05/01/2023 Legislation, Conventions & Policy

5.1 Secondary Pensions (Guernsey and Alderney) Law, 2022 – Report from Chief Executive Office dated January 2023 tabled and considered.

On the 23rd of November 2022, the States of Deliberation resolved as follows:

‘VII. To approve the draft Projet de Loi entitled “The Secondary Pensions (Guernsey and Alderney) Law, 2022”, and to authorise the Bailiff to present a most humble petition to His Majesty praying for His Royal Sanction thereto.’

Therefore, the Bailiff of Guernsey has requested that the Secondary Pensions (Guernsey and Alderney) Law, 2022 is placed before the States of Alderney for approval.

Mr Carter raised the matter of an individual withdrawing from the secondary pension scheme the employer has to re-enrol the individual after 3 years. This may be a concern for employers from an administrative perspective and given its specificity, may not be in any guidance. This matter should be clarified at the People’s Meeting.

The Policy and Finance Committee resolved to approve The Secondary Pensions (Guernsey and Alderney) Law, 2022.

Proposer: Mr N Vooght

Seconder: Mr K Gentle

HoGS/BILLET ITEM

06/01/2023 Items for Development/Discussion

6.1. Confidential Item – SEE CONFIDENTIAL ANNEXURE

6.2. Alderney Healthcare Update – SEE CONFIDENTIAL ANNEXURE

6.3 Confidential Item – SEE CONFIDENTIAL ANNEXURE

6.4 Confidential Item – ODPa Verbal Update – SEE CONFIDENTIAL ANNEXURE

07/01/2023 Items for Future Billet Submission

- **Secondary Pensions (Guernsey and Alderney) Law, 2022**

08/01/2023 Any Other Business - For Information & Noting

8.1 The Airport Fees (Guernsey and Alderney) Regulations, 2022 – FOR INFORMATION tabled and **noted**.

No further comments.

8.2 Code of Conduct Panel Membership - Verbal

Item Deferred to a future meeting

8.3 Lending, Credit and Finance (Designated Jurisdiction) Regulations, 2022 – Email circulated by Head of Government Support on 19th January 2023 tabled and discussed. The Committee were advised that GFSC has requested that these regulations be enacted by Policy and Resources (P&R) and in force by 31st January 2023. This is because these regulations will be part of a package of documents, including rules and guidance to be issued by the GFSC on 1 February, which will give those affected by the Lending, Credit and Finance Law the information and time necessary to prepare for its coming into force on 1 July.

The regulations will be made under section 10 of the Lending Credit and Finance Law which exempts credit providers who are authorised to undertake business in a “designated jurisdiction” from the need to be licensed under the Law. A “designated Jurisdiction” is a jurisdiction designated by regulations of P&R, and the draft regs specify the UK as a designated jurisdiction for these purposes. The regulations will in particular be to the advantage of UK licensed credit card providers, who might otherwise be deterred from continuing to provide services in the Bailiwick by the necessity to obtain a licence when the LCF Law comes fully into force on 1 July.

Under section 84 of the LCF Law the regulations have to be made by P&R “after consultation with the Guernsey Financial Services Commission and with the agreement of the Policy and Finance Committee of the States of Alderney and the Policy and Finance Committee of the Chief Pleas of Sark”.

The Policy & Finance Committee resolved to approve the Lending, Credit and Finance (Designated Jurisdiction) Regulations, 2022.

HoGS

8.4 Minimum wage Verbal Update from the Project Support Officer – Noted.

Following a conversation from the Law Officers it was advised that Alderney could set its minimum wage as it currently is in Guernsey.

Powers for officers and legal enforcement – Under the Guernsey legislation there are a number of conditions where there are investigatory powers against employers who are seen to not be paying a minimum wage. In Guernsey, appeals of this nature are handled in a closed employment tribunal whereas in Alderney appeal processes are handled in open court. It was suggested that as a policy matter, the relevant States of Guernsey department (Employment Relations Service) is approached to see what its appetite is to handle Alderney’s employment appeals and investigatory powers that would be included in this legislation, if it was to be drafted and sanctioned. An email with more detail will be sent to the Members following the meeting.

The Policy and Finance Committee resolved for the Civil Service to contact the Employment Relations Service in SOG highlighting that the drafting of minimum wage legislation for Alderney is being investigated and discussing the appetite to conduct the investigatory powers and legal enforcement of minimum wage, on behalf of the States of Alderney.

PSO-JL

8.5 Drop-in Session

It was proposed by Mr Carter that the weekly Drop-in session where the public could attend on should be continued and that it should be done on a rotational basis.

It was requested that the Committee Secretary produces a rota for those Members which are prepared to do it.

The Policy and Finance Committee resolved to continue the weekly drop-in sessions.

CS

8.6 Price Paid Data

Mr Snowdon noted that he would raise with the Greffier the frequency of the public distribution of the price paid data, requesting that this could be monthly, instead of quarterly. Mr Snowdon to raise with the Greffier.

8.7 Defibrillators

Mr Roberts raised the condition of the on-island defibrillators as there appear to be a number of them that are not operational, and this is for the most part, a States responsibility, unless they're owned by specific organisations or establishments. General Services Committee Chair to coordinate with St John's Ambulance and Rescue Services to ensure consistency of models on island.

8.8 Publicity & PR Strategy

Mr Woodhead raised the PR strategy and that in his view that the more positive press releases were done on an *ad hoc* basis. Mr Carter advised that this is not the case, and the Chair of P&F liaises with Alistair Forrest after the meetings have taken place to discuss which press releases are appropriate.

It was advised that under all the new principal Committee mandates they are responsible for public communications relating to their responsibilities which allows public communication.

8.9 AHA Liaison

Mr Gentle raised that he would like to nominate himself for the position of the Alderney Housing Association Liaison following the conclusion of Ms Burgess' term of office as a States Member. This was proposed by Mr Gentle and Seconded by Mr Roberts.

The Policy and Finance Committee resolved for Mr Gentle to be appointed to the position of Alderney housing Association Liaison.

PART 2

09/01/2023 Exception Reporting & Questions by Members

Mr Vooght requested that this point in the agenda is utilised by the various Committees to report back on their progress with the Island Plan.

9.1 General Services Committee

Mr Snowdon queried the current condition of the crane, the boat hoist, and the maintenance programme and storage for those pieces of infrastructure – Mrs Maurice advised that she shall bring an update to the next meeting after speaking with the Harbour authority.

9.2 BDCC

Mr Gentle advised that the Committee had not yet held a 2023 BDCC meeting and that during the January policy meeting, Mr Carter was elected as Deputy Chair.

9.3 Finance Committee

No meeting held - nothing to report.

9.4 Economic Development Committee

Mr Snowdon noted;

- the discussion held with the Chief Executive of Aurigny during the EDC meeting of the 8th January to which P&F were invited.
- the discussion held with Senior Officers within the Guernsey civil service in relation the Guernsey Economic Strategy and that a further update will be provided at the next meeting following further discussions at officer level.

9.5 Good Governance Group

Mr Gentle advised that the group has a green section in relation to the Island Plan and the proposal paper of the Good Governance Group is currently with the Law Officers.

9.6 Energy Group

Mr Abel circulated an email prior to the meeting and there was nothing further to report

9.7 Housing Group

Nothing to report

10/01/2023

Reporting by Representatives

10.1 Alderney Representatives for States of Guernsey - Update

The first meeting of 2023 for the States of Deliberation is in week commencing 23/1/23

10.2 AeGL Update

Nothing to report

10.3 AEL Update

Nothing to report

10.4 AHA Update

Nothing to report

10.5 Connaught Liaison Update

Mr Gentle advised that the new admission policy document had been prepared (criteria for admission), there are still issues around post-covid annual leave for Staff and that the Terms of Reference for the Connaught Board Liaison had been agreed.

10.6 Alderney Care Board

Mr Carter noted the appointment of Will Pearce and that the Board are prioritising the discussion around the future Ambulance charge out mechanism.

11/01/2023

Resolutions Made

As stated within the minutes above.

Meeting closed: 12:37

Signed: Nigel Vooght

Date: 24th January 2023