



BILLET D'ETAT FOR 19-09-2007

Date: 18th September, 2007

Members of the States:

I have the honour to inform you that the Meeting of the States will be held at 5:30pm on Wednesday 19th September 2007. This will be preceded by the People's Meeting, which will be held on Wednesday 12th September 2007 at 7:00 p.m. in the Island Hall.

Mr Colin Williams

Vice President

Item I Chief Pleas

Item II The Alderney Road Traffic and Public Highways (Amendment) Regulations, 2007

The following letter has been received from Mr W Walden, Chairman of the General Services Committee:-

"I attach a copy of the above, which were made on 10th July 2007. Section 35(2) of The Alderney Road Traffic and Public Highways Ordinance, 1966 ("the Ordinance") requires that any regulations made under the provisions of the Ordinance shall be laid before a meeting of the States as soon as may be after the making thereof and, if at that meeting or at the next subsequent meeting, the States resolve that the regulations be annulled, the regulations shall cease to have effect without prejudice to anything done thereunder or the making by the Committee of new regulations. They must therefore be laid before the States when it meets in September but consideration of whether to exercise the power of annulment could be left over until the October meeting.

The Regulations deal with two things only - the two month trial period for the one way designation of the High Street from the junction at Victoria Street to the Junction at Le Val and disc zones, including a maximum continuous parking period at the Airport Car Park of twenty-three hours. They do not deal, for example, with the painting of yellow lines.

It is considered, having monitored its effect, that the twenty-three hour period at the Airport could be extended to thirty-six hours without causing undue congestion. The one way system has been a success and the Committee feels that it should be made permanent. Representations to the Committee largely support both increasing the maximum parking period at the Airport and retaining the one way designation of the High Street between the points referred to above.

The States may annul the Regulations but has no power to amend them. If they are annulled they will cease to have effect and there will be no legal provision either for the one way traffic in the High Street or any maximum parking period at the Airport. However, section 35(1) of the Ordinance provides that any

regulations under the provisions of this Ordinance may be varied or revoked by subsequent regulations made by the Committee. The Committee proposes to revoke the Regulations and to replace them with Regulations making the one way designation of the High Street permanent and extending the maximum parking period at the Airport to thirty-six hours. These will then be laid before the States as required by the Ordinance.

I have to ask that Regulations be laid before the States at its September meeting, as this is required by law. However, the Regulations will be revoked by the Committee (possibly before the September meeting and certainly before the end of September) and I do not, therefore, request a resolution of the States at this stage. The replacement regulations will be placed before the States at its October meeting in the usual way.

Mr W Walden
Chairman"

The States is asked to note the Regulations laid before them and that they will be asked to annul or not annul them, in accordance with the Law, at the next meeting of the States on October 24th.

Item III The States Water Supply (Rates of Charge) (Alderney) Ordinance, 2007

The following letter has been received from Mr W Walden, Chairman of the General Services Committee:-

"In September 2006 the States agreed to increase Water Rates by 10% which was necessary in order to meet rising costs.

However the States was advised at that time that this would be insufficient to eliminate the deficit on revenue account and that further annual increases of a similar order would be necessary for a number of years. Overall costs continue to rise mainly due to increases in electricity, water treatment, consultancy fees, and wages etc, coupled with loss of revenue due to the water restrictions.

By the end of 2007, the Board's cash reserve is expected to be almost exhausted, after the estimated revenue deficit and projected capital spend has been met.

Having reviewed the forecast of expenditure for 2007 and 2008 my Committee is therefore proposing an increase of approximately 10% again this year, to come into effect from the quarter commencing 30th September 2007. This will still be insufficient to return the revenue account to a break-even position and further annual increases will unfortunately be inevitable.

It is unfortunate that once again this increase coincides with the current water restrictions, but as mentioned above these restrictions have exacerbated the financial situation further. The Water Board appreciates the water saving measures that the public have adopted and hopes for continued support.

As also reported to the States in September last year, further substantial capital works are required in order to improve the Board's infrastructure and to ensure that the island's water supply can be maintained at an acceptable standard. The next phase of these works could cost up to £600,000 on initial estimates. It was suggested at that time that these works would have to be funded by loan capital which would of course have added further annual costs to be met from the rates.

However my Committee has proposed that rather than finance this capital program by loan, a capital grant of up to £600,000 be transferred to the Water Board from the funds held on behalf of the States of Alderney by the Alderney Gambling Control Commission. By way of precedent for this course of action I can remind the States that during a period of development in the 1970s the States voted £86,000 for the Board's capital program. At today's prices this would be equivalent to a sum approaching £600,000.

The Policy and Finance Committee has been consulted on the proposed increase in rates and the proposed

capital funding and agrees to both proposals. The capital grant may also be subject to approval by the Treasury and Resources Department.

Detailed proposals of the capital works will be placed before the States for approval in course.

A draft Ordinance entitled "The States Water Supply (Rates of Charge)(Alderney) Ordinance 2007" is attached, which if approved will bring the revised rates into effect from the quarter commencing 30th September 2007.

I would be grateful if you would place this matter before the States of Alderney with appropriate propositions.

Mr W Walden

Chairman"

The States is asked to approve of: -

1. The States Water Supply (Rates of Charge)(Alderney) Ordinance 2007, and
2. The transfer of a Capital grant not exceeding £600,000 from funds held by the Alderney Gambling Control Commission to the Alderney Water Board

Item IV The Alderney eGambling (Amendment) Regulations, 2007

The following letter has been received from Mr R Willmott, Chairman of the Policy and Finance Committee:-

"I attach a copy of the above, made by the Alderney Gambling Control Commission in exercise of the powers conferred on it by sections 12(2), 14(3) and (4), 15(4), 16(2), 20 and 25 of the Alderney eGambling Ordinance, 2006 ("the Ordinance").

You will see that the Regulations were made on 22nd August 2007 and that they came into operation that same day. Compliance with the provisions of section 25(i)(c) of the Ordinance requires that the Regulations be placed before the States at its September meeting. It will then be open to the States to annul them at this or its next meeting (although I am not aware of any reason why it should do so and will recommend that the States resolves not to annul them).

Although the explanatory note sets out the purposes and effects of the Regulations I should draw Members' particular attention to regulation 1, "Problem gambling: research education and treatment." By a letter to the Chief Executive (of the States of Alderney) dated 31 July (dealing with Alderney's "white listing" for purposes of its licensees being able to advertise in the United Kingdom) the Minister for Sport, Mr Gerry Sutcliffe MP, stated his understanding that Alderney would have in place by 1 September a requirement for licence holders to contribute to research and education about the risks of gambling and to the treatment of problem gamblers. The Regulations were (see above) in place by 1st September. The Minister's letter also dealt with his Department (the Department for Culture, Media and Sport) being informed of any significant changes or additions to Alderney's system of gambling legislation, regulation or licensing. The Chief Executive informed the Department of these Regulations on 23rd August. At the time of writing, the Department has offered no observations on the Regulations but if any are received they will be circulated to Members.

I will be grateful if The Alderney eGambling (Amendment) (Regulations), 2007 are placed before the States when it next meets together with an appropriate Resolution.

Mr R Willmott

Chairman"

The States is asked to resolve that "The Alderney eGambling (Amendment) (Regulations), 2007" not be annulled

Item V The Iran (Restrictive Measures) (Alderney) Ordinance, 2007

The following letter has been received from Mr R Willmott, Chairman of Policy and Finance Committee:-
"The Council of the European Union has introduced restrictive measures against Iran. In order to enforce these measures locally an ordinance is required in accordance with the provisions of the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994. I attach The Iran (Restrictive Measures) (Alderney) Ordinance, 2007 ("the Ordinance"), which has been drafted by the Law Officers. A copy of Council Regulation (EC) No. 423/2007 is available for inspection at the office of the Chief Executive.

I will be grateful if the Ordinance is placed before the States when it next meets together with an appropriate resolution.

Mr R Willmott
Chairman"

The States is asked to approve "The Iran (Restrictive Measures) (Alderney) Ordinance, 2007".

Item VI The North Korea (Restrictive Measures) (Alderney) (Ordinance), 2007

The following letter has been received from Mr R Willmott, Chairman of the Policy and Finance Committee:-

"The Council of the European Union has introduced restrictive measures against North Korea. In order to enforce these measures locally an ordinance is required in accordance with the provisions of the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994. I attach The North Korea (Restrictive Measures) (Alderney) Ordinance, 2007 ("the Ordinance"), which has been drafted by the Law Officers. A copy of Council Regulation (EC) No. 329/2007 is available for inspection at the office of the Chief Executive.

I will be grateful if the Ordinance is placed before the States when it next meets together with an appropriate resolution.

Mr R Willmott
Chairman"

The States is asked to approve "The North Korea (Restrictive Measures) (Alderney) Ordinance, 2007".

Item VII Questions and Reports

Issued Friday 7th September 2007
