

POLICY AND FINANCE COMMITTEE MEETING

Anne French Room

26th February 2024

0900 hours

PRESENT:

Mr N Vooght, Chairman
Mrs L Maurice
Mr B Woodhead
Mr B Kelly
Mr K Gentle
Mr I Carter
Mr A Snowdon
Mr D Smithurst

IN ATTENDANCE:

Mr T Leijser, Chief Clerk (CC)
Mrs L Baines, Political & Senior Executive
Officer (PSEO)
Mrs S Pengilley-Price, Head of Govt Support
(HoGS)
Mrs E Maurice, Head of Finance (HoF)
Mr J Laband, Policy Support Officer (PSO)

Apologies: Mr W Abel; Mr S Roberts

Attendees: Mr R Moore, Senior Media & PR Officer for item 4.1 only.

Declarations of Interest:
Confidentiality Reminder

AGENDA ITEM

ACTION

01/02/2024

Minutes

1.1 Minutes from previous meeting for approval – 22nd January 2024 – tabled and approved.

1.2 Policy and Finance Decision Progress Log – January 2024 Meeting – tabled and discussed/noted.

Members discussed all amber items within the decision log.

Mr Snowdon raised the issue that a social occasion was held at Mr Vooght's house with the Chief Clerk and Mr Turner Samuels, and requested for this to be minuted.

Bailiwick Risk Register – it was queried still why the airport runway is not on this register – CC progressing. It was also raised that there is a insufficient contingency plan regarding the risk of dangerous weapons – this is to remain amber until resolved. **Noted.**

Standard Operating Procedures – this was part of the report from Mr Carter – **PSO to deal.**

1.2.1 Le Val Field Update

It was advised that a further valuation has now been completed and awaiting the report. Communication with the owner has been supportive with the process. **Noted.**

1.2.2 Minimum Wage Confidential Update – Confidential report from Policy Support Officer dated 20th February 2024 tabled and noted. Members requested for this work to be resolved as soon as possible.

The Policy & Finance Committee resolved to note the update.

02/02/2024

External Relations/Budget & Finance

2.1 External Relations Update (Bailiwick Council/ALG/MoJ/Normandie/Ille et Vilaine & Brittany/Presidential Update)

Bailiwick Council – Next meeting is scheduled for 8th March 2024.

ALG – Next meeting is scheduled for 8th March 2024.

MoJ – Nothing further to report – as per the update from decision log, the MoJ are keeping abreast of the developments regarding the Airport Runway.

Normandie – Nothing to report.

Brittany & Ille et Villaine Agreements – Nothing to report.

Presidential External Relations Update – Confidential report from President dated 20th February 2024 tabled and noted.

The Policy and Finance Committee resolved to note the confidential update.

2.2 Finance (including Grants & Subsidies)

2.2.1 School Bus Service – SEE CONFIDENTIAL ANNEXURE

2.2.2 Dairy Farm Management Contract – SEE CONFIDENTIAL ANNEXURE

2.3 AEL Appointment – Report from Policy Support Officer dated 25th January 2024 tabled and considered.

A query had been raised in relation to the States of Alderney's representation on the Board of Directors for (AEL) as the "States Appointed Director". At the start of each year, during the annual appointments of the Policy & Finance Committee, an individual is nominated to that position which does not have to be a Member of the States of Alderney. For a number of years, this has been a politician. However, there has been a suggestion that this position could be held by the Chief Clerk.

Some members expressed their concerns regarding public perception if this role was done by a civil servant. Mr Snowdon exclaimed that he would resign from P&F if the Chief Clerk were to be appointed to this role.

The Policy and Finance Committee resolved to note the information provided relating to the feasibility of appointing the Chief Clerk as the States Appointed Director on the Board of Alderney Electricity Limited; and agreed for Mr Gentle to remain as States Appointed Director on the AEL Board for the time being (Mr Kelly and Mr Snowdon abstained).

2.4 Democratic Services – Good Decision Making – Report from Chief Clerk dated 13th February 2024 tabled and considered.

The States Members make decisions about a wide range of issues that affect Alderney, the residents and business owners. The processes for how decisions are made within the States about the services that are provided are an important part of Alderney's 'Governance'.

In relation to decision making, it must make sure that decisions take public opinion into account, reflect and respond to the needs of local people, are evidence-based and are transparent and accountable.

Some members raised concerns that the clearing process is for the Committee Chairs to do, not the civil service, and that members should still be able to submit reports to Committees for consideration (which is not specified in the report).

The Policy and Finance Committee resolved for the Chief Clerk to consider members concerns raised, and to review the proposed processes accordingly, including changes that may be required to the Committee Rules of Procedure, before resubmitting to P&F for further consideration.

CC

1028 Mr R Moore, Senior Media & PR Officer joined meeting via Teams.

03/02/2024 Legislation, Conventions & Policy

3.1 Constitution of Senior Appointments Panel – Report from Policy Support Officer dated 3rd January 2024 tabled and considered.

At the December 2023 meeting of the Policy & Finance Committee (P&F), a paper was considered regarding the States Employment Board status and its functionality for the future.

It was agreed for a Senior Appointments Board/Panel to be constituted at the inaugural P&F meeting of 2024 with an appropriate Terms of Reference tabled for consideration. The panel would consist of the Chairs of the four Committees of the States; Policy and Finance, General Services, Building Development Control, and Economic Development. It was also agreed to propose to the States at its January meeting subject to Law Officer advice to remove *'Carrying out all the functions formerly carried out by, or carried on in the name of, the States Employment Board (formerly the Civil Service Board)'* from the P&F Mandate.

Mr Snowdon expressed concerns and stated that he was against the resolutions as wanting further Law Officers advice. Noted.

The Policy & Finance Committee resolved to;

- i. **Agree the constitution of the Senior Appointments Panel comprising the Chairs (4 Members) of P&F, EDC, BDCC and GSC (Mr Kelly and Mr Snowdon against);**
- ii. **Approve the draft Terms of Reference subject to any minor amendments (Mr Kelly and Mr Snowdon against); and**
- iii. **Rescind its decision of 4th December 2023 under item 2.5 'i' - *To propose to the States at its January meeting to remove 'Carrying out all the functions formerly carried out by, or carried on in the name of, the States Employment Board (formerly the Civil Service Board) from the P&F Mandate* as this is no longer a necessary action (Mr Kelly; Mr Snowdon and Mrs Maurice against).**

PSO

04/02/2024 Items for Development/Discussion

4.1 IHRA Communications Plan – SEE CONFIDENTIAL ANNEXURE

1101 Mr R Moore, Senior Media & PR Officer left meeting.

3.2 Revisions to the Supervisory Framework for Prescribed Businesses – FOR RATIFICATION – Report from Chief Executive Office dated 13th February 2024 tabled and considered.

A copy of the policy letter received from States of Guernsey on Revisions to the Supervisory Framework for Prescribed Businesses was circulated to members via email for approval due to the early March lodging date with the Guernsey Greffier for the April States of Guernsey meeting.

This item had been previously considered by P&F at its consultation stage where the consultation affected estate agencies, firms of accountants and lawyers and directors of companies falling within the scope of an exemption from licensing by the GFSC but who are subject to registration with the GFSC.

The contents also included some of the last few legal proposals for MONEYVAL.

Majority of members were in favour of the recommendation (no reply received from Mr Snowden, Mr Vooght, Mr Woodhead and Mr Gentle).

The Policy & Finance Committee resolved to ratify the approval of the proposals as set out in the policy letter for Revisions to the Supervisory Framework for Prescribed Businesses.

3.3 Consultation on The Customs (Rules of Origin: Claim Verification & Determination, & Record Keeping) Regulations, 2023 and The Methods of Valuation (Import Duty) (Amendment) Regulations, 2023 – FOR RATIFICATION – Report from Chief Executive Office dated 8th February 2024 tabled and considered.

A copy of the letter and appendices regarding a consultation on The Customs (Rules of Origin: Claim Verification and Determination, and Record Keeping) Regulations, 2023 and The Methods of Valuation (Import Duty) (Amendment) Regulations, 2023 was circulated to members via email.

Committee for Home Affairs had requested for any comments on the proposed regulations to be submitted by 16th February.

With this date being before the next P&F meeting, the Chairman approved for it to be circulated via email which will then be ratified at the 26th February meeting.

Majority of members were in favour of the recommendation and no comments were received (no reply received from Mr Abel, Mr Snowden and Mr Smithurst).

The Policy & Finance Committee resolved to ratify the agreement to consider the proposed regulations on The Customs (Rules of Origin: Claim Verification and Determination, and Record Keeping) Regulations, 2023 and The Methods of Valuation (Import Duty) (Amendment) Regulations, 2023, and for any comments to be forwarded to Home Affairs by the civil service by the 16th February 2024.

3.4 Transfrontier Shipment of Waste – For Billet Approval – Report from Policy Support Officer dated 14th January 2024 tabled and considered.

Notification was received in December 2023 that the Transfrontier Shipment of Waste (Bailiwick of Guernsey) (Amendment) Ordinance, 2023 was made on 6th December under the Policy and Resources Committee utilising its emergency legislation making powers. It was requested in the same communication that it should be laid before the

States of Alderney under the provisions of section 3(7) of the European Union (Amendment of Legislation) (Bailiwick of Guernsey) Law, 2018 to ensure that it is aware the Legislation is now enacted.

The Policy and Finance Committee resolved to submit the Transfrontier Shipment of Waste (Bailiwick of Guernsey) (Amendment) Ordinance, 2023 to the States of Alderney Billet for noting only at its May 2024 meeting.

**Proposer: Nigel Vooght
Seconder: Ian Carter**

BILLET ITEM/HoGS

1105 Break

1116 Meeting reconvened

4.2 Elections 2024 – Report from Policy Support Officer and Mr Woodhead dated 14th February 2024 tabled and considered.

It has been raised that as it is an election year, a working group should be constituted to encourage a greater pool of potential candidates to stand for Election.

As a democratic process, encouraging a wider pool of potential candidates can be done effectively by improving outreach to the community which can be undertaken through the development of a media campaign which could outline the role of an elected Member of the States of Alderney; processes around dealing with current issues and understanding how government works.

Some members raised that this should fall under the remit of the Good Governance Group.

The Policy and Finance Committee resolved for the Good Governance Group to take this forward (Mr Woodhead, Mr Smithurst and Mr Vooght against).

GGG

05/02/2024

For Information & Noting

5.1 Letter from Chief Minister of Jersey – FOR INFORMATION & NOTING – Tabled and noted.

5.2 Data Protection Verbal Update – FOR INFORMATION & NOTING – SEE CONFIDENTIAL ANNEXURE

06/02/2024

Island Plan

6.1 Sector Feedback/ Work Plan Updates

6.1.1 Care

Nothing further to report. It was noted that the MMH is having a new Xray machine fitted. It was also advised that Deputy Soulsby has been appointed as Chair of the Alderney Care Board, which is meeting on 29th February.

6.1.2 Education – Family/Children's Facility

Mr Carter advised that he was presenting an assembly on the electoral process at St Anne's on 27th February. It was noted that the Careers Fayre was very successful, with a

view for the attendance being widened to all, not just school children for the next event. Nick Hynes, Director of Education is visiting on 29th February. Noted.

6.1.3 Transport

Nothing further to report. It was noted that the final draft of the Braye Opportunity Area Master Plan will be going back to GSC for approval, and then onto P&F.

6.1.4 Housing – Including Social Housing

Mr Woodhead advised that he was meeting with AHA on 27th February. A further update was provided regarding the progress with the Old Connaught. Noted.

6.1.5 On Island Energy – Energy Turbines, Solar Panels & Tidal

Nothing further to report. Members had noted the email circulated from Mr Abel covering updates on his various topics.

6.1.6 Economy – Community & Leisure Facilities

Mr Snowden provided a verbal update regarding the ongoing workstreams within Economic Development Committee.

6.1.7 Environment

Nothing further to report.

07/02/2024 P&F Working Groups - Updates

7.1. Finance Group – Draft minutes from Special meeting on 19th December 2023 tabled and **noted**.

Next meeting 28th February 2024. Noted.

7.2. Good Governance Group

It was noted that the Chief Clerk is to organise additional civil service support for the group due to maternity leave.

It was noted that the Chief Clerk is awaiting a report regarding the Commissioner for Standards which will then be tabled to P&F with recommendations.

7.3 Energy Group

Nothing further to report.

7.4 Housing Group

Nothing further to report.

7.5 Alderney Airport Runway Group

Nothing further to report.

08/02/2024 Matters other States Committees would like P&F to know.

8.1 General Services Committee

Nature and Agriculture Workshop is scheduled for 28th February with feedback forms available online and from General Office. The responses will be collated by the civil service once the deadline is closed. It was also noted that the Inter- Island Shipping Agreement is still to be finalised.

8.2 BDCC

Nothing further to report.

8.3 Economic Development Committee

Nothing further to report. See 6.1.6.

09/02/2024 Reporting by Representatives

9.1 Alderney Representatives for States of Guernsey – Update

Verbal updated from Mr Snowden noted.

9.2 AeGL Update

Mr Kelly advised that he had met with AGCC Commissioners. AGCC had attended the International Casino Exhibition and it was deemed successful. Noted.

9.3 AEL Update

Mr Gentle provided an update to members on the following areas:

- Solar/Wind public engagement with workshops/exhibition planned for April.
- Funding for renewables achievable and AEL highly confident of availability.
- Concern expressed about possible prohibitive TRP.

9.4 Connaught Liaison Update

Verbal update noted.

9.5 Alderney Care Board – See 6.1.1

Nothing further to report.

10/02/2024 Any Other Business

10.1 ACRE Update – SEE CONFIDENTIAL ANNEXURE

10.2 Future Model of Civil Service – SEE CONFIDENTIAL ANNEXURE

10.3 - The Economic and Financial Crime Bureau and Financial Intelligence Unit (Bailiwick of Guernsey) Law, 2022 (Amendment) Regulations, 2024 - Consultation – A verbal update was provided from the Head of Government Support.

This item was circulated to members via email on Friday 23rd February for consultation. It was noted that the draft regulations relate to Moneyval and specifically amend a schedule to the Economic and Financial Crime Bureau and Financial Intelligence Unit (BoG) Law, 2022.

The Policy and Finance Committee noted the draft regulations raised no comments.

HoGS

10.4 - Riduna Radio – SEE CONFIDENTIAL ANNEXURE

Meeting closed: 1.20pm

Signed: Nigel Vooght

Date: February 2024