

POLICY & FINANCE COMMITTEE
24th APRIL 2012

0915hours

Mr J Beaman, Chairman
Mr P Allen
Mr P Arditti
Mr R Berry
Mr M Birmingham
Mr B Kelly
Mr A Llewellyn
Mr G Sargent (from 09:20)
Mr I Tugby
Mr W Walden

Mr R Burke, Chief Executive
Mrs K A Hatcher-Gaudion, Treasurer
Mrs S Pengilly-Price, EA to the Chief Executive
Mrs E O'Toole, Minute Secretary

Apologies:

ACTION

30/2012 **Minutes of the previous meeting** of 27th March 2012 tabled and approved subject to the following items being moved from the Confidential Annexure to the published minutes:

- Item 20.1.3 Confidential Item
- Item 21.2 Alderney Commission for Renewable Energy
- Item 22.3 School Bus Contract
- Item 22.5 Connaught Site

and the following amendments being made:

- Item 20.1.3 Confidential Item, amended to read as follows: 'If any Member felt that an interest was not declared by another Member then this should be reported to the President. *The Chairman further stated it was up to members to vote according to their conscience and it was not up to other members to instruct them on whether they were conflicted or not.*'

Mr Arditti objected to the interpretation of the Rules of Procedure by the Chairman *including the Chairman's ruling that he could not present his argument why, in his opinion, Mr Sargent was conflicted and should withdraw from the discussion.*'

- Item 21.1 Committee feedback from Chairmen (GSC/BDCC) and Guernsey Representatives, amended to read as follows: 'General Services Committee Mr Walden advised that, due to time constraints, should Members identify any matters on the draft General Services or Water Board minutes, which are published on the Government website, that require clarification, they are welcome to contact him. Noted.'

- Item 22.3 School Bus Contract, resolution amended as follows: 'RESOLVED unanimously to agree to accept the quotation *from Riduna Buses*, for a period of 3 years

- Item 22.5 Connaught Site, amended as follows: 'Letter from *residents of Connaught Square*, dated 27th February 2012 tabled and considered. *The residents of Connaught Square* have increased their *previous* offer to purchase the St Martin's site to the rear of The Royal Connaught. The Treasurer advised that as part of the valuation process one of the estate agents had valued the area separately last year.

The majority of the Committee was not in favour of selling the St Martin's site however would consider leasing. The Chief Executive was requested to inform *the interested party* and...'

31/2012

Matters Arising

31.1 Matters arising from the minutes

31.1.1 Proposed Changes to Exemption Ordinance system Paper from the Planning Office dated March 2012 tabled and considered. Mr Sargent advised that currently the creation of one or more new dwellings by subdividing an existing dwelling requires development permission from

the Building and Development Control Committee, and also permission from the full States under Section 33 of the Building and Development Control (Alderney) Law, 2002.

The Chairman queried whether there would be a right of appeal by an applicant if the Law were amended; Mr Sargent confirmed that the normal planning application process would still be followed, which included a right to appeal.

RESOLVED unanimously to agree to support an amendment to the Building and Development Control (Alderney) Law, 2002 so that the creation of new dwellings by subdivision of existing dwellings will no longer require the permission of the full States and can be approved by the Building and Development Control Committee following the appropriate policy. Planning Office to deal.

PLANNING OFFICE/BILLET ITEM

31.1.2 Alderney Company Formation Paper from the Chairman dated 17th April 2012 and draft Projet de Loi entitled The Companies (Alderney) (Amendment) Law, 2012 tabled for consideration. The Chairman requested that the item be deferred to the May meeting of the Committee whilst feedback from the Guernsey Financial Services Committee is awaited.

DEFERRED/AGENDA ITEM

31.1.3 Business Proposal update See Confidential Annexure.

31.1.3 (i) New Business Proposal – Waste See Confidential Annexure.

31.2 Matters Arising from Finance Advisory Group Confidential notes from the Finance Advisory Group (FAG) meeting of 16th April 2012 tabled and **noted**.

The following item was noted:

- Water Rates - FAG is recommending that the General Services Committee investigate charging based on consumption where water meters have already been installed in properties. Item to be raised at the next General Service meeting.

GSC

32/2012

Standing Items

32.1 Committee feedback from Chairmen (GSC/BDCC) and Guernsey Representatives

General Services Committee Mr Walden reported and the following items were noted:

- Green Waste Shredder – The Waste Advisory Group assessed the expressions of interest received for a 3rd party taking on the disposal of green waste on behalf of the States. The Engineer was requested to progress the matter and the Committee remain open to any further proposals.
- Fisheries – The Bailiwick Fisheries Management Commission (BFMC) is in the process of constructing a framework for access rights into the 03 to 12 mile extended Fisheries Limits. Further discussions with both DEFRA and the MMO will be held regarding this framework. On the 15th March the BFMC held meetings with representatives from both the States of Jersey and the Jersey Fishermen's Association in order to discuss access rights into Bailiwick waters for Jersey fishermen.
- Harbour Office Redevelopment – Various options of design will be costed by a Quantity Surveyor and a timetable of works will be brought to the next meeting for consideration.
- Collection of Mooring fees – A Service Level Agreement has been agreed with Mainbrayce Ltd for the collection of visiting vessel mooring fees during April, May and September between the period 1700 to 2000 hours.
- Refurbishment of Public Toilets - Longis Bay – It was agreed that the States Works Department can progress with the replacement of the Longis Bay public toilets within an estimated budget of £44,500 from the States Works Department minor projects revenue budget.

- Archaeological Excavation – A proposal from a Lecturer in Forensic Investigation at Staffordshire University to carry out various archaeological works on States land and private land during June 2012 was not approved as it was felt that enough documentation, information and records are already available regarding the proposed sites, therefore the excavation would not be of any benefit to the island.
The Chief Executive advised that he contacted the private land owner and they also agreed not to permit the archaeological works to be carried out.

Building and Development Control Committee Mr Sargent advised that BDCC had received a very good presentation from the Alderney Housing Association (AHA) of the proposed Platte Saline Social Housing development. An Open Day will be held on the 1st May 2012 in the Anne French Room for Members and the public to view the plans. **Noted.**

Mr Kelly queried whether a preview is available for Members unable to attend the presentation; Mr Sargent advised to see Mr John Weir in the AHA Office.

Guernsey Representatives Nothing to report.

Marina Advisory Group Mr Allen, Chairman of MAG, reported that it is anticipated to have two presentations for a proposed marina development at the next meeting of the Committee.

AGENDA ITEM

Ferry Liaison Group Mr Tugby, Chairman of FLG, advised that a meeting with a prospective ferry operator will take place Friday 27th April 2012. **Noted.**

32.1.1 Grand Site Development Paper from the Planning Office regarding the Grand Site Development dated 18th April 2012 and Agreement relating to The Grand Hotel Alderney tabled and considered.

Mr Sargent reported that a company named Sunningdale Investments Ltd acquired the Grand Hotel Site previously owned by Blue Horizon Ltd and the owner now wishes to continue the development under a new company name 'Grand Hotel Developments Ltd'.

It was noted that Grand Hotel Developments Ltd wished to apply for the same development scheme under the same terms as had previously been approved by the Building and Development Control Committee to the other development company. Prior to the application being considered by the Building and Development Control Committee, it is necessary that the amended Planning Agreement and the Exemption Ordinance incorporating the new name is approved in principle by this Committee for approval by the full States.

The Chairman queried the agreement for Alderney Electricity Ltd to build a substation on site; Mr Sargent advised that it will be progressed in due course. **Noted.**

RESOLVED by a majority (Mr Beaman and Mr Walden against) to approve the Planning Agreement between the States of Alderney and the Grand Hotel Developments Ltd.

32.2 Alderney Commission for Renewable Energy – Confidential Item Letter from Ms P Dixon, Chairman Alderney Commission for Renewable Energy, dated 11th April 2012 tabled and considered.

RESOLVED unanimously to agree to approve the renewal of the contract for Professor John V Sharp as Commissioner of the Alderney Commission for Renewable Energy for a further two years subject to approval by the full States. Chief Executive's Office to deal.

BILLET ITEM/CE OFFICE

33/2012

Economic Planning & Tourism and Marketing

33.1 Tourism Update Mr Birmingham gave a brief report and the following items were noted:

- An A5 brochure has been produced in French and will be distributed at the Cherbourg Boat Show and Tourist Information Offices along the Normandy Coast.
- A series of topical walking maps is being produced and will be freely distributed at the Visitor Information Centre.
- An article about the islands sea kayaking appeared in Ocean Paddler Magazine.

Trials Biking Event 21st and 22nd April 2012 The Chairman congratulated Mr Birmingham on the success of the event.

Mr Birmingham passed on the gratitude from the Tourism Department and the organisers of the event to the States of Alderney and in particular the General Services Committee for expediting all the requests to enable the event to take place successfully. Mr Birmingham in turn expressed his gratitude to the organisers Mr Alan Smart and Mr Bill Hiscock, the Alderney Rotary Club who provided volunteers to be marshals as well as all the other volunteers who help out during the event.

The Jersey Modern and Classic Trials Club have advised that they are ready to sign up for the event again next year and are hoping to attract more competitors from France and the UK.

A press release will be issued and letters of thanks will go out to all the involved parties.

MB

HMS Affray Memorial – Mr Berry advised that he had the privilege of accompanying the group that went to the HMS Affray wreck site following the memorial service and wished to pass on the gratitude from those involved to the States of Alderney for facilitating their request for a memorial for those lost on the HMS Affray. **Noted.**

34/2012

Budgetary and Financial Matters

34.1 States of Alderney and Water Board Audit Report from KPMG tabled and **noted.**

The Treasurer advised under the terms of their tender and the Letter of Engagement the auditors, KPMG, are required to report annually to the Committee, and that no issues had been identified.

35/2012

Legislation and Conventions

35.1 Community Radio Order The Chief Executive advised that the matter is currently with the Law Officers. **Noted.**

35.2 Guernsey Financial Services Commission – Revised Regulations

The Chairman requested that the item is deferred in order for the Chief Executive to obtain comment from the local fiduciary licensees.

DEFERRED/CE

36/2012

Any Other Business

36.1 UK Customs and Revenue - Parcel delays Mr Kelly reported following complaints from members regarding delays in UK customs processing items being sent to the UK for repair, he contacted Alderney Border Agency and received a reply from one of their Assistant Chief Officers, Mr Tony Robin. Mr Robin gave a comprehensive report on the current situation having discussed the matter with Guernsey Post who have been in consultation with HM Revenue and Customs (HMRC) in the UK for some time as items sent to the UK by any means other than post appear to be being cleared in the normal manner, often with the help of a customs clearance agent.

Guernsey Post have advised that HMRC are conducting a full review of how these postal consignments should be treated on arrival in the UK which should assist the passage of such items in the near future. There are some packages still awaiting clearance in the UK and Guernsey Post is making full efforts to try and get the goods cleared.

The Guernsey Border Agency will continue to monitor the situation and make every effort, where it is able, to assist the flow of exports and will contribute to the review. For the moment, should anyone have postal goods held up in the UK, they are advised to contact Guernsey Post in the first instance. **Noted.**

37/2012 **Fort Tourgis** Email from Mr Frans Verweij dated 20th April 2012 and letter from CBRE Real Estate Finance B.V dated 19th April 2012 tabled and discussed. The Chief Executive advised that the extension to Option Agreement with Verweij and Partners will expire today however they have secured financial backing for the project and they still remain committed in purchasing Fort Tourgis and are willing to offer a deposit.

The issue was discussed at length by all Members.

RESOLVED by a majority (Mr Kelly against) to extend the Option Agreement with Verweij and Partners to a mutually agreed time but conditional on a non refundable deposit being paid. Chief Executive to negotiate.

CE

10:45-11:00 Coffee Break

11:00 Mr Declan Gaudion, Alderney Renewable Energy, and Mr Sean Kelly, Transmission Capital, joined the meeting.

38/2012 **Alderney Renewable Energy & Transmission Capital Presentation** Mr Kelly gave a presentation on the France-Alderney-Britain "FAB Link" project and that it was noted by the Committee.

Mr Gaudion was requested to email the presentation to the Chief Executive for circulation to Members for further consideration.

12:15 Mr Declan Gaudion, Alderney Renewable Energy, and Mr Sean Kelly, Transmission Capital, left the meeting.

12:15-12:20 Break

36/2012 **Any Other Business (continue)**

36.2 Alderney Electricity Ltd Chairman of the Board Mr Llewellyn requested that the Chairmanship on the AEL Board be discussed following Mr St Pier's recently being elected to the States of Guernsey.

12:25 Mr Allen declared an interest as an employee of AEL and left the meeting.

Mr Llewellyn, Mr Arditti and Mr Tugby were of the opinion that as Mr St Pier is now an elected member of the States of Guernsey there will be a direct conflict of interest should he remain as the Chairman of the Board of AEL and he should therefore be asked to resign.

It was noted until it is known which department(s) in the States of Guernsey Mr St Pier will be involved with, a conflict of interest cannot be identified. Mr Kelly further added that it would ultimately be a decision for the Board of AEL and Mr St Pier himself whether or not he should remain as Chairman.

RESOLVED by a majority (Mr Arditti, Mr Llewellyn and Mr Tugby against) to fully support Mr Gavin St Pier as the Chairman of the Board of Alderney Electricity Ltd.

12:40 Mr Allen rejoined the meeting.

36.3 Letter from Chief Executive regarding States Works Department See Confidential Annexure.

36.4 Alderney Community Sport Centre Mr Arditti reported that the Alderney Community Sport Centre Trust is in the process of making alternate plans with regards to the location of the Community Sport Centre. **Noted.**

39/2012

For Information

- Letter of thanks for Alderney Week Team
- The Alderney and Sark (Licensing of Vessels) (Amendment) (Sark) Law, 2010
- State Kingdom of Wurttemberg

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Meeting closed: 13:00 pm

Signed: Mr J Beaman

Date: 29th May 2012