



OFFICIAL REPORT

OF THE

STATES OF THE

ISLAND OF ALDERNEY

HANSARD

The Court House, Alderney, Wednesday, 16th December 2015

*All published Official Reports can be found on the
official States of Alderney website www.alderney.gov.gg*

Volume 3, No. 9

Present:

Mr Stuart Trought, President

Members

Mr Matthew Birmingham

Mr Neil Harvey

Mr Louis Jean

Mr Graham McKinley

Mrs Norma Paris

Mr Steve Roberts

Mr Christopher Rowley

Mr Francis Simonet

Mr Ian Tugby

The Greffier of the Court

Mr Jonathan Anderson

Business transacted

| | |
|--|------------|
| Apologies for absence | 155 |
| Confirmation of quorum..... | 155 |
| Welcome back to Mr Tugby..... | 155 |
| Convener's Report of the People's Meeting held on 9th December 2015 | 156 |
| Billet d'État for Wednesday, 16th December 2015 | 156 |
| I. Amendment to The Duty on Long Leases (Alderney) Law, 1994 – Item approved | 156 |
| II. The Inheritance (Alderney) Law, 2015 (Commencement) Ordinance, 2015 – Item approved | 161 |
| III. Questions and Reports | 163 |
| 1. Annual Report of the Policy and Finance Committee | 163 |
| 2. Annual Report of the Business Development, Tourism and Marketing Committee | 170 |
| 3. Annual Report of the Building and Development Control Committee..... | 176 |
| 4. Annual Report of the General Services Committee | 178 |
| Christmas and New Year good wishes..... | 179 |
| <i>The Assembly adjourned at 6.41 p.m.</i> | 179 |

States of Alderney

*The States met at 5.28 p.m. in the presence of
Colonel Colin Mason, a representative of the Lieutenant-Governor and
Commander-in-Chief of the Bailiwick of Guernsey*

[THE PRESIDENT *in the Chair*]

PRAYERS

The Greffier

Apologies for absence

The President: Apologies from Mr McDowall.

ROLL CALL

The Greffier

Confirmation of quorum

The President: Could you confirm for the record that we are quorate this evening, please, Monsieur Greffier?

5

The Greffier: Yes, sir, with nine Members present, we are quorate this evening.

The President: Thank you very much indeed.

Welcome back to Mr Tugby

10 **The President:** I would like to open this meeting by welcoming back Mr Ian Tugby after his illness – very good to see you back here, Mr Tugby.

Members: Hear, hear.

Mr Tugby: Thank you.

**Convener's Report of the People's Meeting
held on 9th December 2015**

15 **The President:** Mr Harvey, as Convener, could you please deal with any notes on the meeting prior to the Item order, please.

Mr Harvey: Thank you, Mr President.

20 The meeting was held on 9th December with myself as Convener. There were five States Members, assisted by the Chief Executive, the President, the Minute Secretary, 20 members of the public and three press.

The President: Thank you very much, Mr Harvey.

Billet d'État for Wednesday, 16th December 2015

I. Amendment to The Duty on Long Leases (Alderney) Law, 1994 – Item approved

Item I.

The States of Alderney is asked:

To approve The Duty on Long Leases (Exempt Dealings) (Alderney) Ordinance, 2015.

25 **The President:** Mr Greffier, could you move to Item I, please.

Mr Greffier: Thank you, sir.

Item I this evening is the amendment to The Duty on Long Leases (Alderney) Law, 1994.

30 A letter has been received from Mr Harvey in his capacity as Chairman of the Policy and Finance Committee, and the States of Alderney have been asked to approve The Duty on Long Leases (Exempt Dealings) (Alderney) Ordinance, 2015.

The President: Thank you very much.

Mr Harvey, as Convener, were there any comments on this Item, please?

35 **Mr Harvey:** Thank you, sir.

The Convener stated there was a slight anomaly with the sentence 'Guernsey Treasury and Resources Department has already agreed to waive their proportion of this charge.' It was clarified that this has not yet been approved and will be discussed in the 15th December Guernsey meeting.

40 Comments on this Item included: the AHA house prices are too high for young local first-time buyers – who is going to buy them; it should be helping the local people, not incomers who can be here for two years and then apply for the scheme. Mr Harvey clarified that these issues were not relevant to the Billet Item, but the house prices of the scheme are going to be revised by the AHA to encourage the local market. Noted.

45

The President: Thank you, Mr Harvey, as Convener.

Mr Harvey, I believe you wish to propose this Item.

Mr Harvey: Thank you, sir, I do indeed wish to propose this Item.

Those who follow these matters will be aware this came before the States in September and at that time, for various reasons, the vote was split. One or two small changes have been made to the Proposition now brought to us and there are three issues I would just like to draw attention to.

Firstly, the 28-day retrospection which was inserted in the original Billet Item has now been removed. We have been unable to track down the author of this, but the suspicion is it was one of the lawyers. So that has now been removed as it was clearly erroneous.

A second issue, not contained within the Billet but relating to it, was the prices asked by the Housing Association. We have had a full meeting with the directors of the Housing Association and I am sure my colleague, Mr Simonet, would probably wish to say more about that, but we did feel there was some movement on that issue.

The third issue raised has been whether this Ordinance, if approved, will discriminate against the private sector. I think there are two points to be made here. The first thing is that anybody in the private sector who can afford to purchase 100% ownership of a property is by derivation likely to be in a better financial position than somebody who has to go through partial ownership. The other point I would make is that, under the partial ownership scheme, applicants and successful applicants will never be in a position to buy their own house outright – that is quite clear within the terms of the scheme. Therefore, if their financial position improves to the point that they have a significant equity and still wish to own their own house outright, then they will have to turn to the private market to do so, having been helped on the way by this scheme.

We have debated it before, we have discussed it more than once with the Housing Association, and at the previous special meeting convened at Policy & Finance with the Housing Association there was broad support for the Ordinance. I think this is a fairly minor measure but it will be helpful to those people – not necessarily young, but particularly the young – who are seeking to get a foothold, if you like, on the ladder of property ownership. If you leave aside the deposit they have to pay, which is actually a capital sum towards the share of the house, the document duty they would have to pay is far and away the largest outgoing that they have. Therefore, the States agreement to waive this for these particular people, keen to get into housing, keen to show their support for property in Alderney, would be a very pleasant Christmas present for them, and I commend the proposal to my colleagues.

Thank you.

The President: Thank you, Mr Harvey.

Mr Simonet, I believe you wish to second this.

Mr Simonet: Yes, I do, sir, and I will just say a few words on it, Mr President.

The last time this proposal appeared on the Billet, I voted against it. I did so for two reasons. First, I expressed the view that AHA had built a financial model that was more compatible with the private sector than that expected from a housing association. This meant, in practical terms, that the rent levels are set above average prices in the private sector and that properties for sale by part-purchase are set, in some cases, as much as 25% above the average market price. Secondly, with regard to the tax relief requested, the main thrust of my concern was that if we were seeking to provide tax benefit to assist first-time buyers who purchase through AHA, then we should also make that benefit available for first-time buyers in the private sector.

I have since had a meeting with the board of AHA, along with my fellow States Member, Mr McDowall. We had a very detailed and frank discussion about the aims and objectives of Alderney's Housing Association and how it could best serve the needs of the Island's lower income earners and how it would dovetail into the housing strategy that is currently being formulated by the Building & Development Control Committee. I would just like to assure everybody that the tone of the meeting was genial, as well as being constructive, with all present recognising that we

100 share the same long-term objectives of providing quality, affordable housing options for those of our Island population who most need it.

Alderney Housing Association have agreed to review their current policies and rebuild their financial model to establish a price structure for the rental and part-ownership that reflects an agreed percentage discount based on the median level of the gross income of the lower income bands of the Island workforce. In other words, it will move from the present price structure arrangement of using the average private sector market prices to average income-related prices within the lower income bands. AHA will bring these proposed changes to the Policy Committee for further consideration and discussion as soon as is practical. For that reason, I now support that element.

110 With regard to the tax relief, my fellow States Members have indicated a willingness to look at ways of giving the same tax benefit to first-time buyers in the private sector, and I am sure they will continue to have that view when it comes for discussion in the Policy Committee.

Thank you, Mr President.

The President: Thank you, Mr Simonet.

115 Does any Member wish to comment on this Item? Mr Jean.

Mr Jean: I am concerned about this. I am going to try not to go over the same ground as Mr Simonet – he has said quite a few of the things that I would have said tonight – but I would say that we have referred to this as a minor measure, or the Chairman, Mr Harvey, did; it could be argued, yes, it is a minor measure, but a minor measure amongst many. Let's look at the situation. I do declare an interest: I am a landlord. But what I can specify is that I never deal in leasehold property, so therefore that frees me that I may speak on this.

The President: Mr Jean, you may speak freely on this Item.

125

Mr Jean: Thank you very much.

The point that I want to raise is the minor measure amongst many, and by 'many' of course I am talking about TRP-free. I am talking about the fact that if this goes through tonight, and it probably will, they will be free of Alderney's Congé. There is also the promise from Guernsey that, providing that happens, they will also be free of document duty. So there we are: we have three measures already that they are free of, which I would imagine put together amount to quite a considerable cost saving.

130 Yes, I agree, the model does not fit, it never has, and in the early days when people discussed this with me I was aware that it would not fit the Guernsey model. I made those suggestions and I was not particularly popular for it, I have to tell you. The point about it is that, to some extent, whether we like it or not, because of the situation with the Housing Association and having to do these things ... and they have been done in order that the Housing Association, which is a laudable organisation and important to Alderney ... Let's face it, the States itself did not take care of its property portfolio, and that is a fact. So we agree that the Housing Association is a good institution, but the problem is it is grating and it will in future compete with the private sector, and there is a problem there.

140 I agree with Mr Simonet in what he is saying about first-time buyers in the private sector as well. I think the problem is the competition is actual competition against the private sector, whether one likes it or not, and the fact that the remit of the Housing Association has been widened to include key worker housing, 18-year-old tenants, under-18, and other measures taken by the Housing Association so that they can take in also tenants from the private sector as well they are, in actual fact, competing with the private sector, which is struggling on all fronts. That is a point that has to be made. Whether one can deal with it, I do not know, but those are the points that I would like to raise, sir.

150 Thank you.

The President: Thank you, Mr Jean.

Does any other Member wish to speak on this Item? Mrs Paris.

Mrs Paris: Thank you, sir.

155 I think this is a very good but first step, and quite a small step, towards being helpful in a situation which several of us around this table have probably never faced. We are all perhaps of that very fortunate generation where houses were much cheaper and mortgages were much easier to come by, and it would be very easy not to appreciate just how difficult the situation has become for young people these days. In the UK now, the time it takes a typical middle-income
160 household to save a deposit for a house has increased from three years in 1983 to 24 years today, which must make it virtually impossible.

I think we do need, in *many* respects, to encourage our young people to stay on Island, and if having a stake in property here is something which will help them to do so I thoroughly recommend this as the first thing that we do to try and improve the situation here.

165

The President: Thank you, Mrs Paris.

Mr McKinley.

Mr McKinley: Just briefly, Mr President.

170

I voted against this the first time it came to the Assembly because there was a 28-day period ... It was going to be backdated 28 days and nobody really could explain the reason for that. That 28-day period has now been removed and I am very happy to support it.

175

But could I just actually follow on something from Mr Simonet, Mr Jean and Mrs Paris: can we confirm or deny that there is a similar incentive in hand to waive document duty for first-time buyers? I do think I would agree entirely with what they have said about it. We do need to encourage young people to buy. They must be resident on the Island, there must be a period of residency through which they qualify before they can be included in that scheme, but I would be grateful for clarification on that matter.

Thank you, sir.

180

The President: Thank you, Mr McKinley.

Does any other Member wish to speak on this Item? Mr Tugby.

185

Mr Tugby: Sir, there is just a slight thing which I am looking at here. It says that there will be no lost revenue to the States of Alderney because the scheme is not in force. I thought it was already in force; it is just that the Housing Association has not actually encouraged it to go forward, in the hope that the States would actually bring in this measure, what they are hoping for now, so people have actually held off – but I believe the scheme is already in force for actually a 40% or 80% share of the property. I might be wrong, but I thought that is what we have been told all along. So it will be interesting to see what happens. It says there will be no lost revenue to the States: well, if we end up bringing forward this scheme and then we do it in the private sector as well, of course it is going to be lost revenue. It is bound to be, because there will be thousands of pounds that the States will be losing. So, as everything goes up in the future, something will have to go up to pay for it – and if we are giving money away in other sectors, it has got to be found in
190 other departments. So I am still not happy with this, because sooner or later somebody else will have to pay for it.
195

The President: Thank you.

Does any other Member wish to speak on this subject? No.

200

In that case, Mr Harvey, would you care to sum up – and I have no doubt you have some points to answer for Mr Tugby.

Mr Harvey: Thank you, sir, I do indeed.

205 Firstly, Mr Simonet, thank you for your support and thank you for reminding me that we did say that when the housing strategy comes forward next year we will review the potential for extending relief to first-time buyers in the private sector, which is a theme that has come through pretty regularly.

210 Mr Jean, thank you for your comments. When I indicated it was a minor measure, I guess I was probably trying to say, rather clumsily, it is minor at the moment in a budgetary sense. It is clearly not minor to the people involved, because it makes a significant saving for them and makes the first step on the house-ownership ladder more affordable.

215 Guernsey document duty, we have had ... I hesitate to say 'confirmation', but Guernsey are happy that this should be waived. Unfortunately, their correspondence is slightly obscurely worded, but my understanding is they have waived it but we are awaiting legal clarification. So, hopefully, we will have that and confirm that they too are supportive of this.

220 Mrs Paris, first step – yes, indeed, it is a first step. The reason we are discussing this is because it was brought to us by the Housing Association. It is not something, I think – with respect – that any of the States Members took an initiative on. It was brought to us by the Housing Association as a means of helping people into their partial ownership scheme.

225 Mr McKinley: document duty for first-time buyers, clarification. I am not aware currently, sir, of any plans that we have agreed that would extend this to private buyers, other than a general support for the principle and a view that this should form part of the housing strategy review next year.

230 Mr Tugby: no loss of revenue. That is a tricky one. Insofar as the majority of people who would be buying ... I think it is fair to say that without this scheme, without the partial ownership scheme, the people involved would not be buying on the open market; they would not be in a position to buy on the open market. Would they buy without the support of this? Difficult to say, but certainly it is going to put some off, because the cost of document duty on an average house is fairly steep for some people who are struggling in terms of income. So I think, at the moment, any loss of revenue – and I believe this is recognised by Guernsey in their slightly obscure communication ... the loss of future revenue on this measure alone would not be significant, but the impact for the people concerned would be probably disproportionately high, as they are struggling to get onto the housing ladder.

235 I think that probably sums up where we are.

240 Extension to the private sector is not a decision we are making today; it is something we can discuss today and it is something that I am sure will come back to the States sometime during 2016 as part of the housing strategy, and we will then be in a position to make a decision whether we do wish to extend it to the private sector.

245 I do understand and I support the view that by encouraging people to buy their own homes we are encouraging them to stay on the Island, and that seems a sensible thing to be doing. If there is a cost to our budget for that, that is our decision as to whether we feel that cost is appropriate.

I think I have nothing further to say, other than to commend this to you.

The President: Thank you very much, Mr Harvey.

245 Monsieur Greffier, would you put that Item to the vote, please.

The Greffier: Thank you, sir.

250 The States of Alderney have been asked to approve The Duty on Long Leases (Exempt Dealings) (Alderney) Ordinance, 2015.

A vote was taken and the results were as follows:

FOR

Mr Birmingham
Mr Harvey
Mr Simonet
Mr Rowley
Mrs Paris
Mr McKinley

AGAINST

Mr Tugby

ABSTAINED

Mr Jean
Mr Roberts

The Greffier: Sir, that motion is carried.

The President: Thank you very much indeed.

**II. The Inheritance (Alderney) Law, 2015 (Commencement) Ordinance, 2015 –
Item approved**

Item II.

The States is asked:

To approve The Inheritance (Alderney) Law, 2015 (Commencement) Ordinance, 2015.

255 **The President:** Could we move to Item II on the agenda, please.

The Greffier: Yes, sir. Item II this evening is The Inheritance (Alderney) Law, 2015 (Commencement) Ordinance, 2015.

260 The following letter has been received from Mr Harvey in his capacity as Chairman of the Policy and Finance Committee, and the States of Alderney have been asked to approve The Inheritance (Alderney) Law, 2015 (Commencement) Ordinance, 2015.

The President: Mr Harvey, as Convener.

265 **Mr Harvey:** Thank you, sir.

The Convener stated that the Greffier will be interviewed on Quay FM on 18th December to answer any queries. A leaflet may also be produced for further information available to the public for this change.

There were no comments on this subject, sir.

270

The President: Thank you very much, Mr Harvey.
Would you care to rise again to propose this Item?

Mr Harvey: Thank you, sir. The exercise is good for me at this time of year, thank you!

275 Yes, this is a fairly straightforward matter. The Inheritance (Alderney) Law, 2015 has received the Royal Assent. It was obviously debated in this Chamber and approved. It has been recognised in the Royal Court. It cannot come into effect without an Ordinance from the States providing for this. Therefore, I commend this Ordinance to my fellow States Members, which, if passed, will bring the new Law into effect on 1st January 2016.

280

The President: Thank you very much, Mr Harvey.
Mr Roberts, I believe you wish to second this.

Mr Roberts: Yes, sir, Mr President. I would like to second it.

285 It is just one of the Island's old Laws that needs updating and tailoring for the 21st century. The old Law was left open to abuse and was totally unfair to all the parties of the family, leading many to a life of poverty where the parents wished otherwise. You build up a wealth through the years

and you will now be able to leave it to whoever you choose, which in my mind is fair and true. This was discouraging for people to settle here, and also, when they found this law was indeed existing,
290 some actually returned to the mainland. However, Guernsey has many worse laws, which can only be described as draconian, particularly if children from Alderney born in Guernsey having no rights within the Island yet denied the basic human rights of living at their home of birth –

295 **The President:** Mr Roberts, can you keep your discussion to the matter on the Billet, please.

Mr Roberts: Indeed, if this was challenged in Human Rights, in my mind it would not fail. Let us put this old Law into spam and then delete it.

300 **The President:** Thank you very much, Mr Roberts.
Does any other Member wish to speak on this Item? Mr Jean?

Mr Jean: No.

305 **The President:** Does any other Member wish to speak on this Item?

Mr Simonet: Mr President, just a few words, really. Firstly, to say I think it is welcomed by almost everybody on the Island. It is long overdue, and I think I would like to give my special thanks to Mr McDowall (**A Member:** Hear, hear.) for all the very hard work that he put into this.

310 **Two Members:** Hear, hear.

Mr McDowall: Thank you.

315 **The President:** Does any other Member wish to comment on this Item?
Mr Harvey, do you wish to exercise your right to sum up?

Mr Harvey: I think there is nothing further to be said, Mr President, thank you.

320 **The President:** Thank you.
Monsieur Greffier, would you put this to the vote, please.

The Greffier: Yes, sir.

The States have been asked to approve The Inheritance (Alderney) Law, 2015 (Commencement) Ordinance, 2015.

A vote was taken and the results were as follows:

| FOR | AGAINST | ABSTAINED |
|---------------|----------------|------------------|
| Mr Tugby | None | None |
| Mr Birmingham | | |
| Mr Jean | | |
| Mr Harvey | | |
| Mr Simonet | | |
| Mr Rowley | | |
| Mr Roberts | | |
| Mrs Paris | | |
| Mr McKinley | | |

325 **The Greffier:** Sir, the motion is carried.

The President: Thank you very much indeed.

III. Questions and Reports

Item III.

1. Annual Report of the Policy and Finance Committee from Mr Neil Harvey.

2. Annual Report of the Business Development, Tourism and Marketing Committee from Mrs Paris.

3. Annual Report of the Building and Development Control Committee Business from Mr Birmingham.

The President: We move on to Item III, please.

330 **The Greffier:** Thank you, sir.
Item III this evening is Questions and Reports.

1. Annual Report of the Policy and Finance Committee

The Greffier: A number of reports have been received, the first of which is the Annual Report of the Policy and Finance Committee, which has been submitted by Mr Neil Harvey.

335 **The President:** Thank you.
Mr Harvey, as Convener.

Mr Harvey: There were no comments on this Item, sir.

340 **The President:** Thank you. Do you want to stay on your feet and present your report?

Mr Harvey: I will, thank you, sir.

I do not intend to read the full report. I think, hopefully, it is fairly plain for all to see, but of course in the nature of these things I am very happy to take questions.

345 **The President:** Thank you, Mr Harvey.
Are there any questions for Mr Harvey, please? Yes.

Mr McKinley: I did have a question, actually.

350 **The President:** Please ask him.

Mr McKinley: Under the transfer of services, you mentioned Alderney Airport. There was no mention of the breakwater, and I wonder ... Presumably, there will be a service level agreement with regard to the breakwater. Although we have been updated with a very lengthy report on the breakwater, it might be quite useful if Mr Harvey could just give a brief summary of what that is, so that people listening to this discussion could be updated.

355 I also have a question about the transport links. The first question is about the six-seater jet which has apparently come in. I understand that Guernsey are about, or have now ... I know that
360 they have passed a law to register that in Guernsey so that it will be able to serve the Island, but there is an awful lot of talk about the cost, and nobody really knows quite how to book it, what it is. When will we hear about that, really, is the question.

365 The third question is to do with the financial relationship review with Guernsey. Mr Jean and I are obviously deeply involved in that, but it might be of interest for the people listening to hear that that actually will not come into effect, I do not believe, until 2017. So, although we are

discussing it at this moment and due to debate it in Guernsey in February, it probably will not come into effect until the following year.

The President: Thank you, Mr McKinley.

370 Mr Harvey, are you happy to answer the questions?

Mr Roberts: I am sorry, I would like to –

The President: Can we let him answer those questions, then you may –

375

Mr Roberts: Oh, that is fine, sorry, yes.

Mr Harvey: Thank you, sir.

380 Firstly, the breakwater. I think technically the breakwater is not a transferred service, because it is owned by Guernsey and they have a responsibility under the agreement with the UK government to maintain it. Notwithstanding that, of course, we all have a very considerable interest in the breakwater and its continued existence through ALG, and I am sure through your own discussions in Guernsey. It seems to us the first issue is to get a proper survey carried out, and we have indicated that to our colleagues in Guernsey.

385 If I may turn to the six-seater jet, this is an entirely private initiative by an individual who has a company registered, I believe, in Guernsey. The aircraft registry is an entirely separate issue, but any operation by that aircraft obviously would have to meet the requirements of the Director of Civil Aviation, which probably it does. My understanding is if it does become available it will be available on a private charter basis. It is not something that either States are involved in, other than as a regulatory matter.

390 The financial review, if I may turn to that. We did ask for amendments to be made to the paper submitted to the Policy Council, because it was not clear from those papers that we were hoping to get this implemented, the first phase, by 2017, which of course requires it to be in the budgetary process in the late summer and autumn of next year. So far as I am aware, that view is accepted, but with the processes that Guernsey have to go through for their budgets, the detail has to be worked out, not to mention probably some change in the political set-up in Guernsey. I think if we can make some real progress with getting the first measures – because I think this is an ongoing process and it may take some years to fully work out, but the first measures, which would involve potentially the return of some taxes to our responsibility, I would still hope can be achieved for the beginning of 2017.

400

The President: Do you have a secondary question, Mr McKinley?

405 **Mr McKinley:** I have a secondary question on the breakwater, sir. Mr Harvey mentioned that it is owned by Guernsey: I am not sure who actually owns the breakwater. I thought we owned the breakwater and they had the maintenance.

Two Members: No.

410 **Mr Roberts:** Is it not leased to them? Sorry, sir.

The President: Can we have one person on their feet at a time, please.

415 **Mr McKinley:** Just for clarification on that, there has been talk about it. Also, for some people, the state of the breakwater, or the *possible* state of the breakwater, is of greater concern than our air links and our transport links, particularly those who live down at the Banquage, so I really

do think we should be pushing Guernsey now, pushing the Public Works Department to do something in the way of a survey.

420 **The President:** What we can do, Mr McKinley ... I will arrange for the Greffier to give you a copy of the legal status of the breakwater for your edification in future.

Mr McKinley: Thank you very much, sir.

425 **The President:** Thank you.
Right, the next one is over here.

Mr Jean: The Chairman of Policy and Finance ... are we only allowed to ask questions on these annual reports?

430 **The President:** That is correct, sir.

Mr Jean: It is unusual and it is restrictive. I would have thought, for an annual report, we would be able to talk more freely, and it is somewhat disappointing that we find ourselves now, because
435 we are bringing different reports under the heading of bringing reports, only for questions, that we are only able to answer questions. I think that is something I would like to address at a later date.

The President: Can I just answer that for you, if I may?

440 **Mr Jean:** You may.

The President: The reason that you are only allowed to ask questions during Reports is because those are the rules which you, as States Members, have put in place. You are at liberty to change
445 those rules as you see fit within Policy & Finance, but at the moment those are the rules that you have put in place and which we operate to, so please carry on.

Mr Jean: Well, I did not put them in place and I do not find them satisfactory – but anyway, there we are, point made. Thank you very much for your explanation, sir. I will stick to questions
450 – more restrictive, but never mind.

Would the Chairman agree with me that, because the service level agreement with Aurigny is not yet signed, the £50,000 we have spoken about to take the services back to the existing level, the 2013 level, when ever since we have been negotiating was towards the end of 2013 ... and basically, what it means is that we are paying £50,000 to bring us back to a 2013 level, when early
455 in 2014, in March – I am sorry, this is by way of explanation – I did say and I had hoped that perhaps some notice and action would have been taken, because even before March of this year I was saying that we had a situation where the goalposts were shifting all the time and our flight patterns were being altered and cut away, and that we had to get it stopped whilst we continued to negotiate the service level agreement. As that is the case, basically what we are paying for is,
460 as the airline has remove the services –

The President: Mr Jean –

Mr Jean: – we are actually paying to reinstate that.

465 **The President:** If you please, Mr Jean, could you ask him the question.

Mr Jean: I have. I just have. I am finished.

The President: What was the question?

470

Mr Jean: Well, you have heard it. I am asking why are we paying £50,000.

The other part of the question basically is: do you not agree that this should come to the States as well?

475

The President: Thank you, Mr Jean.

Mr Harvey.

Mr Harvey: Thank you, sir.

480

Well, let me answer the second part first: no, because the rules of P&F say it can be handled by P&F.

I do find it rather surprising that Mr Jean is surprised by this measure, because it has been discussed at two ALG meetings at which he has been present. It has obviously been discussed in the last Policy & Finance Committee meeting, of which he now has a copy of the tape, so he understands fully what was said in that meeting, including his concurrence that the proposal I put was reasonable.

485

We are not paying £50,000 to Aurigny; we are underwriting the extra seats as the only practical way of getting Aurigny to put on extra seats over and above their plan – seats which, in their view and that of Treasury & Resources, may potentially cost them up to £50,000 if they are not filled. The criteria are still to be worked out exactly between the Chief Executive and T&R and the MD of Aurigny, but it is very clear that we are talking about underwriting. So, if Aurigny do not fly those extra flights, which amounts to about 2,400 seats across the Guernsey and the Southampton route ... If they do not fly those flights – and we can check them ourselves, even if we do not believe their figures – then they will not get payed a penny. Equally, if they fly those flights and those flights are above breakeven level, in terms of the load factors, they will not be paid a penny.

495

But the people of this Island, and particularly the business community, have been telling us for years now, and we have had complaints from all sides, that it is impossible at times to get seats on Aurigny, that you cannot get people on and off Alderney. We are addressing that and we have agreed that in a properly constituted Policy & Finance Committee meeting.

500

The President: Thank you, Mr Harvey.

Sir, do you have a secondary question?

Mr Jean: I have a secondary question, and then I have another question.

505

The President: Okay.

Mr Jean: Thank you.

First of all, I must take up the point about the fact that I attended two ALG –

510

The President: Can you keep this to the questions, please, Mr Jean. This is not a debate. Please ask questions of the report.

Mr Jean: I wish to clarify something that was said about my –

515

The President: If you want to make a point of order, please do so.

Mr Jean: This is a point of order. The point of order I would like to make is that I did attend two ALG meetings, and the point about that is I did raise my observation at those ALG meetings. I made it very clear, about the £50,000, that I felt that it should go to the full States to be voted

520 upon, and I think that this is not a good way of conducting business. It should have gone to full ...
[Inaudible] –

The President: Point of order. Please keep it to facts, not opinion. Thank you.

525 **Mr Jean:** Okay, we have done that. Now let's move on to the next question, shall we?

The President: Next question, yes, please do.

Mr Jean: Very restrictive, don't you agree?

530 Would Mr Harvey agree with me that, with the changing circumstances years ago when we
had two airlines and much cheaper air fares, it probably now is time to explore getting Alderney
a ferry? A ferry would make a terrific difference to this Island and it would mean that we could
get around part of the situation, would the Chairman agree with me, where we are unable to bring
in the capacity for large parties, and families often cannot make their bookings through Aurigny
535 and have to cancel. We are losing an untold amount of tourists, and would he agree with me that
it is time for Alderney to explore the instillation of a ferry, because it would mean that we could
travel for much less than we are travelling for now, which is causing customer resistance?

Thank you.

540 **The President:** Thank you, Mr Jean.
Mr Harvey.

Mr Harvey: Thank you, Mr President.

545 Would we explore the possibility of having a ferry? I can only assume that Mr Jean did not hear
the response at the People's Meeting, where we enumerated the number of meetings at which
we have discussed the ferry.

The President: Mr Jean, just a minute, please.

550 **Mr Harvey:** We have discussed a ferry at, I believe from memory, eight Policy & Finance
meetings in the last 12 months. We have issued a public service obligation over a year ago to every
operator in the UK about the response. In other words, we have made significant efforts to try
and find an operator who will, with an appropriate subsidy, operate a service to and from
Alderney. The Chief Executive and I had long discussions with the French operators, the *Manche*
555 *Illes Express*. We thought we were making some progress there to get an improved service from
them during the summer months, but unfortunately that fell down as they were not prepared to
run a direct service to us here.

560 Would a ferry be a good idea? Yes, of course a ferry would be a good idea, but not at the
expense of an extra tax on the poor taxpayers of Alderney to pay for it, and no proposition that
we have seen so far ... And this has been discussed again at many Policy & Finance meetings. It is
not just my view; it has been a view of at least a majority in those meetings. No proposition we
have received thus far provides value for money and a level of risk in respect of the people of this
Island, who are the only ones who contribute tax to us – we do not have money of our own ... it
565 does not meet those requirements. No proposition we have received meets those requirements.
However, if somebody comes forward with a proposition, then we will always look at it. I think we
will keep our minds open to having a ferry service. I can see the advantages of it and I can see the
risks of it.

The President: Thank you, Mr Harvey.

570 Do you have a question or a point of order, Mr Jean?

Mr Jean: I have one more question.

The President: Please.

575 **Mr Jean:** I have received an explanation about a special meeting of P&F and I am told that it was not a meeting of P&F, and yet the minutes –

The President: Is this to do with the report, Mr Jean?

580 **Mr Jean:** It is to do with actual ... one of the things I am concerned about.

The President: The reason you are being allowed to rise at the moment is to ask questions of Mr Harvey on the report.

585 **Mr Jean:** Yes, well, I am asking about meetings. Does the Chairman agree with me that when meetings of the P&F Committee take place, these meetings should be with the full membership of the P&F Committee –

The President: Mr Jean, that is enough.

590

Mr Jean: – unless minutes are being filed –

The President: Mr Jean, that is nothing to do with this report.

595 **Mr Jean:** – which are not meetings of P&F –

The President: Thank you, Mr Jean.

Mr Jean: – now are being filed in the folder of P&F?

600

The President: Mr Harvey, you do not need to answer that – it is nothing to do with the report.

Mr Harvey: I am happy to agree with you.

605 **The President:** It is entirely up to you.

Mr Harvey: Thank you, sir.

I am well aware, because this was raised in the States in committee. The Chief Executive and I, and one other States Member, met with some third-party individuals who were trying to secure a lease from the States because they were unhappy with the States decision. That meeting was *not* a meeting of the Policy & Finance Committee, and I rather object to Mr Jean saying it was, because it is very clear that the minute that was issued to all States Members said this was a minute of a *meeting*, not a meeting of Policy & Finance. If we are to invite States Members to every meeting that the Chief Executive has, then we might as well all live in the Island Hall. This was a meeting merely to reiterate the unanimous decision of the P&F taken at an earlier meeting, which was all we did.

615

Thank you.

The President: Gentlemen, this conversation has gone far enough. This is nothing whatsoever to do with what is under Questions and Reports. Right?

620

Mr Roberts, if you have a question for Mr Harvey on the report, please rise and make it.

Mr Roberts: This question arises from transport and the problems with changing from the Dornier and the MOU that has been set up in retrospect.

625 Would Mr Harvey not feel that this MOU, recently voted on behind closed doors and excluding myself, be written to these conditions?

630 Would he not agree with the following: a reciprocal agreement, meaning we pay Aurigny the £50,000 to ensure one flight a day, but every time Aurigny drop us to an unacceptable one flight a day they pay us a penalty of around £10,000? Would he also agree, further to that, every time Aurigny leave this Island without any cover at all for more than four hours, a more substantial penalty of £25,000 is paid to compensate damage done to our economy? Would Mr Harvey not agree that this would be fairer to Alderney, considering the damage done to our house prices, our economy, our sick and our frail trying to access the PEH on a daily basis; and would he reconsider a stronger renegotiation with all States Members included?

635 Thank you.

The President: Thank you, Mr Roberts.
Mr Harvey.

640 **Mr Harvey:** Thank you, sir.

The first thing I must say is that all the Policy & Finance meetings are behind closed doors and, unfortunately, if Mr Roberts was not there it was because he chose to walk out of the meeting (**Mr Roberts:** No.) rather than join in the meeting.

645 **The President:** Mr Roberts, just –

Mr Roberts: Point of order.

650 **The President:** Just one minute. I will let you make...
Can you please be seated, Mr Harvey.
Is this a point of order, Mr Roberts?

Mr Roberts: Yes.

655 **The President:** Please rise.

Mr Roberts: Point of order: the decision was made at a meeting prior to the Policy & Finance; it was not made at that ... I was told that that was what they were doing, and that has prompted me to walk out – and if they did it again I would walk out again and be proud to do so.

660 **The President:** Okay, thank you very much.
Would you care to continue, Mr Harvey?

Mr Harvey: Thank you, sir.

665 I can categorically say the agreement was not reached, was not signed, sealed or delivered anywhere before the Policy & Finance meeting, but if you think that 10 people can negotiate with 20 on the other side, then I am sorry – you know nothing about the principle of negotiation.

670 Should we charge Aurigny a penalty for not ... failing to ...? I think that is a lovely idea, but I think if you proposed that to T&R, who are the taxpayers, they will laugh. I think there has to be an element of realism here. I think those who have been with me on ALG will know that we have fought hard to get an agreement here. We have not accepted what Aurigny have asked us to accept. We have not agreed with T&R that we should just roll over. We have fought hard to get an agreement that restores our flights to the level that was last seen in 2013, the level at which most people consider them to have been reasonable.

675 It has been welcomed by many. I have received emails from people saying thank heavens for that, but clearly it does not please everybody. I am sorry, but that is just not possible.

The President: Thank you, Mr Harvey.

Does any other Member have questions for the Chairman on his report?

680 **Mr Jean:** Yes.

The President: Please rise.

Mr Jean: I agree, Mrs Paris, this has been a frustrating year.

685

The President: These are questions for the Chairman, please, Mr Jean.

Mr Jean: It is a question. It has been a frustrating year. Does she feel she could tell me why visitors –

690

The President: The questions are for the Chairman, not for Mrs Paris.

Two Members: We have not got there yet.

695 **The President:** We are still on the –

Mr Jean: Oh, we have not got to it. I am sorry, I thought you had finished.

The President: Thank you very much.

700

Does any other Member wish to ask questions of the Chairman on the Policy & Finance report? Gentlemen, thank you very much indeed – and Mrs Paris.

2. Annual Report of the Business Development, Tourism and Marketing Committee

The President: Could we move to part 2, please.

705 **The Greffier:** Yes, Mr President. The next matter is the Annual Report of the Business Development, Tourism and Marketing Committee, which is being presented by Mrs Norma Paris.

The President: Thank you.

Mr Harvey, as Convener, were there any comments on this report?

710 **Mr Harvey:** Thank you, sir, there were indeed.

Mrs Paris commented on the successful start-up of PWC. She thanked the previous States Members who supported the company from the start.

715 One contributor asked that full names and titles should be used in the Billet for abbreviations such as KYC and PWC, as not all members of the public understood the abbreviations, and that was duly noted and is something we should all note.

Thank you, that was all.

The President: Thank you very much, Mr Harvey.

Mrs Paris, would you care to present your report?

720 **Mrs Paris:** Thank you, sir.

I shall not read it, and obviously I am very happy to take questions, but I would just like to state, further on what Mr Harvey has said ... to say thank you to Mr Harvey, who was the previous chair of my committee, and Mr McDowall, although he is not here, and you, Mr President, for the hard work that went into the PWC – PricewaterhouseCoopers – Know Your Customer initiative, and how very pleased everyone should be that after two and a half years of some very hard work, which I take no personal credit for at all, this has come to fruition. It is something which will offer employment opportunities and the possibility of new residents on the Island, and hopefully reputational benefits to the Island as well, although in fact that is why they came – because we already have such a good reputation with the Gambling Commission. So I would like to say thank you to the three people that I have mentioned for all the hard work that went into getting us to where we are with it.

Other than that, questions, please.

The President: Thank you, Mrs Paris.

735 Does anybody have questions for Mrs Paris on her report, please? Mr Simonet.

Mr Simonet: Just a question on ... I note you have given some congratulations to various Members, and I am sure you will acknowledge that success has many fathers, but in this case the person mainly responsible, or partly responsible, who you have seem to have omitted, I think you will agree, is Mr Nigel Vooght.

A Member: Yes.

A Member: Absolutely, yes.

745

A Member: Hear, hear.

Mrs Paris: Yes, I apologise for that. I was obviously looking at it from our point of view, rather than from the PricewaterhouseCoopers point of view and feeling that this is something that perhaps we should all be very pleased about, and naturally Mr Vooght has, from his side, been absolutely wonderful.

The President: Thank you, Mrs Paris.

Mr Jean, you have a question for Mrs Paris?

755 **Mr Jean:** I am going to say that I am disappointed to see the visitor statistics. Would you agree with me that we must make greater effort? It seems, as I pointed out in your last report, that two out of three directors resigning from Living Islands was not good.

I also would like to ask: are you aware that the statistic here, that 75% of your providers will take up their rating, seems to perhaps give a false impression and that, in actual fact, recent information reveals that at least 29 of the establishments are not in favour of continuing with QIT. Would you agree with that, Mrs Paris?

The President: There are two questions there, Mr Jean – is that correct?

Mr Jean: Two, I am sorry, yes, I have asked two. I apologise for that, sir – indeed I do.

Mrs Paris: I think there are three.

765 **The President:** Have you asked two or three questions, Mr Jean?

Mr Jean: I have asked two, and I do not think I will be asking any more, sir.

770 **Mrs Paris:** Okay. Living Islands – I think you will find that Roland Gauvain and possibly Trevor Davenport are actually still on the board. Roland did threaten to resign but in fact did not, and seems very comfortable now with the final report for Living Islands and very pleased that the courses of action which will result from the initiative will actually benefit the Wildlife Trust enormously. I think possibly I will not comment on Mr Davenport and the museum – I am sure they will have something to say, if they wish to.

775 Quality In Tourism: yes, this has been a very long-running issue. In the journals of 2008, in September, there were already signs that it was going to be an issue as to how to try and offer our customers perhaps what they want. Tourism is very important on this Island and the entire tourism product we sell has to appeal to our potential new customers. The customer is always right, and I think we forget that at our peril. Can you really put your hand on your heart as
780 someone looking for somewhere to holiday, and say you would happily pay the cost of our air fares and come and stay somewhere where you have no objective quality standards that you can apply at all? That is obviously a rhetorical question at this point.

I hear what Mr Jean says about the figures. The figures that I gave to the States on
785 27th November – which was the day after QIT had done their inspections and which I was given by them and by Mrs Odoli, our Tourism Manager – were accurate. In fact, they were so accurate that they tally entirely, exactly, with the people who have taken up their stars in the 2016 brochure – to the exact number. I would recommend that perhaps the States Members have a look at this. Since then, there has been some slippage. It seems to me that it is a great pity about this, because all that is required of the people who do not want star ratings is simply not to have them. It is a
790 voluntary scheme, and one cannot help wondering, really, if it is such a worthless scheme, why there is this increasingly desperate need to have the scheme abandoned.

The States do a great deal of work to get our tourism product and our marketing right. We spend a budget of approximately £200,000 a year to do this. It is small money compared with the
795 £7 million that Guernsey spend out of their Economic Development Fund, but, having said that, tourism is the only industry on this Island that gets this sort of support, and out of that £200,000 budget we have spent £1,500 net to bring this initiative in. In other words, we charge for our accommodation permits and then we pay Quality In Tourism to do the inspections. The net difference between the two figures is about £1,500. That, to my mind, is really quite cheap – very cheap, in fact – to have something which helps our accommodation sector to raise their game and
800 make our customers aware of exactly what they are coming to. And that is important. We are out in a marketplace with tremendous competition, not simply from Guernsey and Jersey but from all over the world. We have to have awareness of what people look for these days. It is no good living in the past.

I will quote from a recent complaint received by the Tourism Office. Obviously I am not going
805 to say which premises this is about. It expressed surprise at the lack of en-suite facilities, and this is the quote:

Admittedly, I did not check this point when booking, but everywhere else that I have stayed in recent years, in a range of hotels, guesthouses and bed and breakfasts, have had at least a toilet, wash basin and shower in the room. It is unlikely we will stay there again.

Hopefully, that means they will find somewhere else if they come again, but they will stay on Alderney. It could equally mean they will never come back. I am very saddened, I have to say –

810 **The President:** Mrs Paris, do you feel that you have fully answered Mr Jean's question?

Mrs Paris: No, I have just a tiny bit more to say. I am saddened that the States' quite small but genuine offer to help raise our tourism game in this very competitive market has been greeted

815 with so much personal invective. Government by unelected loudest voices is not satisfactory,
especially in a small jurisdiction such as ours.

I have finished now, thank you, sir.

The President: Thank you very much, Mrs Paris.

820 Does anybody else have any questions for Mrs Paris on her report, please? Please go ahead,
Mr McKinley.

Mr McKinley: Thank you, Mr President.

825 One point of interest: you said to raise our tourism here – actually, I think that the meeting
that was held, the extraordinary meeting which was to be referred to earlier on in this meeting,
was to do away with Island Adventures, actually has reduced our potential for tourism.

The President: Can we have questions on the report, please, Mr McKinley.

830 **Mr McKinley:** Which leads to my questions, which are: do you have any tourist numbers – you
have got a couple of paragraphs here about tourism but no tourist figures; and could you break
down those figures into categories such as yachtsmen, fishermen, private pilots, wildlife
enthusiasts, heritage site seekers, etc? It might just be interesting.

835 You also mention in your report new events in the shoulder months – which I do not quite
understand, but I think shoulder months are probably the winter months, aren't they? I am not
aware of what those events are.

You also mention in your marketing:

re-launch that campaign next year when our air services should be more robust.

I would rather question that.

The President: And the question is?

840

Mr McKinley: My question is this, and it has come from discussion in Guernsey with the
Guernsey Deputies. There is a very real fear that the Southampton route may be under threat.
That has been discussed behind closed doors, certainly not openly in the States of Guernsey, but
we are very concerned about that route.

845 Finally, could I just make a statement, which is very much –

The President: No, Mr McKinley, I am afraid you cannot.

Mr McKinley: I wanted to congratulate everybody –

The President: This is the purpose –

Mr McKinley: I just wanted to congratulate everybody on the excellent Homecoming Day
yesterday, which is the sort of marketing that we should be doing on this Island. A wonderful day:
congratulations to all.

850 Thank you, sir.

The President: Thank you, Mr McKinley.
Mrs Paris.

855 **Mrs Paris:** Thank you.

I am sure Mrs Odoli and everyone who was involved in yesterday's Homecoming will be very pleased to hear your support and praise for it.

I cannot at this precise point give you the tourist figures broken down as you would want them, but I will certainly provide them.

860 'Shoulder months', as a definition, is 'not high season'. In other words, we are trying to spread ... to have as many tourists as possible for as much of the year as possible, because obviously all of the infrastructure is here and we may as well use it to our best advantage. A new event, obviously, last year, highly successful, was the Literary Festival, which is going to be repeated again this year – again, I think, in about March, which is an ideal time.

865 Obviously, we have great hopes, with the MOU, that we will have a more robust schedule of flights next year and are obviously planning as much as possible to fill these seats that we will have. But I certainly cannot comment on what Guernsey are rumoured to be saying about our Southampton route, or really anything else. We put our best foot forward in the hope that next year will show great improvements, because, obviously, if we cannot get people here it is very
870 difficult to do anything with them.

The President: Thank you, Mrs Paris.

Does any other Member have any questions for Mrs Paris on her report? Mr Roberts.

875 **Mr Roberts:** Just a short question, Norma: would she not consider moving all moneys spent on projects like the Living Islands to pure tourism advertising, concentrating just on advertising throughout? People used to come here before, when there was nothing. They loved the Island. They came in their hundreds of thousands. Would she not think this money would be better spent at this time, when they are probably the lowest figures we are ever going to have for air
880 passengers?

Thank you.

The President: Thank you.

885 **Mrs Paris:** Thank you.

I have to say the short answer would be no, but I guess you probably want more than that.

The research that we have done suggests that people come here for a lot of different reasons and that we have various niches which we fulfil very well – one of which is wildlife, another of which is heritage – and we have had some success last year in attracting people who simply are
890 coming for the wildlife and the heritage. That obviously, because they are coming with tour operators, makes them quite easy to count and to extrapolate, hopefully, how much business they are going to bring. Everybody else comes for a bit of this and a bit of that, and obviously it would be very foolish to ignore all of those people, but having said that, we do seem to have a quite unique selling point with our wildlife here and I think we would be foolish not to pursue it.

895 I dare say some of you may remember this from the Living Islands report that I did a month or so ago, and I apologise to bore you with it again but we have particularly one tour operator who specialises in nature – there are others, but to use their figures, they made four trips this year, which is neither here nor there, but they have 40,000 already recognised wildlife enthusiasts on their books, so our advertising, which goes out through them, is to people already self-selected to
900 be interested in us. UK wildlife is very interesting to lots of people. It is not just about David Attenborough with gorillas, having cuddles. Let's be a bit pessimistic and say of those 40,000 we could only get 2,000 people ever to come here, and say they came over the next four years, five years, and maybe they spent ... Well, the trips are for four nights at £175 a night. Approximately. That is £1.4 million straight into our economy from an investment in Living Islands last year which
905 cost us £50,000, and I seem to remember even Mr McDowall felt that was quite a good return on the capital employed when the figures were brought up last time.

So, yes, I think we have to pursue everything we can, but I think the wildlife aspects of it are really quite exciting, Mr Roberts.

910 **The President:** Thank you, Mrs Paris.
Do you have a secondary question, Mr Roberts?

Mr Roberts: Yes, please, Mr President.

915 **The President:** Please go ahead.

Mr Roberts: Does she not think that this is just one small section of the community – people interested in wildlife? We need to widen our horizon, really. (**A Member:** Hear, hear.)

I would question the figures also. You can pick numbers out of a hat and say, 'We are earning
920 £1.5 million,' – I do not see it, but there you go. (**Mrs Paris:** No.)

Does she not think that this is just one small section we should be looking to bring to the Island?

The President: Mrs Paris, I think you have probably already answered that, but please feel free
to add to that if you want to.

925

Mrs Paris: I was merely going to say that it is small at the moment but it has the potential to
be much bigger. I would quite agree with Mr Roberts that we must not look at this whilst
neglecting other things, but nevertheless I think this is actually one of the most exciting pieces of
good news we have had for quite a long time.

930

The President: Thank you, Mrs Paris.

Mr Roberts: Thank you very much, Mrs Paris.

935 **The President:** Does any other Member wish to question Mrs Paris on her report? Mr Harvey.

Mr Harvey: Thank you, sir.

Would Mrs Paris agree that it might be useful to refresh the Members' memories as to why we
adopted a strategy of looking at key unique sales points: so we are not competing with the south
of Spain and other much cheaper and sunnier climes; that we are using the unique attributes we
have, which are attractive to very many people in the UK, rather than blowing our entire budget
on one weekend's advertising in the UK nationals, which is what it would do?

940

The President: Thank you, Mr Harvey.

945

Mrs Paris.

Mrs Paris: Thank you, Mr Harvey for the question. I think also you have provided the answer!
I cannot say anymore. (*Laughter*)

950 **The President:** Thank you, Mrs Paris.
Mr McKinley.

Mr McKinley: No, I just want to –

955 **The President:** Who are you addressing, Mr McKinley?

Mr McKinley: You, sir. No, I was not going to say anything, just to say that I agree – she
answered the question.

960 **The President:** Okay, if you wish to speak, please rise.

Mr McKinley: I do not wish to speak. *(Laughter)*

965 **The President:** Does any other Member wish to ask Mrs Paris questions about her report?
Thank you very much, Mrs Paris.

3. Annual Report of the Building and Development Control Committee

The President: Could we move to section 3 of the Reports, please.

The Greffier: Yes, Mr President.

970 The next matter is the Annual Report of the Building and Development Control Committee and the report has been received by the Chairman of that Committee, Mr Birmingham.

The President: Mr Harvey, as Convener, were there any comments on this report at the People's Meeting, please?

975 **Mr Harvey:** No, sir.

The President: Thank you very much.
Mr Birmingham, would you like to present your report.

980 **Mr Birmingham:** Thank you, Mr President.

I will follow suit with all the other committee chairmen – I will not read out the report, you will be glad to know.

985 I would just like to take this opportunity, though, to thank all the States staff for their assistance throughout the year, assisting BDCC with committee meetings. It is quite taxing for minutes, and I have to say they do a great job in terms of bringing everything through.

I will just apologise for one little typo that I have noticed reading through – or it could have been me, probably spell check – where I have said:

Mr Young also began work on familiarising himself with the vagrancies of local planning law,

I do not know whether that is a new housing strategy or not, *(Laughter)* but it should of course read 'vagarities'. I will leave myself open to questions.

990 **The President:** Thank you very much, Mr Birmingham.
Does any Member have questions for Mr Birmingham on this report? Mr Jean.

995 **Mr Jean:** Do you feel, Mr Birmingham, that there was anything that your Committee could have done regarding the permission given to the house on Longis Common? A secondary question is: do you feel that that house is incongruous by its nature, or does it fit in with the Roman fort nearby?

The President: Thank you, Mr Jean.
Mr Birmingham.

Mr Birmingham: Thank you, Mr President.

1000 That particular application ... I am loathe to get into details of specific applications, because that is the remit of the BDCC to study these things fully.

Mr President: You do not have to answer that if you do not want to, because it is not part of your report.

1005

Mr Birmingham: Yes, I will just give a quick outline. All I will say is that the application was received, it went through due process, it was reviewed thoroughly by the Planning Officer, Mr Young, after he started. One very important thing that we did, as part of that, was we actually asked specifically for an archaeological EIA to be undertaken at the site, which I think might be the first time the Planning Authority have ever asked for that to be had, although I will be corrected if it is not. So it has been through the full process and all I will say it was unanimously supported by all five members of the BDCC.

1010

The President: Thank you, Mr Birmingham.

1015

Does any other Member have any questions for the Chairman of the Building and Development Committee? Mr Jean.

Mr Jean: I am just looking at ... going to this paper to look.

1020

The President: Okay. While he is looking, does anybody else have any questions for Mr Birmingham?

Mr Jean, I do not want to cut you off: do you have any further questions?

1025

Mr Jean: Only, if I may, the observation that I have always felt, and still do, with the Arup Report ... How do you feel about this, Mr Birmingham? At one time you indicated that the Arup Report should have come before the States for full debate so that the public could have their say on the final report at a People's Meeting. Do you still feel similarly to myself?

Mr Birmingham: Thank you.

1030

I think I covered this probably in fairly great detail on the report I gave to the States at the October meeting. The one big problem of the Arup Report is the sheer size and scope that it has, with in excess of 30 recommendations. I think I made the point at the time that, even if we brought the Arup Report as a whole to actually be debated by the States, if we stuck by our normal rules of procedure in terms of time talked, it would have given a States Member about 10 seconds on each of the recommendations.

1035

I think, purely because so much of it is process, it is going to come to the States in various segments throughout the year. So, for example, there is a section in the Arup Report dealing with the Land Use Plan and the Land Use Plan procedure. Well, obviously the Land Use Plan is going to come to the States because it has to – it is part of the law, part of the body of Development Control law – and so therefore there is the forum there for the discussion.

1040

If there are certain sections of the report that it is felt would be aided by extra discussion, then I am quite happy to look at bringing it to the full States for debate. I would suspect that the current housing strategy work that is underway is probably something that may well come in, although that possibly again might fall in under the Land Use Plan itself.

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In terms of everything to deal with the Arup Report, I think we have been pretty good in having it well discussed within the public domain: we have had public meetings, we have had plenty of feedback from the public. For an example, currently, with the Land Use Plan, we have just done a call for sites. That is a very interactive process with the public. I would say in general, particularly about the Land Use Plan, I think it is one of the most democratic processes that the States actually undertakes, and I always encourage everybody to interact when it comes to planning matters.

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The President: Thank you.

Mr Jean: Thank you for that.

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The President: Does any other Member have any more questions for the Chairman of the PDCC? No.

In that case, Monsieur Greffier, if we move on to report number 4, please.

4. Annual Report of the General Services Committee

The Greffier: Thank you, sir.

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The final report today is the Annual Report of the General Services Committee, which has been received from Mr Tugby in his capacity as Chairman of that Committee.

The President: Thank you very much.

Mr Harvey, as Convener, were there any comments on this report at the People's Meeting?

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Mr Harvey: Thank you, sir, there were a number of comments on this report.

It was stated that the Corblets Wall has deteriorated since the repairs last year – what is happening; is there a plan? Mrs Paris clarified that, with the arrival of the Technical Services Officer in January, a plan will be put in place going forward.

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Another contributor asked what FAB stood for. The abbreviation was clarified as the France Alderney Britain link.

The current campsite operator was congratulated for the successful running of the campsite. It was stated that there are ongoing problems with the green waste, with the site reportedly being completely blocked on the day of the People's Meeting. Also, small cars cannot get into the area due to the condition of the track, and some public have been leaving green waste at the entrance of the site. This issue needs to be resolved. Another digger is need to keep on top of the waste. It was clarified by the Chief Executive that a further mini-digger has been ordered. Mrs Paris also advised that GSC are very aware of the situation and they are looking into a better approach and policy in place for 2016.

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The final item raised was the Mouriaux to Platte Saline sewerage system – and is it really going to be finished? The Chief Executive advised that the project will be completed, with the piping in place ready to be connected to the sewerage system. He also stated that he plans to look into a treatment facility that would deal with all issues relating to the sewerage system, which would be project managed in 2016.

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The President: Thank you, very much.

Mr Tugby, would you care to present your report.

Mr Tugby: Certainly. I would like to answer some of those questions from the People's Meeting.

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One of the problems with the Corblets Wall was we had engineers come in from the UK and give reports on all the coastal erosion, but one of the problems is they always come up with gold-plated schemes, which it ends up we cannot afford, basically, to carry out. We need, which we are looking at, a cost-effective way of remedying it. As an example, the Corblets Wall ... One of the schemes put forward by the engineers was over £1 million and you would have to spend £10,000 a year on maintaining it, so that went by the wayside. It is all very well getting all these reports and lots of pretty pictures telling us it is eroding, but we can see for ourselves basically without all

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the pretty pictures. It is just having somebody to actually do a reasonable design with what the Island can afford to carry out this work.

1100 It has been a very frustrating year, actually, being Chairman of this Committee, because at the end of the day we have had such a vast turnover of staff. Basically, we just get one with his feet under the table and then they would decide to leave, which made it very difficult to have any true planning. I am hoping when the new one starts in the new year ... After I have met him, and from speaking to him, I think he is much more down to earth than we have had in the past, and we will
1105 move forward much quicker than we have in the past.

That is all I have got to add on the report, and hopefully I am ... Let's put it this way: next year it will definitely be a better year, otherwise there will be hell to play (*Laughter*) – and that is my opinion.

1110 **The President:** Thank you very much, Mr Tugby.

Do any other Members have any questions for Mr Tugby on the report of the General Services Committee? No questions. Mr Jean? No. Anyone else?

In that case, I would just like to thank the Members for the robustness of the questions put to the Chairmen, and to the Chairmen for the fullness of their responses. Thank you very much, ladies
1115 and gentlemen of the States.

Christmas and New Year good wishes

The President: Before we close this meeting, I would just like to wish all the States Members and the public a very happy Christmas and a prosperous New Year.

Monsieur Greffier, if you would bring this meeting to a close.

1120 **The Greffier:** I will oblige, sir.

PRAYERS

The Greffier

The Assembly adjourned at 6.41 p.m.