

**POLICY COMMITTEE MEETING
ANNE FRENCH ROOM
28th MAY 2013**

0915 hours

Mr F Simonet, Chairman
Mr N Harvey
Mr L Jean
Mr R McDowall

Mr R Burke, Chief Executive
Mrs K A Hatcher-Gaudion, Treasurer
Mrs S Pengilley-Price, EA to the Chief Executive

In attendance: Mr P Arditti; Mr R Berry

ACTION

50/2013 **Minutes of the previous meeting** of the 22nd April 2013 tabled and **approved** subject to clarification of item 39.1.4.
Notes from the Finance Committee meeting of 16th May 2013 circulated by email. **Noted.**
Notes from the Business Development Tourism and Marketing Committee meeting of 13th May 2013 circulated by email. **Noted.**

51/2013**Matters Arising****51.1 Matters arising from the minutes**

51.1.1 **Alderney Property Report** Letter from Greffier, Sarah Kelly dated 15th May 2013 and copy of letter dated 26th April 2013 from Policy Committee Chair to the Greffier, tabled and discussed. It was noted that the Greffier requested further information on the purpose of the information request and whether the information would be used only by the States or by other parties.
RESOLVED unanimously for the Chairman to respond to the Greffier on behalf of the Committee.

FS

51.1.2 **Building and Development Control Law Review** Mr Simonet advised that this matter was ongoing and that nine expressions of interest had been received. **Noted.**

51.1.3 **Mouriaux to Platte Saline Drainage Scheme - Policy** Report dated 5th March 2013 to the Estates and Services Committee from the Sewage Project Board on the proposed more efficient collection of waste, tabled and considered. Mr Harvey declared an interest. **Noted.** Treasurer reported on the requirement of an ordinance to exempt the properties concerned from paying the sewage connection charge.
RESOLVED unanimously to (1) endorse the recommendation of the Estates and Services Committee and approve the general policy, and; (2) approve that Law Officers advice be sought on the drafting of the necessary legislation to exempt residential owners of properties from payment of the sewage connection charge for the duration of this scheme only. Chief Executive to deal.

CE

51.2 **Committee feedback from Chairmen and Guernsey Representatives** It was noted that there was no business to report.

51.3 **Employment Permit Report - May** tabled and noted. Additional information with regards category of employment to be included each month. **Noted.**

51.4 **Annual Reports – Alderney Commission for Renewable Energy 2012**
Confidential Item (Commercial) – **Noted.**

52/2013**Budgetary Matters**

52.1 **Management Accounts - April** summary dated April 2013 tabled and **Noted.**

52.2 **Revenue Account Deficit** Email from Treasurer dated 24th May 2013 tabled and considered. The following areas of concern were discussed:

- Harbour Dues and Fees – a predicted increase in the harbour deficit from £31.9K to £68K due to the loss of a weekly cargo service sailing. **Noted.**
- Insurance Premiums – notification received that insurance premiums for 2013 are likely to increase by as much as £25K due to the claim activity in 2012.
- States Properties – potential reduction in rental of up to £44K – **Noted.**
- Green Waste Proposal – potential proposal for dealing with Green Waste £24K pa, no SWD savings identified to offset costs – matter ongoing.
- Debtors - Arrears of approx £80k owing to the States of Alderney highlighted – repayment plans have been put in place failing which collection via Court as per financial procedures – **Noted.**

RESOLVED that the Revenue Account Deficit Report be a standing item each month on the Committee agenda. Treasurer to deal.

TREASURER

52.3 Capital Request – Alderney Museum Letter to Mr McDowall dated 13th May 2013 from Mrs Pam Pearson, on behalf of the Alderney Society Council, with attachments tabled and considered.

RESOLVED to approve that Mr McDowall and the Treasurer investigate and identify any States obligations plus ways that the States may assist from the report provided and for this matter to be brought back to Committee. Mr McDowall and Treasurer to deal.

RM/TREASURER

52.4 Internal Audit Treasurer verbally reported. It was noted that financial provision for the Audit had not been provided for in the revenue budget.

RESOLVED to approve that funding be provided from the Capital allocation, where possible, to cover the costs of the Internal Audit and any subsequent costs relating to recommendations arising from the report. Treasury to deal.

TREASURER

52.5 Clerks House Treasurer verbally reported on responses from two Estate Agents following last month's resolution (and subsequent emails).

RESOLVED unanimously that the Treasurer be instructed to negotiate with the interested party on similar terms as to the previous tenants. Treasurer to deal.

TREASURER

52.6 Pension Scheme Extract from the minutes of a meeting with the Trustees of the States of Alderney 1982 Pension Scheme dated 3rd May 2013 tabled and considered.

RESOLVED unanimously to approve:

- that the signatories on the Trustees Bank Account should be the Chief Executive or Treasurer, plus two of the other three Trustees (in order to cover staff leave); and**
- that in cases where the employee leaves and merely takes a refund of their contributions (less income tax) that the residual funds are paid into the old scheme in an attempt to reduce the deficit, subject to BCWI agreement.**

Treasury to deal

TREASURER

52.7 New Connaught Care Home Letter dated 28th April 2013 from Mr A O Llewellyn, Director New Connaught Care Home, tabled and considered. Mr McDowall reported on a meeting recently held and that in his opinion the Board required someone with business development experience. **Noted.**

RESOLVED for Mr McDowall to progress this matter with the Board of the New Royal Connaught Care Home. Mr McDowall to deal.

RM

53/2013

Finance Committee Matters

53.1 Appointments Mr McDowall reported that since the resignation of Mr Llewellyn there has been a vacant seat on the Finance Committee.

RESOLVED for this matter to go to the next meeting of the States for a resolution. Chief Executives office to deal.

CE/BILLET ITEM

54/2013

Business Development, Tourism & Marketing Matters

54.1 Transport statistics – April 2013 tabled and noted. Weather conditions have played a great part in the reduction in numbers. **Noted.**

- 55/2013** **Strategic and Business Plan** Copy of the States of Alderney Business Plan 2013 and the States Engagement Plan for the Community and Staff tabled and discussed. Chief Executive reported on progress on a number of points in the preparation of the Strategic Plan and the proposal to introduce performance management systems into the organisation was noted.
- 56/2013** **Legislation and Conventions**
- 56.1 Sexual Offences Legislation** Letter from Deputy Jonathan Le Tocq, Minister Home Department with draft States Report and legislation, dated 19th April 2013 tabled and considered.
RESOLVED unanimously to approve the draft legislation “The Criminal Justice (Sex Offenders and Miscellaneous Provisions) (Bailiwick of Guernsey) Law, 2013” and offer no further comment. Chief Executive to deal. CE
- 56.2 Commencement of Employment Agencies (Enabling Provisions) (Bailiwick of Guernsey) Law, 2012** Email from Crown Advocate McLellan dated 30th April 2013 tabled and considered.
RESOLVED unanimously to approve of an ordinance made under “The Employment Agencies (Enabling Provisions) (Bailiwick of Guernsey) Law, 2012” to enable the Law to come into force on a day appointed by Ordinance. Chief Executive to deal. CE
- 56.3 Amendment Ordinances**
- The Egypt (Freezing of Funds) (Alderney) (Amendment) Ordinance, 2013
 - The Tunisia (Freezing of Funds) (Alderney) (Amendment) Ordinance, 2013
 - The Iran (Restrictive Measures) (Alderney) (Amendment) Ordinance, 2013
 - The North Korea (Restrictive Measures) (Alderney) (Amendment) Ordinance, 2013
- Draft ordinances tabled and considered.
RESOLVED unanimously to approve the amendments to the Sanctions legislation and for these items to be placed on the Billet for the next meeting of the full States for approval. Chief Executive to deal. CE/BILLET ITEM
- 56.4 Repeal of Sanctions Regime – Myanmar/Burma** Confidential Memo from the External Relations Group dated 10th May 2013 tabled and considered.
RESOLVED unanimously to approve to support the action to draft an ordinance to implement the repeal of the Myanmar sanction regime as set out in Council Regulation (EU) No 401/2013. Chief Executive to deal. CE
- 56.5 Guernsey Financial Services Commission – Annual Returns and Fiduciary Advertisements** Letter dated 16th April 2013 from Fiona Crocker, Deputy Director of Fiduciary Services, Guernsey Financial Services Commission tabled and considered.
RESOLVED unanimously to approve “The Regulation of Fiduciaries (Fiduciary Advertisements and Annual Returns) (Amendment) Regulations, 2013”. Chief Executive to deal. CE
- 56.6 Copyright and Performers Rights** Report dated 2nd May 2013 from Chief Executive’s office tabled and considered.
RESOLVED by a majority to approve the draft legislation “Copyright and Performers’ Rights (Bailiwick of Guernsey) (Amendment) Ordinance, 2013” and offer no further comment. Chief Executive to deal. CE
- 57/2013** **Alderney Commission for Renewable Energy – CONFIDENTIAL ITEM.** See Confidential Annexure.
- 58/2013** **Alderney Gambling Control Commission** Report from Chief Executive dated 22nd May 2013 entitled ‘Alderney eGambling Advisers Limited’ tabled and considered. It was noted that it is proposed to establish an Alderney Limited Company to enable the

Alderney Gambling Control Commission to diversify into the provision of consultancy services.

RESOLVED unanimously to approve the formation of the new company, wholly owned by the States of Alderney, dedicated to the provision of consultancy services. Chief Executive to deal.

CE

59/2013

Any Other Business

59.1 Government of Alderney Law Email dated 24th May 2013; report dated 27th March 2012 to the Policy and Finance Committee and draft amendment to the Government of Alderney Law from 2012 (not approved) previously circulated by email, tabled and considered. It was noted that the amendment to the Law that was drafted in 2012, gave the States the power by resolution to adopt a code of conduct and provided specifically that members of the States must comply with a code of conduct.

RESOLVED that this matter required a wider debate; this item to be placed on the agenda of the States in Committee for such a debate and included on the Billet for the June meeting for a resolution. Chief Executive to deal.

CE

59.2 Committee System It was proposed and approved that this matter be included on the agenda of the June States in Committee meeting for debate. Chief Executive to deal.

CE

59.3 Island Energy Policy Paper It was requested that this paper be circulated to all States Members. Chief Executive to deal.

CE

59.4 Financial Services Commission (Administrative Financial Penalties) (Bailiwick of Guernsey) (Amendment) Regulations, 2013 It was noted that the purpose of the regulations is to make the principal regulations being amended consistent with the numbering of the Regulation of Fiduciaries (Fiduciary Advertisements and Annual Returns) (Amendment) Regulations, 2013 and to extend the period before the automatic administrative penalties are applied. **Chairman requested that this item be circulated by email to all members for a resolution. Chief Executive's office to deal.**

CE

/spp

Meeting closed: 10.30am

Signed: Mr F Simonet

Date: 19th July 2013