

**POLICY & FINANCE COMMITTEE**  
**26<sup>th</sup> JUNE 2012**

0915hours

**Mr J Beaman, Chairman**  
**Mr P Allen**  
**Mr P Arditti**  
**Mr R Berry**  
**Mr M Birmingham**  
**Mr B Kelly**  
**Mr G Sargent**  
**Mr I Tugby**  
**Mr W Walden**

**Mr R Burke, Chief Executive**  
**Mrs K A Hatcher-Gaudion, Treasurer**  
**Mrs E O'Toole, Minute Secretary**  
**Mrs S Pengilley-Price, Executive Assistant**

**Apologies: Mr A Llewellyn**

**In attendance: Mr S Trought, President (until 10:45am)**

**ACTION**

- 51/2012**      **Minutes of the previous meeting** of 29<sup>th</sup> May 2012 tabled and approved subject to the following items being moved from the Confidential Annexure to the published minutes:
- Item 41.1.2 Business Proposal update & Business Proposal - Waste
  - Item 44.1 Duty Free
  - Item 47.1 St Anne's School - Enquiry from Headmaster
  - Item 48/2012 Presentation 1 (name of Developer to be removed)
  - Item 49/2012 Presentation 2 (name of Developer to be removed)
  - Item 47.2 Alderney Electricity Limited
  - Item 47.4 HSSD Item (names to be removed)

The President stated that Mr Arditti's definition of the States in Item 47.7 of the minutes was incorrect and that the States of Alderney are 10 elected members and the President. Members agreed. **Noted.**

**52/2012**

**Matters Arising**

**52.1 Matters arising from the minutes**

**52.1.1 Marina Advisory Group** Paper from Mr Allen tabled and considered. Mr Allen advised that following the presentations by both potential marina developers, MAG had met and were unable to choose a preferred developer.

Members individually gave reasons for their preferred developer of a marina in Alderney.

Mr Tugby stated that he could not support the design of the marina due to the close proximity to the breakwater and the risk of overtopping.

**RESOLVED by a majority (Mr Tugby against; Mr Beaman and Mr Kelly in favour of the other developer) to agree to approve the appointment of the consortium of Mr Robin Walters, Mr Gordon Owens and Kay Elliot Architects to progress a Marina development.**

Mr Allen was requested to inform the developers of the Committee's decision and to advise unsuccessful party that the Committee would consider any future proposals for regeneration projects on the Islands.

**PDA**

The Chairman requested that MAG had a meeting to discuss how to proceed and bring a proposal to the next meeting of the Committee.

**MAG/AGENDA ITEM**

**52.2 Matters Arising from Finance Advisory Group** Confidential notes from the Finance Advisory Group (FAG) meeting of 18<sup>th</sup> June 2012 tabled and **noted.**

The following items were noted:

- The Treasurer to liaise with Treasury and Resources Department (T&R) regarding annual meetings being restricted to budgetary issues only as

FAG wishes to have general meetings. A date for the next meeting with T&R still to be advised. **Noted.**

53/2012

**Standing Items**

**53.1 Committee feedback from Chairmen**

**53.1.1 General Services Committee** Mr Walden reported on items discussed and approved at the previous meeting held on the 12<sup>th</sup> June 2012, the draft minutes of which are published on the Government website. **Noted.**

*10:10 Mr Arditti left the meeting in order for the Chief Executive to update the Committee on the Barker Case/Water Lane issue.*

See CONFIDENTIAL ANNEXURE.

*10:15 Mr Arditti rejoined the meeting.*

**53.1.2 Building and Development Control Committee**

**53.1.2 a) Exemption Ordinances** Draft Housing Exemption Ordinances tabled and discussed. Mr Sargent advised that the draft Housing Exemption Ordinances are for Social Housing Development by the Alderney Housing Association (AHA) and the Grand Site Development by Grand Hotel Developments Ltd. He further advised that according to The Building and Development Control (Alderney) Law, 2002 unless an individual qualifies by residency to build a house/houses (c-permit criteria) a planning application for a company wishing to build a house/houses cannot be considered/approved before an Exemption Ordinance has been granted. Mr Birmingham, as a Member of BDCC, added that an Exemption Ordinance is a request to build houses and not a planning application. **Noted.**

Mr Sargent stated that the draft ordinances had been circulated for Member's views and comments prior to them being considered at the next Building and Development Control Committee (BDCC) meeting and subsequent States meeting.

Certain Members raised concerns regarding AHA seeking a blanket Exemption Ordinance; Mr Sargent noted the comments/concerns and advised that these will be taken into consideration when debated at the next BDCC meeting scheduled for the 17<sup>th</sup> July 2012.

**53.2 Guernsey Representatives feedback** Mr Arditti advised that amongst the items to be debated at the June meeting of the States of Deliberation will be the Removal of Deemed Distribution Regime (Zero 10). **Noted.**

Mr Kelly advised that a Requête is being put forward in relation to the freezing of Guernsey States Members Salaries. **Noted.**

54/2012

**Economic Planning & Tourism and Marketing**

**54.1 Tourism Report** Mr Birmingham gave a brief verbal report and the following items were noted:

- Dircon 2012 – The Alderney Wildlife Trust hosted the Directors Conference of the British Wildlife Trust's Partnership, aka Dircon, on Alderney during the first week of June and the Trust Manager, Mr Roland Gauvian, has advised that it was a success.
- Wombles – The Wombles Exhibition will open on the 30<sup>th</sup> June 2012. Mr Birmingham wished to thank Mr Donald Hughes, Miss Frances Jeens and Mr Paul Davis for all their hard work on this project.
- Two journalists from Aero International magazine visited the Island and had an interview with the Chief Executive and Mr Birmingham.
- A Russian tour operator will be visiting the island for a meeting with the Marketing Manager.
- A proposal has been made by Mr Alan Smart, organiser of the Trials Biking event which took place in April, for a go-karting event on Alderney. Mr Birmingham advised that he is due to meet Mr Smart to discuss the proposal.

Members raised the issue of “full flights” on the Aurigny website again and requested the Chief Executive reiterate in a letter to Mr M Hart, Chief Executive Aurigny Airlines that a function should be available for registering an interest online should seats become available to travel or an extra flight added.

CE

10:45-11:00 Coffee Break

53/2012

**Standing Items (continue)**

**53.3 Sub Group feedback**

**53.3.1 Constitution and Legislation Advisory Group (CLAG)** Mr Arditti stated that CLAG wished to include Mr Birmingham as a member of the group. Mr Birmingham has been approached and he has accepted. The Committee approved that Mr Birmingham be an additional member of CLAG.

Mr Arditti advised that the The Road Traffic (Compulsory Third-Party Insurance) (Amendment) (Guernsey and Alderney) Law, 2012 will be debated by the State of Deliberations and gave a brief overview of the additions being made to the Law.

The Committee raised no comment or objections to the Amendment Law. Chief Executive to deal.

CE

55/2012

**Budgetary and Financial Matters**

**55.1 St Anne’s Church Repairs** Report from the Engineer dated 6<sup>th</sup> June 2012 tabled and considered. It was also agreed that although the total amount is in excess of £100k for which full States of Alderney approval would normally be required, the Committee confirmed that as this was 2 years capital expenditure (£100K for 2011 and 2012), full States of Alderney approval would not be required on this occasion.

**RESOLVED unanimously to agree to approve the appointment of Wings Ltd to undertake the repair works at St Anne’s Church in the sum of £173,808.23, from the Capital budget, and that Lovell Ozanne continues to manage the contract for a total fee of £26,059.51, also from the Capital budget. Engineer to deal.**

ENGINEER

**55.2 Roads Contract 2012** Report from the Engineer dated 20<sup>th</sup> June 2012 tabled and considered.

**RESOLVED unanimously to agree to approve the following:-**

- a) That the biennial Roads Repair Contract is offered to Ronez Ltd based on the tendered schedule of rates in accordance with the tender documents; and
- b) That works up to a value of £250,000, from the capital budget. is undertaken in 2012.

**Subject to necessary approvals. item to be placed on the Billet for the July meeting of the States. Engineer to deal.**

BILLET ITEM/ENGINEER

**55.3 TRP & Occupiers Rates – CONFIDENTIAL ITEM** See CONFIDENTIAL ANNEXURE.

**55.4 Grants to Play Groups** Paper from the Treasurer dated 19<sup>th</sup> July 2012 and letter from Mrs A Maloy, Secretary of St Anne’s Playgroup, dated 12<sup>th</sup> June 2012 tabled and considered.

**RESOLVED unanimously to agree to approve:-**

1. Awarding the annual grant to Toddlers Time for 2012 at £1,500, and increasing the 2012 grant to St Anne’s Playgroup by £1,500.and
2. To review the situation again when setting the 2013 budget.

**Treasurer to deal.**

TREASURER

- 55.5 St John's Ambulance – CONFIDENTIAL ITEM** Paper from the Treasurer dated 19<sup>th</sup> June 2012 tabled and considered. Mr Walden declared an interest as the preferred tenderer for the repairs work to the roof of the property in the High Street and would not take part in voting.

The Treasurer advised that the Finance Advisory Group (FAG) received a request for additional funding to assist with the roof repairs of their property in High Street. The request was initially referred to the Charitable Trust however the Trustees advised that property maintenance was outside the spirit and intention of the Trust and was therefore rejected. The request was then reconsidered by FAG at its June meeting, however due to the amount being requested, and the limited grant budget available (£11,500 for 2012 of which £3,900 remains), FAG have recommended that this matter should be considered by the Committee, and if agreed then the funding should be charged to P&F Unforeseen Expenditure (current balance £39,500).

Mr Allen proposed and Mr Berry seconded that the full amount is granted to St John's Alderney Ambulance.

**RESOLVED by a majority (Mr Walden abstained) to approve a maximum of £5,000 to St John's Alderney Ambulance for the repair of the roof of the property in High Street and the funding to be charged to Unforeseen Expenditure on Revenue Account. Treasurer to deal.**

**TREASURER**

- 55.6 Capital Account – CONFIDENTIAL ITEM** See CONFIDENTIAL ANNEXURE.

- 55.7 States Members Allowances** Paper from Treasury dated 1<sup>st</sup> January 2012 tabled and discussed. It was agreed that the Treasurer would submit a revised paper for consideration at the next meeting of the Committee.

**AGENDA ITEM/TREASURER**

- 55.8 New Connaught Care Home – Accounts** Quarterly Report and 2011 Year End Accounts tabled and **noted**.

- 55.9 Budget 2013 Timetable** tabled and **noted**. Mr Arditti advised that he will not be able to attend the special budget meeting scheduled for the 3<sup>rd</sup> September 2012.

- 55.10 Fly In – Marketing proposal funding request** Paper from Mrs Ilona Soane-Sands, Alderney Chamber of Commerce, dated 20<sup>th</sup> June 2012 tabled and discussed. Mr Birmingham gave a brief history of the Annual Fly-In which was discontinued in recent years mainly due to insurance cost, the cost of parking and the cost of fuel at Alderney Airport.

The Alderney Chamber of Commerce, the Chairman of the Alderney Flying Club, Mr David Chiswell with input from Mr David Earl, Mr Ralph Burrige and other private Alderney based aviators has addressed certain issue and produced a proposal focussing on attracting private aviators back to Alderney.

The Chief Executive advised that a private aviator had approached him earlier in the year with proposals of how to persuade the States of Guernsey to reduce the parking and landing fees at Alderney Airport and reinstate the 72 hour free parking during July and September months. The States of Guernsey has subsequently agreed to this and the proposal from the Alderney Chamber of Commerce is to have similar fees, charges and free parking for August this year.

The Committee agreed in principle to sponsor the parking fees up to a maximum of £1,200. Mr Birmingham was requested to take the matter to the Finance Advisory Group for the funding to be approved from Minor Grants.

**MB/FAG**

**56/2012**

- Alderney Airport** Mr Arditti, Mr Sargent and the Chief Executive reported on their recent visit the Isle of Scilly. The harbour and airport were amongst areas visited and a presentation was attended in which various issues were discussed including travel on and off the islands and tourism. Mr Sargent advised that he wished to obtain more information and will do so via email. **Noted**.

Mr Birmingham was requested to also get in contact with the Isle of Scilly with regards to tourism.

MB

57/2012

**Any Other Business**

**57.1 Proposal to operate shooting range** Letter from Mr M Smith, Alderney Marine Ltd dated 18<sup>th</sup> June 2012 tabled and discussed. Mr Walden advised that he had requested this item to be tabled for an in principle view prior to this matter being discussed at General Services Committee. Mr Smith had expressed an interest to operate a shooting range on Alderney for the benefit of the island and in close cooperation with the Alderney Shooting Club. The Chairman advised that the Up Close and Personal Group (UCP) had made such a proposal a few months ago and the Committee had already agreed for it to be undertaken at Fort Albert. It was noted that the Shooting Range UCP will operate will be available for use by members of the Shooting Club. The Chief Executive was requested to inform Mr Smith that the States had no desire to pursue the proposal.

CE

**57.2 Commercial Quay – Revetment** See CONFIDENTIAL ANNEXURE.

**57.3 Alderney Sport Centre** Mr Tugby reported that revised plans for the Sport Centre had been shown in the local press. He believed it to be a more appropriate sized centre for the island and an achievable project and the States should consider funding issues. The Chairman noted that there had been no approach from the Alderney Community Sport Centre Trust and requested Mr Tugby to submit a paper for consideration at the July meeting of the Committee.

IT/AGENDA ITEM

Mr Birmingham advised that he will be meeting with a member of the Alderney Community Sport Centre Trust to discuss this subject. **Noted.**

*12:50pm Mr Allen and Mr Sargent declared an interest and left the meeting*

**57.4 Alderney Electricity Ltd**

**Annual General Meeting** Mr Kelly reported that the AGM was held on the 22<sup>nd</sup> June 2012 with a number of minority shareholders attending as well as two former directors of Alderney Electricity Limited (AEL) acting as proxies for minority shareholders. An issue arose with regards to the approval of the new Memorandum and Articles of Association. A shareholder stated that the item was not designated as a special resolution on the notice of the AGM. The Board of AEL sought legal advice in view of the concerns raised and were advised that it would be preferable for an Extraordinary General Meeting to be held to approve the new Memorandum and Articles of Association as a special resolution.

Subsequently AEL will continue to operate under the old Memorandum and Articles of Association however a former director attending the meeting as a proxy advised that Mr Sargent had been convicted of an indictable offense which disqualifies him as a director under the current Memorandum and Articles of Association. The Board again sought legal advice on the issue and Mr Sargent is currently not a serving director of AEL however under the new Memorandum and Articles of Association he could be reinstated as a director as it makes no reference to indictable offenses and only refers to the Companies (Alderney) Law.

Mr Kelly advised that the Board of AEL wishes to reinstate Mr Sargent as a director once the new Memorandum and Articles of Association has been approved and has requested that the States of Alderney, as majority shareholder, indicate if they are supportive of the proposal.

**RESOLVED by a majority (Mr Arditti against; Mr Tugby abstained) to agree to approve that Mr G Sargent be reinstated as a Director of AEL once the new Memorandum and Articles of Association have been approved.**

Mr Kelly advised that notices of the EGM, to be held on the 12<sup>th</sup> July 2012, have been sent to all the shareholders of AEL. **Noted.**

**Power Purchase Agreement (PPA)** Mr Kelly advised that at the Committee meeting held on the 27<sup>th</sup> March 2012, the Committee supported the signing of the PPA by the

Board of AEL. The Board has requested that the Committee formally instruct AEL to sign the PPA with Alderney Renewable Energy (ARE).  
Mr Arditti stated that the Committee was requested to support the signing of the PPA and not to instruct the Board of AEL.  
The Chairman stated that Mr Allen and Mr Sargent should be present for this to be decided however a vote was taken.

**RESOLVED by a majority (Mr Beaman and Mr Walden against) to agree to instruct the Board of AEL to sign the Power Purchase Agreement with ARE. Mr Kelly to deal.**

BK

58/2012

**For Information**

- Deputy Peter A Harwood – Letter dated 25<sup>th</sup> May 2012
- Visit from Education Board – 4<sup>th</sup> July 2012

/eot

Meeting closed: 13:00pm

**Signed: Mr J Beaman****Date: 24<sup>th</sup> July 2012**