

POLICY AND FINANCE COMMITTEE MEETING
ANNE FRENCH ROOM
18th July 2017
0915hours

PRESENT:

Mr J Dent, Chairman
 Mr A Barnes
 Mrs N Paris
 Mr S Roberts
 Mr G McKinley
 Mr L Jean
 Mr M Dean
 Mr A Snowdon
 Mr I Tugby

IN ATTENDANCE:

Mr A Lewis, Interim Chief Executive
 (CE)
 Mrs S Pengilly-Price, Executive Officer
 to the Chief Executive (EO)
 Mrs K A Hatcher-Gaudion, Treasurer
 (TREASURY)
 Mr P Veron, Economic Development
 Officer (EDO)
 Stephen Taylor, Strategic Financial
 Advisor (SFA)

Apologies:

In Attendance: David Nash for item 88/2017; John Carrell for item 89/2017; John Young and Matt Birmingham for item 92.1.

ACTION**87/2017****Matters Arising****87.1 Committee feedback from Chairmen (B&DCC, GSC, ALG & Tourism) & Guernsey Representatives**

BDCC - The Committee noted a verbal update from the Deputy Chairman of BDCC, covering a range of matters including the timing of the report from the Inspector on the LUP.

GSC – The Committee noted a verbal update from the Chairman of GSC, covering a range of matters including the replacement of the Air Curtain Burner, the Breakwater and Fort Grosnez, including the option of a joint working party to explore whether parts of the Fort could revert to the States of Alderney, Town Centre Traffic Survey nearing a conclusion and the need to progress the Inter-Island Freight agreement.

ALG – The Committee noted an update from the Chairman on the recent ALG meeting including discussions on the:

- Prospect of a further capital grant for the Pool subject to additional certainty on the running costs; and
- Current severe difficulties in respect of air transport; and
- Health Services review of options for securing a longer term provision of on-island based medevac transport; and
- The changing options for education in Alderney; and
- Airport Rehabilitation Project and the need for the major works to progress at the earliest opportunity.

Tourism – The Committee noted a verbal update from Tourism lead on various matters including the erection of new signs for the Forts, the arrival of the Victor Hugo with nearly 160 passengers and progress being achieved through the Marine Forum.

Guernsey Representatives – The Committee noted an update on the recent deliberations including concerns recorded in respect of the Alderney's air service.

88/2017

Philatelic Profits – Report from Chief Executive dated 18th July 2017 tabled and noted.

The Committee noted the advice and opinions of Mr David Nash on philatelic revenues. It further agreed that the Chief Executive and Treasurer continue to progress negotiations with Guernsey Post for appropriate revisions to the agreement with regard to philatelic profits.

TREASURY

89/2017 **Double Tax Agreement** – Report from Chief Executive dated 18th July 2017 tabled and noted.

The Committee noted the update provided by John Carroll and agreed to encourage the Guernsey Policy & Resources Committee, with its responsibilities for income tax, to consider actively - changes to the current 90 day rule; the option for shortened reporting; changes to the current three-quarters restriction on tax rebate to non-residents; and exploring options for Alderney specific provisions within local legislation to facilitate some of these matters.

CE

90/2017 **FAB/ARE Update**

The Policy & Finance Committee agreed by majority (Mr Tugby against) to proceed with the mechanism outlined to secure the general views of the public before reaching a final decision on a way leave agreement. It was noted that further work was required, with input from the Law Officers, to ensure the question(s) are suitably drafted, in connection with which it was agreed to seek a consensus or majority view of the Committee members by email circulation. Furthermore, it was agreed to seek clarity on the Heads of Terms.

The Committee also acknowledged that matters which were commercially sensitive were to remain confidential.

CE

91/2017 **Transport Update**

The Committee recorded its wholehearted support to Aurigny Staff serving Alderney despite the recent challenges of air transport disruption.

EDO

92/2017 **Legislation, Conventions & Policy**

92.1 Section 12 of BDC Law - Report from Mr Birmingham, Chairman of BDCC dated 7th July 2017 tabled and noted.

The Committee noted an update from the Chairman of the BDCC and the Planning Officer on the recommendations being put forward for consultation in respect of changes to the BDC Law:-

- To allow for applications for major projects in the Designated Area which the States have determined to be of strategic importance; and
- To make States developments to be subject to the Law.

It also resolved that Members convey any comments they may wish to see made by the Committee in respect of the proposed amending Ordinance, to the Chief Executive's Office by 31st July in order that a co-ordinated response can be provided to BDCC in advance of the Planning Enquiry.

EO

92.2 Employment & Social Security Policy Developments – Alderney – Report from Chief Executive dated 18th July 2017 tabled and noted.

The Committee resolved to submit to the States, for debate, regarding policy proposals relating to longer working lives, employee protection, minimum wage and strategies to avoid disability discrimination.

CE/TREASURY

92.3 Rules of Procedures – Report from Chief Executive dated 18th July 2017 tabled and noted.

The Committee resolved to recommend to the States that Rule 19 of the States of Alderney Rules of Procedure 2010 (last amended September 2013) be amended so that it reads as follows:-

19. A report may be presented to the States by a Committee Chairman, Vice-Chairman or a Member with a designated area of responsibility, for the purpose of informing the States of the progress of a project or as an introduction to a project which may require future consideration.

(a) The report must be informative and based on facts but may express the opinions of a Committee, the Chairman of a Committee or others, including consultants, providing opinions are clearly delineated from facts, and the persons expressing them are clearly identified

(b) The report must be succinct and to the point

(c) As reports are statements not proposals they may not be debated

(d) After a report, any member may offer a personal opinion on the report and may ask a question relating to the content of that report

(e) Whenever possible, reports should be submitted in writing to the President and the Greffier 4 days before the States meeting.

(f) Should there be developments after the submission of a report to the Greffier and President that are material to that report, the member may seek leave of the President to add supplementary material into the report

(g) Reports may be published in Deliberations.

EO

92.4 States Meeting Dates – Report from Chief Executive dated 18th July 2017 tabled and noted.

The Committee agreed:

- **To request the President to change the last States meeting of the year to the 6th December and to change the start time of the States meeting on the 18th October to a time which will allow the Alderney Representatives to return from the States of Guernsey meeting on the evening flight; and**
- **To request the President to take into account the revised schedule of dates of meetings of the States of Guernsey in 2018 when setting the States of Alderney meeting dates.**

EO

92.5 The Approved Warehouses (Bailiwick of Guernsey) (Amendment No2) Order 2017

– Report from Chief Executive Office dated 18th July 2017 tabled and noted.

The Committee resolved to support the proposed amendment ‘Approved Warehouses (Bailiwick of Guernsey) (Amendment No2) Order, 2017’.

EO

92.6 Brexit Capacity – Report from Strategic Financial Adviser dated 18th July 2017 tabled and noted.

The Committee agreed to:-

- **Ask the Chief Executive to see how expenditure can be minimized; and**
- **A revised budget provision to support the continuing approach to dealing with Brexit related issues through the use of Susan Johnson in the interim.**

SFA

92.7 Partnership Law – Report from Chief Executive dated 18th July 2017 tabled and noted.

The Committee agreed to request the Law Officers, the Guernsey Financial Services Commission and any other relevant government advisers to participate in a roundtable discussion on the merits of introducing partnership legislation which is bespoke to Alderney.

CE/EO

92.8 Companies Alderney Law (Auditors) Amendment – Report from Chief Executive Office dated 18th July 2017 tabled and noted.

The Committee agreed to:-

- **Ratify the decision made by email to authorise under section 78(1)(b) of the Alderney Companies Law, 1994, those named on a list supplied of non-UK members of Deloitte NEW, the Belgian LLP who holds all the voting rights in Deloitte LLP, for a period of up to 6 months; and**
- **Approve the draft Ordinance entitled The Companies (Alderney) Law (Auditors) (Amendment) Ordinance, 2017 and for this to be submitted to the next meeting of the States of Alderney for approval.**

EO

92.9 Data Protection – Report from Chief Executive Office dated 18th July 2017 tabled and noted.

The Committee resolved to express its support for the introduction of the new General Data Protection Law.

EO

92.10 Beneficial Ownership Regulations – Report from Chief Executive dated 18th July 2017 tabled and noted.

The Committee resolved to approve the Alderney Regulations in respect of Beneficial Ownership to reflect the Guernsey regulations, subject to the final wording being circulated to Committee Members by mid-August.

EO

93/2017

Budgetary, Financial & Employment Matters

93.1 SoA Capital & Revenue Spending Powers – Report from Strategic Financial Adviser tabled and noted.

The Committee noted the current rules covering financial authorisation limits both internally and with the States of Guernsey.

93.2 Economic Development Reserve Fund – as at 03/07/2017 – Report from Economic Development Officer dated 11th July 2017 tabled and noted.

The Committee approved various amendments to the EDPR to cover the projects currently in progress or envisaged for the remainder of 2017 and 2018, but noting that the expenditure will need to be referred back to P&F before approval.

EDO

93.3 ARUP & LUP Costs – Report from Chief Executive dated 18th July 2017 tabled and noted.

The Committee agreed:-

- To increase the authorised limit for consultancy expenditure on ARUP to allow for completion of work in connection with the Land Use Plan by up to £55,000; and
- That the Treasurer include the costs in the revised revenue budget for 2017; and
- To request the Treasurer to present options for funding the additional costs in the context of the overall forecast overspend as part of the Revised Budget process.

TREASURY

94/2017

Transferred Services

94.1 Education Update

The Committee sought to encourage all those with an interest in secondary education to attend the presentation at the School on 19th July. It further noted the changes in the constitution of the School Management Committee and agreed to revisit these arrangements with the Committee for Education Sport & Culture (ESC) in due course in light of whatever long term plan for the School might emerge from ESC's current proposals for 'Transforming Education'.

EO

94.2 Health & Social Care Update

The Committee noted that HSC would be seeking its views regarding the future model for the delivery of Health Care, and that Alderney was being included in the new CareWatch Scheme. It was also agreed to continue to engage with HSC to ensure progress with the matter previously highlighted regarding Alderney's Primary Care Provision.

CE/SFA

94.3 Airport – York Report – Report from Chief Executive dated 12th July 2017 tabled and noted.

The Committee resolved to write to the States Trading Supervisory Board (STSB) requesting that, as it progresses the plans for the urgent rehabilitation of the Alderney runway, it keeps the design under review and takes into account information about changing circumstances which may only now be emerging. Further it was agreed to emphasise to the STSB the urgent need to ensure the rehabilitation to the runway must include the restoration of the runway to the full 23m width.

EDO

95/2017

Any Other Business

95.1 Same Sex Marriage

The Committee noted that the draft legislation to allow same sex marriage was at an advanced stage, but before the matter could be presented to the full States, the Law Officers had identified the need for addressing additional linkages with subordinate legislation.

EO

95.2 BDCC Non-States Members

The Committee noted that there had been some expressions of interest from Non-States Members willing to serve on the BDCC.

CE/EO

95.3 CE Recruitment

The Committee noted that the HR agency Odgers was currently recruiting on behalf of the States for the role of CE, and due to an extended recruitment period over the summer, it was expected the interviews would be held late September or early October.

EO

95.4 Artefacts

The Committee recorded its thanks for all those involved in recovering and restoring artefacts recently recovered as a result of the excavations in the Coastguards area.

95.5 Prioritisation Workshop

The Committee agreed to hold the workshop on a date in September, separate to the scheduled Committee meetings.

EO

96/2017 Agenda Resolutions – Confirmation

97/2017 For Information & Noting

The following reports/letters were noted:-

- Resolutions of Previous Meeting – circulated via email
- Aged Debtors Report – Confidential Item
- Price Paid Data
- Draft Prioritisation Workshop

Meeting closed: 4.40pm

Signed: James Dent

Date: 19th July 2017