



OFFICIAL REPORT

OF THE

EXTRAORDINARY MEETING

OF CHIEF PLEAS

OF THE

ISLAND OF SARK

HANSARD

Assembly Room, Sark, Tuesday, 25th August 2020

*All published Official Reports can be found on the
official Island of Sark Chief Pleas website www.sarkgov.co.uk*

Volume 6, No. 9

Present:

Seigneur

Maj. C M Beaumont Esq.

Speaker of Chief Pleas

Lt. Col. R J Guille, MBE Esq.

Deputy Prévôt

J Godwin

Greffier

T J Hamon

Treasurer

S Hudson

Conseillers:

Alan Blythe
Peter La Trobe-Bateman
Christopher Nightingale
Anthony Ventress
Paul Williams
Sandra Williams
Helen Plummer

Philip Long
John Guille
Christopher Drillot
William Raymond
Frank Makepeace
Natalie Craik
Nichola McHugh

Business transacted

| | |
|--|-----------|
| Apologies received | 5 |
| Welcome to two new Members, Conseillers Natalie Craik and Nichola McHugh | 5 |
| Death of Mr Arthur Rolfe, former Speaker of Chief Pleas – Eulogy | 5 |
| Statement on the General Election December 2020 | 6 |
| Statement on declarations of interest | 7 |
| Procedural – Electronic devices..... | 7 |
| Business of the Day..... | 7 |
| 1. Questions not related to the Business of the Day – Funding for the 75+1 Liberation Day celebrations – Question by Conseiller Ventress | 7 |
| 2. Committee Elections to elect Conseillers to Committees as required – Development Control Law Special Committee – Conseiller N McHugh elected | 8 |
| 3. Committee and Panel Elections – To elect non-Chief Pleas Members and Panels Members to Committees and Panels as required – No nominations | 8 |
| 4. The Constable – New Role – Douzaine Report considered – Propositions carried | 9 |
| 5. Isle of Sark Shipping Limited – Policy and Finance and Shipping and Pilotage Report – Report and Propositions deferred | 10 |
| <i>Chief Pleas adjourned at 8.20 p.m. and resumed its sitting at 8.35 p.m.....</i> | <i>22</i> |
| Regulations Laid Before Chief Pleas – The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 4) Regulations, 2020; The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 4) (Amendment) Regulations, 2020; The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 5) Regulations, 2020; The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 5) (Amendment) Regulations, 2020;..... | 24 |
| <i>Chief Pleas closed at 8.41 p.m.</i> | <i>24</i> |

PAGE LEFT DELIBERATELY BLANK

Extraordinary Meeting of Chief Pleas

Chief Pleas met at 7 p.m.

[THE SPEAKER *in the Chair*]

PRAYER

The Greffier

ROLL CALL

The Greffier

The Greffier: There are 14 Conseillers, the Seigneur and the Speaker of Chief Pleas present.

Apologies received

The Speaker: I have received apologies from Conseillers De Carteret and Couldridge. Conseiller
5 Couldridge was taken to hospital for investigation this morning. The Lieutenant Governor is unable
to attend this meeting.

Welcome to two new Members, Conseillers Natalie Craik and Nichola McHugh

The Speaker: I would like to welcome two new Members to this parliament, Conseillers Natalie
Craik and Nichola McHugh, who stood for election in the by-election called for 19th August. As
they were the only two candidates for the four vacancies they were elected unopposed. When
10 given the choice of terms of office remaining for the four seats both chose to fill the term of office
that ends in 2023.

We look forward to your contributions to this Government over the next two and a bit years,
welcome.

Death of Mr Arthur Rolfe, former Speaker of Chief Pleas – Eulogy

The Speaker: The death of Mr Arthur Rolfe.
15 I made a brief statement at the Extraordinary Meeting held on 15th July about the death of
Arthur. Arthur died on 13th July but due to coronavirus restrictions no services have been held on
Sark and Arthur was cremated without mourners at Le Foulon crematorium in Guernsey.

20 There is to be a small family memorial service in Greenwich at the end of August, so that will be happening in the next few days and the family have said that they plan to have a memorial service in Sark next year.

Tributes from many sources have been paid to Arthur in the past weeks since his death. Arthur had a long history of serving in local government and served in the Greater London Council before it was disbanded, having his own office as a senior Conservative member for the Greater London Council.

25 He would have told many a tale of his experiences of those days and of his friendship with Ken Livingstone, Red Ken. The pinnacle of his political career in England was to stand as a Conservative candidate in the 1983 General Election, but failed to gain his seat, which was in a strong Labour constituency. He did reduce the majority down from 11,000 to 1,000.

30 Arthur had been invited to speak at a breakfast engagement at the Tory party conference in 1984 but the Brighton bombing by the IRA put a stop to his speech.

In business life he was a qualified mechanical engineer, specialising in the oil industry and pipelines for oil rigs. He was a life member of Mensa and CAMRA, and indulged the latter well here on Sark.

35 Arthur first came to Sark in 1984 and visited frequently after that, often several times a year. He then leased La Pav in April 2009 before taking up permanent residence in early 2012.

40 In 2014 Arthur stood as a Conseiller candidate in the general election and was elected unopposed along with the other 15 candidates. Once in Chief Pleas he served on the Senior Committee of Policy and Performance, on which he was to remain until he stood for the role of President and during his time as a Conseiller he was heavily involved in bringing forward an extensive amendment to the Reform Law, the amendment of 2016, which brought amongst measures the role of Speaker, replacing the previous role of President but with the same job description. He was elected President in October 2016 and the first Speaker of Chief Pleas in February 2017, a role he was to hold until January this year.

45 Arthur knew some time ago that he was terminally ill but he did much to carry on his duties for the Island, with courage and fortitude. Once again, I would express the condolences of Chief Pleas to his family and friends on his passing and say until we meet with you next year.

Please stand for a silence.

Members stood in silence.

The Speaker: Thank you.

Statement on the General Election December 2020

50 **The Speaker:** I have a further statement dealing with the General Election in December 2020. I can inform you that the P&F Committee have selected the General Election date to be Wednesday 16th December. The General Election Ordinance, timetables etc. will be put to the Michaelmas Chief Pleas for approval.

Statement on declarations of interest

The Speaker: A further statement on declarations of interest.

55 I can inform you that Conseillers Craik and McHugh have completed their declaration forms, for which I thank them, and I would remind Conseillers that these are living documents and should be revised when necessary during the year.

**Procedural –
Electronic devices**

The Speaker: In accordance with the Rules of Procedure, I would remind all present that mobile phones, cameras, recording devices and other electronic equipment are switched off now, less for those allowed to Chief Pleas Members in accordance with Rule 18.

Business of the Day

**1. Questions not related to the Business of the Day –
Funding for the 75+1 Liberation Day celebrations –
Question by Conseiller Ventress**

60 **The Speaker:** Agenda Item 1, Questions not related to the Business of the Day. Conseiller Ventress has a question for the Chairman of the P&F Committee.
Conseiller Ventress please put your question.

Conseiller Ventress: Thank you.

65 As apparently the Committee set up by Chief Pleas for the celebration of the 75th Anniversary of the Liberation of Sark is no longer in place, can the Policy & Finance Committee confirm that the £7,000 voted for this celebration has been ring fenced to carry forward for the 75+1 celebration and that a Committee will be formed to carry forward this essential remembrance, as it is very likely that there will be a Royal visit to the Channel Islands.

70 Thank you.

The Speaker: Conseiller La Trobe Bateman.

Conseiller La Trobe-Bateman: Can I pass this to William, please, Conseiller Raymond, sorry.

75

The Speaker: Conseiller Raymond.

Conseiller Raymond: Thank you, sir.

80 I have confirmed with the Treasurer that it was not ring fenced. When the cancellation occurred it has gone into the general pool because that is what we need this year. If we are to have a budgetary item may we please know as soon as possible because the budgets are being finalised at the moment and may I ask that it is confirmed that we are in step with Guernsey and what they are doing because I would hate to tax people for something that is unnecessary.

Thank you.

85 **The Speaker:** I can respond and say that Guernsey are at this stage still planning to hold their
75+1 Anniversary celebrations and as it was P&F who came forward with the request for a
Committee to be set up and money allocated that it should be once again, I believe, P&F who
should now consult and then put forward any proposals at the Michaelmas meeting for a 75+1
Anniversary in 2021.

90

Conseiller Raymond: Thank you, sir.

The Speaker: Any supplementary question, Conseiller Ventress.

95

Conseiller Ventress: No, sir.

The Speaker: Thank you.

**2. Committee Elections to elect Conseillers to Committees as required –
Development Control Law Special Committee –
Conseiller N McHugh elected**

100 **The Speaker:** We move to Agenda Item 2, Committee Elections: to elect Conseillers to
Committees as required and there is one vacancy still on the Development Control Law Special
Committee. Do I have any nominations?

Conseiller Makepeace: I would like to nominate Conseiller McHugh, sir.

105

The Speaker: Are you willing to be nominated, Conseiller McHugh?

Conseiller McHugh: Yes.

110 **The Speaker:** Anybody else? Conseiller McHugh has been nominated to go on to the
Development Control Law Special Committee. Those in favour; those against. That is **carried**.
Thank you for that.
Are there any other Committee positions to be filled? No.

**3. Committee and Panel Elections –
To elect non-Chief Pleas Members and Panels Members to
Committees and Panels as required –
No nominations**

115 **The Speaker:** Agenda Item 3, Committee and Panel Elections: to elect non-Chief Pleas
Members and Panel Members to Committees and Panels as required, are there any nominations
coming forward from Committees?
No.

**4. The Constable – New Role –
Douzaine Report considered –
Propositions carried**

To consider a Report with Propositions from Douzaine entitled ‘The Constable – New Role.’

Proposition 1:

That Chief Pleas approves the replacement of the honoraria paid to the Constable and Assistant Constables with a salary as outlined in this report.

Proposition 2:

That Chief Pleas approves the new term of office for the role of Constable and Assistant Constable from the current one year to a renewable annual contract.

120 **The Speaker:** Then we will move on the Agenda Item 4, to consider a Report with Propositions from the Douzaine entitled ‘The Constable – New Role’ and I ask Conseiller Blythe to introduce the Report, please.

Conseiller Blythe: Thank you, sir.

125 First of all, I would like to start by giving our current stand-in Constable, Paul Burgess, and his more than able assistant, Danny Gail, and I am sure you will join with me to give them our sincerest thanks and gratitude for the way they have dealt with the task laid before them due to the COVID-19 pandemic. Dealing with little-used words in our vocabulary like ‘lockdown’, ‘quarantine’ and ‘passive surveillance’, I am sure they would have had to Google the tasks beforehand.

130 Hopefully this Report and Propositions are pretty self-explanatory, but here are a few explanations for you: a retiring Constable in the mid-1970s once said that the job is getting so difficult now it is about time we went under Guernsey. These mutterings continued from Constable to Constable over the years, myself included, some 12 years ago. At various times the subject has been brought to Chief Pleas but complaints of costs have always forced it back onto the shelf. The current honorarium does not go anywhere near enough to compensate for loss of earnings caused by Constables dealing with incidents during working hours.

135 One Constable a few years ago reportedly kept a record and despite the honorarium being a couple of thousand pounds per annum he said he earned approximately 20 pence an hour during his tenure.

140 By making this job more attractive by easing the 24/7 aspect of the job, by having a scheme which shares its duties on a rota basis and by offering a salary instead of current honorarium we can offer the same level of law enforcement and general policing still using local people. In allowing these volunteers to reapply for the position for further years this will improve the resilience and continuity for years to come. Sadly I think this is what has been lacking for a long time. This system will enable Sark to become a law enforcement within its own right and make working alongside the Guernsey law enforcement agency that much easier, it must be the way forward.

145 If approved tonight, the next step would be to advertise and recruit four persons required to fill these roles. These names will, to stay with tradition, be brought to the Michaelmas Meeting of Chief Pleas on 30th September officially.

150 Thank you.

The Speaker: Are there any questions from the floor?
Conseiller La Trobe-Bateman.

155 **Conseiller La Trobe-Bateman:** It has been clear that the Constable role has been struggling for some time and if the Douzaine and the current Constables believe that this is the way forward to sustain the system that we have, then I will be voting for it.

Thank you.

160 **The Speaker:** No? In that case we will to the vote on the first Proposition, that Chief Pleas approves the replacement of the honoraria paid to the Constable and Assistant Constables with a salary as outlined in this Report. Those in favour? Those against? **Carried.**

Proposition 2, that Chief Pleas approves the new term of office for the role of Constable and Assistant Constable from the current one year to a renewable annual contract. Those in favour? Those against? **Carried.**

5. Isle of Sark Shipping Limited – Policy and Finance and Shipping and Pilotage Report – Report and Propositions deferred

To consider a Report with Propositions from the Policy & Finance Shipping & Pilotage Committees entitled 'Isle of Sark Shipping Limited'.

Proposition 1:

That Chief Pleas agree to remove such of the following directors of Isle of Sark Shipping Limited who have not already resigned from office.

Mr Mark Dunster; Mr Richard Graham; Mr Andrew Cook; Mr Peter Gill; Mr Yan Milner; and Mr Paul Burnard.

Proposition 2:

That Chief Pleas agree to appoint of Ms Julie Mann, Conseiller John Guille and Mr Richard Wickins to the office of director (on an interim basis) to take effect immediately upon the cessation of office of the current directors in consequence of their resignation or removal from office .

Proposition 3:

That Chief Pleas approves the Committee's proposal that the company be requested to bring forward the termination date of Mr Paul Burnard's employment as Finance Director (following his written notice) to 25 August 2020.

Proposition 4:

That Chief Pleas approves the Committee's proposal that the company be requested to terminate the employment of Mr Yan Milner as Managing Director with effect from 25 August 2020.

Proposition 5:

That Chief Pleas approves the Committee's proposal that the company be requested to enter into terms and conditions of employment for Ms Mann and Mr Guille as executive directors on terms to be agreed with each of them as soon as practicable.

165 **The Speaker:** Agenda Item 5, to consider a Report with Propositions from the Policy & Finance Committee entitled 'Isle of Sark Shipping Limited'. That is what the Agenda says but, of course, the Report in front of you is a joint report from both Policy & Finance and the Harbours, Shipping and Pilotage Committee.

Could I ask Conseiller La Trobe Bateman to introduce the Report, please.

170

Conseiller La Trobe Bateman: Thank you, sir.

I would just like to point out that this Report has been done in conjunction with the Law Officers and I know the system of it coming in such short notice is not ideal but it is above board. I will give a brief overview of the Report and then Conseiller Raymond will talk about the financial side and Conseiller Guille will talk about the vessels. I would also like to note that at the bottom of this Report the Harbours & Shipping name should have been there also, so I apologise.

175

The Policy & Finance Committee and the Harbours & Shipping Committee do not bring this matter to Chief Pleas lightly and are extremely saddened to be here. Over the last 18 months both Committees have been working with the board of Sark Shipping to ensure our lifeline service is robust and fit for purpose.

180

Early last year both Committees became concerned about the lack of movement on a vessel replacement as all boats, apart from the *Viking*, were coming close to the end of their operating life or needing large overhauls. As most will be aware, the *Bon Marin* came out of service on 21st August 2019 with no replacement on the horizon. That only left the *Sark Venture* as our all-weather boat, which was in need of a full overhaul, including new engines.

185

In May this year Sark Shipping threatened to put the company into administration. This was as a direct result of their reckless purchase of the new vessel, *Corsaire des Iles*. The purchase of this boat was completed after France went into lockdown and used all available funds, including funds held on behalf of employees for Income Tax and Social Security payments. IoSS also extended their overdraft facility which, combined with proposed redundancies, left them unable to pay their quarterly tax and Social Security returns.

190

The *Venture* was withdrawn from service at the beginning of January 2020 for two weeks, this was increased to four to six weeks, which would have allowed sufficient time for the vessel to be in service before COVID restrictions came into force. Concerns that the company intended to use the *Sark Belle* and the *Sark Viking* to cover winter sailings were dismissed by the board. The Committee were not made aware that the new engines were purchased from French manufacturers, this decision has led to complications due to COVID-19. Conseiller Guille will explain more on this later.

195

We have been told in meetings time and time again about why the *Venture* could not come into service. The MCA was a big factor as they allegedly would not travel to do a stability test due to COVID; this is simply untrue as they will travel within the British Isles and do work. Another option would be to steam the *Venture* to the UK, take it to them. It has been stated in countless meetings again that because the engines are from a French manufacturer they would have to come and commission them before use. As France is in lockdown we were told this was not possible. At our last meeting on 10th August, with the non-executive directors, we were told this again. We contacted the engine suppliers and found that they use an English company to do their commissioning. After speaking to that company, Proteum, they said they would have been willing to travel to do the commissioning. Conseiller Guille will again say more on this later.

200

205

Last evening, after approaching one of the non-executive directors about this, he stated it must have been a slip of the tongue or a misunderstanding on their part in the meetings about this and that the engines could now be commissioned. The lax scheduling and overspend, which is in excess of £50,000 on the *Venture*, and the refusal of IoSS to bring critical workers to complete these works have left Sark dependent on one fair weather passenger boat. Should this boat fail, Sark Shipping have no viable contingency plan nor any other source of revenue, which could result in Chief Pleas being called on to fulfil the guarantee at a time when the Island's funds may prove insufficient. This is the main reason for the speed of bringing this to Chief Pleas, again, if the *Sark Belle* breaks down we have no passenger boats to bring the much needed tourists to Sark.

210

215

Our concerns on how the company was operating were raised to the non-executive directors but after that meeting with them on 10th August about this issue it became clear that they are also not putting the time and effort into checking on the executive directors to ensure good

220

management of the company and what they are being told is not true. Most of the non-executives are well respected and extremely busy in their fields of work and we feel that this may be part of the reason for the lack of due diligence on their part.

225 The Committee recognises that Sark does not need any further disruptions to our service and needs to ensure long-term security, especially when staycations are proving so popular, and with this in mind the Committee have identified three new directors of Sark Shipping, all of whom have the best interests of Sark and its residents at heart. It is proposed that Julie Mann is appointed as executive director. Julie has extensive experience with Sark Shipping as she was company secretary from October 2008 to August 2018. She has also held the role as managing director for
230 the company from October 2008 to October 2014 and finally the non-executive role from October 2014 to 2017. She is the right person for the job and will be able to take over seamlessly with no disruptions to the service. She will be paid no more than the current executive directors.

Conseiller John Guille is also being proposed as an executive director. His experience in the maritime industry is as a naval architect for 17 years. He has designed commercial vessels for the
235 UK, US, UAE, German navies and Chinese coastguards. Also in his career he has designed and overseen the construction of vessels to the Maritime and Coastguard Agency coding of work boats that IoSS have to comply with. It is expected that he will work closely with the crew to bring back the *Venture* into service quickly and reintroduce a proper maintenance schedule for all the boats. Also he will be working with the relevant authorities to ensure the new vessel is brought over
240 from France and recoded for English waters. Conseiller John Guille will not charge for this role.

Richard Wickins is proposed as a non-executive director; he has a background in insurance and has arranged cover for IoSS for several years. Richard is very familiar with IoSS workings and also has a genuine interest in Sark and its residents.

In conclusion, it was made very clear in the meeting we had with the non-executive directors
245 on 10th August that they saw no fault in how they handled the company leading up to today. Even without the COVID pandemic the company has not been meeting expectations for sustainability. Yes, they had plenty of money in the account before they purchased the new vessel, but this was due to the lack of maintenance on the existing fleet. It saddens me to bring these Propositions before you, but the Committee believes that in order to protect our lifeline service swift action
250 must be taken. We must have a board that is committed to the role not just running the short term but future proofing it also.

It is considered essential that the new board is appointed and allowed to start work to bring back into service, reassuring staff that the company will move forward and most importantly secure our lifeline service before the winter sets in.

255 Thank you.

The Speaker: Conseiller Raymond.

Conseiller Raymond: Thank you, sir.

260 The debate today is sad because of the content and the need for the Propositions. I support the Propositions because I have a concern for the finances of the Island in these traumatic times. Whilst I have concern, I would wish to assure Chief Pleas that the Treasurer is doing a superb job in managing the finances. The indications are that we will get to the end of the year comfortably without needing to borrow for Island purposes.

265 I must stress at this point that the primary concern at the Policy & Finance Committee throughout the pandemic has been the maintenance of the community both as to safety and also financial provision which it places before loans to the shipping company.

Both the shipping company and the Island prepared financial accounts to their last reference date and both showed healthy cash balances. The Island is still in credit, albeit in the midst of a
270 substantial build project for the slaughterhouse. Whereas the shipping company is overdrawn, having paid out for the re-engining of the *Sark Venture* and the purchase of the *Corsaire des Iles*, coupled with the loss of passenger traffic during lockdown.

275 I am concerned that neither of the two vessels mentioned are, after all the expenditure, in
service or indeed serviceable. In addition, one of the other passenger boats, the *Bon Marin* is
decommissioned and alongside in Guernsey for sale. The Island owns the entirety of the share
capital of Sark Shipping and has loaned monies in the past. The company had held more than
enough funds to complete the project for the *Sark Venture*, despite the cost overrun of something
in excess of £50,000. What caused the delays in completion are not clear and have not been
280 explained. The initial estimate was extended to four to six weeks from 1st January, work has only
recently been recommenced.

The transaction over the vessel *Corsaire des Iles* is more complex. The vessel was to be
purchased for €740,000 and financed by company cash and a marine mortgage of £300,000 from
NatWest, guaranteed by Chief Pleas. A deposit of 20% was paid in February with completion
scheduled for 31st March at the latest. Before completion France closed its borders. We do not
285 know what legal advice was taken in terms of the effect of that closure on the ability to effect
delivery within the terms of the contract. The completion price was paid and the vessel remains
in St Malo. The company used all its cash reserves to complete the transaction and, unknown to
Chief Pleas, raised another £50,000 from NatWest as additional overdraft. The disclosure to Chief
Pleas that was brought to the February meeting was that they would use £450,000 of their
290 available funds.

Chief Pleas completed the guarantee for the mortgage on 6th April. The bank then stated that
as the vessel was not on the UK registry they could not take a mortgage and declined to allow
additional overdraft facilities unless Chief Pleas signed a letter of comfort to allow funds to be
drawn against that guarantee of £300,000. This increased the risk to Chief Pleas as the guarantee
295 would be to support expenditure by way of overdraft as opposed to a loan for the purchase of an
asset and would be unsecured. They indicated that they could not accept this risk and that was all
stated in the Chief Pleas meeting of 7th May.

The Treasurer had informed the directors of the existence of a loan scheme guaranteed by the
States of Guernsey as to 80% of the loan value on 3rd April. The terms of the loan scheme were
300 for £250,000 unsecured and another £250,000 with appropriate security. The company were
encouraged to apply. On 17th April the company sent an email to the bank who were the
designated recipient under the scheme indicating a total borrowing requirement of £775,000. In
other words, outside the scheme limits. After much discussion it was clear that the excess
expenditure in the company had to be reduced to limit the deficits and revise projections were
305 prepared including provision for redundancies and submit it to the bank, both with the agreement
of Policy & Finance and under their instruction. These projections went to the bank on Wednesday
29th April in expectation of a response within four to five working days. On Sunday 3rd May,
within the bank response time, the managing director sent an email in which it was stated that
without cash support the directors intended to place the company into administration. The reason
310 given was that they felt personally exposed if the company could not pay its debts.

At that point there were no judgments against the company and no creditors pressing and it is
submitted that they could at that stage have resigned. Placing the company in administration
placed the lifeline service in jeopardy and, in my opinion, was a breach of their fiduciary duty,
given the primary role of Sark Shipping.

315 The directors stressed their concern about their personal position, as two are Jurats, one is an
advocate and another a States' Deputy.

Policy & Finance commenced negotiations immediately on 4th May with NatWest to arrange
a finance package for the company and this provided that Chief Pleas would provide a guarantee
for an overdraft of £220,000, an increase of £70,000 because the previous guaranteed limit was
320 £150,000 and a further guarantee of £350,000 for a loan to be provided and secured on the
existing fleet and the French boat as and when it finds itself on a British registry. The bank also
required a cash injection from Chief Pleas of £30,000 to finance an excess that the bank were not
prepared to provide. This is all a matter of record because it was passed by Chief Pleas on 7th

325 May. Thus the finance debt overall with the injection of £30,000 would potentially become £600,000 and I said at the time that was an eye watering sum.

330 In the event, the company changed its mind over the redundancies, without informing Policy & Finance within the month and failed to disclose to the Committee the imminent maturity of a deposit account of over £55,000. At this point Chief Pleas suspended the balance of the £30,000 cash injection. For the avoidance of doubt, Chief Pleas has provided by way of support the following sums to the company to enable it to meet expenditure: £14,265 for wages; and £20,000 as the first two instalments of payments on the £30,000 required by the bank, so a total of £34,265. It is perhaps this Chief Pleas' support which enables the Director to say publicly that the finances are secure.

335 The requisite finances are now in place and moreover passenger sailings have resumed on a regular basis between Guernsey and Sark. The statement of the board on 3rd May was, to me, evidence of the reality of the breakdown between the shareholders and the board to whom is entrusted the lifeline service. The email referred to the status of the directors and implied that they may face personal criticism if they did not abandon the company to an administrator. My own view is that they could have resigned and handed the company managed responsibilities back to the shareholder at that point. As I have said, administration was the nuclear option as it removed management and control from both the board and shareholder and placed the community of Sark at risk. The pressure at this point was also immense because they had briefed the Guernsey Minister who telephoned at length on the subject.

340 I have to ask myself if I feel able to continue to trust a board which is prepared to place a company for which they are paid to act into an insolvency process without awaiting the outcome of a loan application which was probably only five or six days away.

345 There is now nothing more that Chief Pleas can do to increase the available vessels to service the route. It is a matter of considerable concern that no priority has been given to the completion of the works on the *Venture* of the delivery of the French vessel. There is instead an over reliance on the *Belle* and it has been the only passenger vessel since the beginning of January, causing not just a resilience issue but also questions over sea keeping ability as of today.

350 Questions produce more expenses than action and I find that I have no confidence in the existing board to remedy the present situation. They have not planned with any skill and I am therefore concerned for the future of the company. I am also concerned that the tripartite agreement between the company, the bank and Chief Pleas was materially altered by the company, without reference to Policy & Finance on a matter of policy as well as finance and there is a trust issue here.

355 As I said, this is a sad day but the board no longer have my trust so I will be supporting the Propositions.

360 Thank you, sir.

The Speaker: Conseiller Guille.

365 **Conseiller Guille:** Thank you, Conseiller Raymond.

I would like to brief fellow Conseillers on the technical and practical observations of IoSS I have made since becoming involved through the P&F and Harbours & Shipping Committees. I need to start back at the beginning of 2019 with the plans for the new vessel, which all Members of P&F will agree is where our faith in the executive directors and in turn the board began to deteriorate.

370 Our first meeting about the new boat was in January 2019. At that meeting we were given a report that was originally presented to the IoSS board back in July 2018. It appeared from that meeting that the company had three options where quotes of any detail had been obtained: (1) was a new build quote from Damen Shipyard of Holland and Europe, whilst they are a very well respected company they are not going to be the low cost option; (2) was a quote for a custom design and build support from a UK design office called Longitude, I have worked with this company on a couple of projects myself and again they are notably quite expensive;

375

(3) an 18-year-old second hand vessel in the South of France called the *Star Riviera*. Given the age of the company's current boats and problems they had been experiencing with reliability, we were all surprised that the company's plans were not further along or more extensively researched.

380 After this meeting P&F suggested to the board that an independent professional scoping study be undertaken to assist in investigating more options for a suitable vessel for Sark. We arranged that naval architect, and a personal friend of mine, Andrew Thwaites, would be able to do this at short notice. Mr Thwaites has experience not only in the design and build side but also the supervision of new builds and the operational management of a fleet of commercial vessels. P&F offered to cover the expense of the study so as to not burden the company during the winter
385 months. This offer was originally accepted but later IoSS decided to pay for the report themselves. Also Mr Thwaites has obviously visited Sark many times before, being a friend, so it was a good fit for somebody at short notice with experience and knowledge of the Island. I helped Mr Thwaites with information for his report and saw drafts.

The night before the report was ready to be released I was then informed by IoSS management
390 that as they had decided to pay for the report themselves and therefore it was property of IoSS and not for distribution to any other Conseillers. This was a very thorough, purely technical/operational report that was not controversial at all, except that it suggested two vessels of circa 150 passengers may be worth investigating instead of the single 250 passenger vessel which the board were then pursuing. To us this was not at all in the previously stated spirit of
395 good co-operation that was intended for the new vessel project between Chief Pleas and Isle of Sark Shipping.

The board decided not to pursue any further investigations and focused on the 250 seat *Star Riviera*. We fast forward to late summer 2019, over a year since first identifying the *Star Riviera* as their preferred option, problems were then found with the vessel's paperwork which caused
400 the sale to fall through. By that point we had already lost the *Bon Marin* out of service in August, having been assured by Captain Gill in another meeting several months earlier that there were another couple of years left in her.

The company then turned their attention to a smaller vessel from St Malo called the *Corsaire des Iles 2* which was finally purchased, as Conseiller Raymond explained. This has 170 seats and
405 we are assured that the passenger numbers have been reworked and would satisfy the requirements instead of the Riviera. It has since been suggested to us by Mr Milner that actually they might purchase another vessel and pursue the two boat option which the scoping study was recommending as the most reliable way to serve Sark.

Our main concern all along with the new vessel purchase is that arrangements have been left
410 very late, regardless of COVID. We do not feel this process has been robust enough to ensure the best result for Sark in a timely manner in what could be, and hopefully will be, potentially a game changing opportunity for our tourism industry.

Now to the *Venture*: Conseiller Bateman explained the timeline. We were initially surprised to be told that it would be taken out of service in January, possibly the roughest month of the year,
415 at a time when we only had the *Belle* and the *Viking* to rely on. Nevertheless passenger numbers were low so we did not have much option but to go along with this decision. Originally the re-engining was going to be two to four weeks but then pushed back to six and then eight weeks but still it should easily have been completed before lockdown in late March which would have been over 10 weeks since the start of the project.

I think the horrendous weather today really just highlights the importance that our
420 Committees place on the *Venture* as not only the back up for our passenger service but also the back up for our cargo boat. P&F consider this essential to maintaining our lifeline service. Work ceased on the *Venture* during lockdown but it was put to the board that eight days into lockdown the crew of the Trident vessel moored alongside the *Venture* in St Sampson's had been granted
425 special permission from the Harbour Master to return to the boat and complete their winter service requirements, as critical workers. The board have told us that they had two crews working the *Viking* and they wanted to silo one crew so they did not become infected with COVID in case

430 the first crew did but that does not at all stop any of the outside contractors who were doing the majority of the work from having attended the vessel in that time. Once we learnt that no work had been carried out on the boat we were very insistent that it should continue without delay and were told that only an extra £5,000 was needed to complete it. By that time I think we had lent the company £50,000 in between them getting the loan and we certainly would have been very willing to lend them money to complete the *Venture* if it had been needed but one of their excuses with the work not happening on the *Venture* is they wanted to save money. The boat has to come back into service at some time and they do have this £350,000 loan which they have not even drawn down on yet so we do not believe that the financial considerations there are valid considering the importance of that vessel for Sark's lifeline and for all the tourist businesses on Sark, which are thankfully enjoying a much better than expected season.

440 We have been repeatedly informed that the main impediment to putting the *Venture* back in service, however, was the ability of the Maritime and Coastguard Agency to send a surveyor to Guernsey or indeed for them to accept the *Venture* going to them in England for this survey. We were sent a letter dated 18th August from someone at the MCA confirming their carpet ban on their workers travelling outside the UK mainland or accepting foreign vessels.

445 At our meeting with the NEDs in Guernsey on 10th August we were told by Captain Gill again that not only were the MCA being very difficult but the French engine manufacturers were also unable to send an engineer over to commission the new engines therefore even if the MCA decided the boat could go to the UK they would be unable to move her or else it would void the new engine warranties.

450 We had already informed Isle of Sark Shipping several months before that any surveyors would be classed as critical workers and would not have to quarantine on arrival in Guernsey. There are between 70 and 140 critical workers arriving in Guernsey every week at the moment to perform various jobs for national infrastructure and important businesses. It was therefore very surprising that in an article in the *Guernsey Press* in July Mr Milner stated that the company could not afford to pay a surveyor to quarantine for two weeks.

455 Today, to seek clarity on behalf of Chief Pleas, I contacted Proteum, the UK agents for the *Venture's* French engines, they confirmed that they would send an engineer to commission the engines as soon as necessary under the critical worker scheme. This is the company that Isle of Sark Shipping were already in contact with so it seems that I have received entirely different information off the back of one phone call.

460 I also contacted a Mr Chris D'Alcorn, a senior manager at the MCA with responsibility for the *Venture* survey. He confirmed that whilst there is a blanket ban on their surveyors leaving the country or receiving vessels, they would be able to accept the *Venture* or failing that could even travel to Guernsey as essential workers. He confirmed that their instructions from the UK Government were to do everything possible to keep various critical infrastructure projects like our ferry service going during this difficult time of COVID. He confirmed that they had been speaking to Mr Milner and that all they were waiting for was an email from Isle of Sark Shipping confirming Guernsey's low-risk, COVID-free status.

470 It is quite simply the supply of misinformation from IoSS that very sadly leaves us with no faith as the executive's proper running of the company. Just imagine if on Friday morning, ahead of the extremely busy lawn mower racing weekend, which has been fully booked for several weeks now, the *Belle* was to break down. In fact last Saturday they were operating over an hour behind schedule because of engine problems. It has been suggested to us by the board that Trident would be an option to use one of their boats, but again this is not entirely true as Trident were unwilling to lease out their second boat at the busy times for Herm, which obviously will be the same busy times for Sark, plus this is an unnecessary expense of circa £1,000 a day when £5,000 could be spent putting the *Venture* back into service.

475 We are elected as Conseillers to spend hours and days of our lives reading reports and attending meetings with Isle of Sark Shipping on behalf of the electorate as the whole of the Sark population cannot be in all of these meetings. And after over a year and a bit dealing with these

480 various issues it is our Committee's unanimous opinion that immediate change is needed at Isle
of Sark Shipping.

Thank you.

The Speaker: We have had three speakers introducing three different areas of the Report. I
485 would ask Members who wish to ask questions and take part in the debate to raise their hands
now and I will call you in turn.

Conseiller Makepeace, Conseiller Ventress, Conseiller Drillot, Conseiller Sandra Williams,
Conseiller Helen Plummer, Conseiller McHugh and Conseiller Craik, that will do for starters. There
490 have been three speakers and therefore you may wish to direct your question specifically to one
of the speakers or it can be a more general question which the Committee will respond to.

I think because of the complexity and the length of the introduction that I will ask a Conseiller
to talk, ask any questions they wish and be replied to before we move to the next question.

So, Conseiller Makepeace.

495 **Conseiller Makepeace:** Thank you, sir.

I am asking for Item 5 to be deferred from tonight's Agenda so as to allow time for all
Conseillers and the public, and equally the directors of the Isle of Sark Shipping Company to be
able to study the reports from all sides very carefully and make informed decisions and responses.
So far we have only heard the side of the Shipping Committee and Policy & Finance. I would like
500 to add that I share the opinions and concerns of the overwhelming majority of Sark taxpayers who
have contacted me wishing for Item 5 to be deferred.

It is over 12 years now since the Reform Law of 2008 was introduced, yet we find ourselves in
an unpleasant situation where a Committee of Chief Pleas has shown a total lack of respect and
disregard for their fellow Conseillers and taxpayers alike. It beggars belief that a Committee of
505 Chief Pleas should seek to deliberately withhold information from its fellow Conseillers and the
Sark public until the last minute and further to seek to deny people the right to be able to study
the documents in a timely fashion.

Thank you, sir.

510 **The Speaker:** Now, I am going to ask for a response to that. Who wishes to respond to that
statement?

Conseiller La Trobe-Bateman: Yes, regrettably it was late, the papers coming out. They were
with both sets of lawyers. There was an employment lawyer, Advocate Hall, that was with our
515 papers and advising us and also the Law Officers, so there was a lot of back and forward. And it
did depend on how the non-executive directors decided to go. We did ask them to resign, so it
would have changed the whole Report should the directors resign instead of not resigning. So it
was kind of left not to the last minute, but things were changing and we did not get it back until
today, and as soon as we had it back and it was agreed, it was sent out.

520 **Conseiller Makepeace:** Can I reply, sir?

The Speaker: No, I will put another question first. I will come back with another round of
questions afterwards.

525 Conseiller Ventress.

Conseiller Ventress: I support Conseiller Makepeace in asking for a deferment because
together with many Conseillers and with feedback from members of the public I am concerned
with the lack of time, 12 hours, to read, digest, evaluate and question the documents and above
530 all the information put to this Committee and come to a reasoned conclusion. I have decided that
there seems to be no rush or reason to continue with this tonight and would support the proposal

535 that Item 5 be deferred to a future meeting of Chief Pleas and it should first be submitted to a preliminary information meeting for Conseillers at, say, a PDG. Should the motion to defer this matter fail I will have no option but to vote against all the Propositions. Should all the Propositions be passed this will leave IoSS with a new board and no formal handover or knowledge of the current situation, despite everything we have been told tonight. Therefore a serious hiatus in the senior management at this critical period of trading so far, given all the problems thrown up by COVID-19 and a second wave with COVID-20 – or even 20A and B and so on, it is mutating quickly – in the offing. It seems to be that the current board have performed well, despite much criticism from certain quarters.

540 Thank you.

The Speaker: Who wishes to respond to that?

545 Conseiller Guille.

Conseiller Guille: Thank you, Conseiller Ventress.

I would argue that this is a very urgent matter. The aforementioned example of what would happen to the businesses on Sark if the *Belle* were to break down this coming weekend, we are not satisfied that the company has got suitable contingency plans in place and how would that affect the many Sark businesses that are complaining at the moment about the level of service being offered, how would that affect them in this incredibly difficult year? I cannot see any resolution with the current board and the Policy & Finance Committee and I think the acts that we have outlined already, I cannot see a way back and I think immediate action is needed.

555 **The Speaker:** Conseiller Drillot.

Conseiller Drillot: Thank you, Mr Speaker.

Mine is more actually a report rather than a question as I just want to put my point of view. I was working with Policy & Finance on this since I was elected onto the Committee and also working down at the Harbour very closely with the crew, the skippers and some of the office staff.

560 I will start off with my concerns with the maintenance: we were put through, as Conseiller Guille said before, a whole load of paperwork with reference to new boats, second hand boats, to then find after wasting 18 months that they could not get the boat they wanted anyway due to the paperwork. There were no signs of a plan in place to build a new boat, even though they have known that the boats that they had were old and were not going to last. The new boat was out of their price range, that should have all been worked out, in our eyes, by the board a long time ago.

570 Working down at the Harbour, travelling on the boat, which is something that I do quite often travel on the boat, and have the privilege of being to go and have a chat to the crew, as I know them from working down the Harbour. Unfortunately a lot of the board directors do not even use the boat; they probably do not even talk to the crew half the time. My concerns talking to the crew for the last three years, at least, is that they had no respect for the management, for the board – we lost some good office staff, we lost some good crew, all due to mismanagement.

575 Under the concerns of COVID recently the situation we are in with the one boat, yes, we have been very lucky thanks to some brilliant work we are in a little bubble, we are getting a lot of people. We could be getting a lot more. If we had the two boats, if the *Venture* had got into place and we had the two boats we would not be turning people away.

580 Isle of Sark Shipping will tell you they are not turning people away, we only have their word for that. I know from talking to crew and talking to hoteliers here that people have been turned away and had to rebook for a different day or a different time. Recently, Friday, for instance, we lost 120 day trippers because it was just a little bit too rough for the *Belle*, it would have been okay for the *Venture*. So we are losing people despite the figures looking very good, and the figures do look very good on Isle of Sark Shipping at the moment.

585 Now to today's Propositions: I do feel that we are in a really bad position. One point I do agree
on with the board is that possibly we could have had a Conseillers meeting with them, but as we
are being voted in as Conseillers, we have been voted by the Conseillers to go on to these
Committees, we need trust from the Conseillers that we have looked down every avenue that we
could possibly look down before we came to these decisions. I do not think anyone from the two
Committees have just come to this decision overnight. I feel we have really worked hard to come
to these, and I will be supporting these Propositions.

590 Thank you.

The Speaker: That was more of a statement than a question, therefore I shall move to the next
Conseiller, Conseiller Sandra Williams.

595 **Conseiller Sandra Williams:** Thank you.

I am not picking bones but I would just like to make the point that I was not present at the
meetings that took place in Guernsey with the Directors and neither was I present at the meeting
in Sark because I had other commitments, where a decision was made to remove the executives
and the non-executive board, even though it has Harbours on the top, there was a majority of the
Harbours Committee there, but I was not present as the Chairman.

600 We seem to have come to a bit of ... there is an awful lot of breakdown in communication going
on around, I think, but I am still of the opinion, and I have spoken to two Members of P&F today,
that after listening to all of the reports there is an awful lot of information that has come out of
those reports that I would actually quite like a copy of that I can read and study before I am asked
to vote on something tonight. If I am forced to vote tonight, with a heavy heart, I will be voting
against these Propositions because I would like to see fair. I had an email today from Mr Milner
stating that with the correct and fair compromise agreement he would have been more than
willing to resign but did not appreciate receiving a letter basically putting a gun to his head and
saying resign by Tuesday morning or else.

610 I am 100% supporting the Finance & Resources Committee and obviously the Shipping
Committee on the decision that we need to seriously move forward on getting the *Venture* and
as the work has been carried out today I would like to ask that something is done that puts the
priority on to Conseiller Guille to get those people here and to get the *Venture* back in service in
the next 14 days and just have time to think and consider where we need to go from here.

615 **The Speaker:** Thank you.

Who would like to respond to that, please, from the three introducers? Conseiller La Trobe-
Bateman.

620 **Conseiller La Trobe-Bateman:** Yes, thank you.

I think that if you would like Conseiller Guille to take this on and get the *Venture* here then
voting him in as an executive director is the best way to make this happen.

Thank you.

625 **The Speaker:** Conseiller Plummer.

Conseiller Plummer: Thank you.

630 I totally agree this is a very sad meeting. Like everybody else, I have had quite a lot of people
coming in and telephoning etc. asking that this be deferred but I have also had people in saying
that they are quite disturbed about everything and they feel that the board have been dragging
their feet and that enough is enough and that we should move on.

Now, this puts us all in a very difficult position. We are voted in by the people of Sark to do
what we think best for Sark. On the one hand we have got people saying please keep the board
in, have it deferred, let us look. It came as a horrible shock to us all to have to take this in. I think

635 I can speak for us all, it has taken all the time since this started that we have thought, read, and
done nothing else, put our workload aside to do this but that does not matter, that is what we are
here for. I would just like to wonder if the Isle of Sark Shipping Company had been handed over
and gone into administration what the population of Sark would have said about that when they
had found out?

640 Thank you.

The Speaker: You wanted to speak, Conseiller Raymond?

645 **Conseiller Raymond:** I think they would have been very concerned because the process of
administration transfers the management and control to probably an accountant in Guernsey who
would then risk being responsible for running all of the scheduled boats or not, it would obviously
take him some time to come to terms with what he had taken on and I would only suggest that
there would be disruption at that point.

650 So I think that the resolutions of 7th May which actually preserved the company and kept it
out of administration were justified for that reason because at least they preserved the continuity
of the service, albeit the liabilities which have been shouldered by Chief Pleas are very substantial,
as I have said.

The Speaker: Conseiller McHugh.

655 **Conseiller McHugh:** I would like to join Conseiller Makepeace and Conseiller Ventress and I
think Conseiller Williams in asking for a deferral.

660 You all three describe a litany of error and neglect and I am inclined to believe you, and when
you say that you want to replace the board of directors with people who actually care about Sark
I am inclined to believe you, well, I do believe you. It is just that I cannot support the way that it
has been tabled. I cannot understand the need for the rush. All these problems have been going
on for the past 12 months, well most of them since May, but for a long time we have been moaning
about Sark Shipping. If we had seven days or two weeks, if you released the papers and then gave
us time to think about them before we could vote on them...

665 I think the urgency of the lawnmower racing and so forth that you have described, Conseiller
Guille, I mean at the beginning of the summer season perhaps we could have changed things to
get more revenues in but now the only urgency that I can see is getting the boat in time for winter,
the *Venture*, so as long as that is completed before the end of September, then I think everything
will be okay really. So I do not understand why it needs to be so rushed.

670 And just to be a bit sniffy, if you get rid of the directors of Sark Shipping, who is going to
negotiate your terms of employment ...? [*Inaudible*] Who are you going to talk to? But that is just
being a bit sniffy.

[*Clapping from the Public Gallery*]

675 **The Speaker:** Conseiller McHugh, can I just ask that you stand – no clapping from the audience,
thank you very much – in front of the microphone otherwise we will lose your voice as you turn
away from the microphone.

Thank you very much.

680 Who will respond to that question? Conseiller La Trobe-Bateman.

Conseiller La Trobe-Bateman: Thank you.

685 I think as Conseiller Raymond has just said, that if Conseiller Guille is not being paid the contract
is not really an issue. Julie Mann's contract will possibly be a slight issue but that can be done
possibly I think, and you may correct me, with Conseiller Guille and Richard Wickins to do her
contract (*Interjection*) and it would just use the current contract, I would imagine.

The Speaker: Could you say that again, we missed that.

690 **Conseiller La Trobe-Bateman:** Sorry, I think that Conseiller Guille's contract would be irrelevant because he is not getting paid and I think that Julie Mann's contract would be –

The Speaker: Could you please keep quiet at the back, otherwise I will clear the Gallery, I will have no compulsion about clearing the Gallery. Keep quiet please.

695 **Conseiller La Trobe-Bateman:** Richard Wickins and Conseiller Guille would work on Julie Mann's contract alongside Policy & Finance, I would imagine.
Thank you.

700 **Conseiller Makepeace:** Sir, can I ask a question?

The Speaker: No. I will allow you to ask a question when I have gone through the list of speakers and then I will come back to you again, which is what I said at the start.
Conseiller Craik.

705 **Conseiller Craik:** Thank you, Mr Speaker.

I just feel this evening we have had a lot of information thrown at us and I am thankful for a further explanation as to why this Proposition has been brought forward. I am in the belief that it should be deferred. I think we need time to digest, to take in this information and to ask possibly the necessary questions that need to be asked as well as the board of Isle of Sark Shipping, give them the opportunity to also respond.

710 I do agree that there have been definite mistakes made by Isle of Sark Shipping and things in regard to the *Sark Venture* should have already come to a conclusion, the boat should be back in the water, I cannot disagree with that.

715 However, the speed in which in this Proposition has been brought forward is concerning and it should at least have possibly been given more time for us as Conseillers who have not been involved from the beginning to digest the information, ask the necessary questions and be given time to make the proper decisions.

Thank you.

720 **The Speaker:** Who will take that question? Conseiller La Trobe-Bateman.

Conseiller La Trobe-Bateman: Yes, I think that if this decision is to be deferred, the proposal, then I would propose that a thorough and independent investigation to IoSS, covering all matters raised this evening, be commenced immediately.

725 Also I would propose, given the level of misinformation that has previously been provided by Sark Shipping executive directors, that they are suspended with immediate effect pending the outcome of the investigation.

730 **The Speaker:** Conseiller Blythe.

Conseiller Blythe: Thank you, sir.

I think we are all in agreement of the Propositions and where we are at; the only problem seems to be the speed it is being done at.

735 Personally, sometimes it just has to be done quickly and I think tonight we should not defer this and we should vote for it and I will be voting for all the Propositions.

Thank you.

The Speaker: Are there any new speakers who wish to contribute to the debate?

No, in that case, Conseiller Makepeace, you wished to put a second question.

740

Conseiller Makepeace: I would like to ask Conseiller Blythe, you said that we should deal with the matters tonight, however things have been done quickly but it was known last week that there was going to be a delay with receiving papers from the Law Officers. We had enough time last week to defer the meeting to a suitable date such as to allow the documents and the papers to

745

be given out to the public and everyone else, there is no excuse for it. Our main loyalty, if you like, is to the Sark taxpayers, they are the people that we serve and they deserve better than this. They should have the opportunity to study the papers with no excuses whatsoever about time and everything. This has been going on for so long now that an extra few days to give us a chance to read the papers does not make any difference, so I am asking for a deferral, and I would be voting against.

750

Thank you.

The Speaker: Conseiller La Trobe-Bateman.

755

Conseiller La Trobe-Bateman: If it is the will of Chief Pleas to have a deferral for, I do not know how long a deferral takes – three days, four days or whatever – and that is the will of it then I am not going to stand in the way of Chief Pleas, I will accept that.

The Speaker: Okay, any other speakers?

760

Conseiller Sandra Williams.

Conseiller Sandra Williams: If Conseiller La Trobe-Bateman and the rest of the Policy & Finance Committee are happy to defer the Propositions for two days or five days, obviously to do this is not going to be easy either because I do not know what the agreement is with the company in Guernsey as opposed to will Mr Milner be in work tomorrow morning and if he is not, who is going to be running the company? I do not know what the handover procedure is so really we need to know from you and your Committee how difficult it is going to be to do what you have been asked to do and postpone it without it affecting the running of the company for the rest of this week, bearing in mind that it is August bank holiday weekend.

765

770

Conseiller La Trobe-Bateman: May I suggest that the Committee step outside and discuss this; is that allowed?

The Speaker: Yes, I am prepared to call a recess to enable the Committee to come to a decision as to whether they are going to agree to a deferment and that could be put to the vote. I have had a proposer and a seconder and somebody as a third and fourth who have asked to defer. A deferral cannot be an indefinite deferral, a deferral would have to have a finite time. You have mentioned from the Policy & Committee that any deferral you believe should have a review done by an external agency to put that in place, how long will that take? And you need to have those considerations when I call the recess and bring you back.

775

780

It is dark outside or it is getting dark outside! It is now twenty past eight. I am going to call a recess for 20 minutes. However, I will be in my office if Conseillers are ready to come back before 20 minutes, and I now call a 20 minute recess.

Thank you.

*Chief Pleas adjourned at 8.20 p.m.
and resumed its sitting at 8.35 p.m.*

785

The Speaker: Conseiller La Trobe-Bateman.

Conseiller La Trobe-Bateman: Thank you, sir.

We have obviously met and Policy & Finance and Harbours & Shipping have agreed for a deferral for two days until Thursday, if that is possible. That gives plenty of time for people to speak to the public to get their views and then it will be all be sorted before bank holiday weekend.

Thank you.

The Speaker: So your proposal is that it be deferred until Thursday, in two days' time, to meet at seven o'clock here to continue the debate without any fresh reports or with more information?

Conseiller La Trobe-Bateman: That is a good question! We can probably dig out some more information if needed sir, yes. I think that there will be a lot more verbal reports obviously once people have spoken to members of the public so we will bring the same report but with verbal speeches on top.

The Speaker: Right.
Conseiller Makepeace.

Conseiller Makepeace: I think that is a ridiculous thing to propose. Two days is not going to give us the opportunity to do anything at all. We are expected to get statements, contact Sark Shipping and the public and everyone else. Two days is not long enough. I am asking for two weeks, is a more realistic time. *(Interjections)*

Thank you.

Conseiller La Trobe-Bateman: We are firm on two days.

The Speaker: Okay.
Conseiller Ventress.

Conseiller Ventress: I also feel that we need more time and we also need a lot of the information forwarded to the Conseillers that we have been given today. I certainly feel that we need more than two days to absorb it all.

Thank you.

The Speaker: Conseiller Craik.

Conseiller Craik: I would agree two days is too short. I think that we definitely need more time, two days is not going to be enough time to speak to the people that we need to speak to, for the public to actually consult with Conseillers and share their views, and for us to speak to Isle of Sark Shipping.

Also I would ask that the additional information that we have been given this evening is forwarded on to us to review please.

Thank you.

The Speaker: Then you have an option, you can go with your original proposal of two days and see whether that is approved or not. If it is not approved what happens then?

Conseiller La Trobe-Bateman: Then we keep going until we find a date that everyone agrees with I suppose, I am not really sure. But I would like to put it to the vote for the two days, if possible.

The Speaker: You would like to put it to the vote for two days and if that is accepted then we meet in two days' time. If that is defeated then I will call another recess for Conseillers to come up with a date which they are prepared to vote for.

840 So the proposal from the Policy & Finance Committee is that this meeting is suspended, deferred for two days to reassemble at 7 p.m. on Thursday 27th August. Those in favour? Those against? So the deferral for two days is **carried** by 9 votes to 5.

Therefore this meeting will take no further debate on this Item and Chief Pleas will reassemble at seven o'clock on Thursday evening. The Deputy Speaker will be in the Chair.

Regulations Laid Before Chief Pleas –

The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey)

(No. 4) Regulations, 2020;

The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey)

(No. 4) (Amendment) Regulations, 2020;

The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey)

(No. 5) Regulations, 2020;

The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey)

(No. 5) (Amendment) Regulations, 2020;

845 **The Speaker:** Regulations laid before Chief Pleas, there are four sets of Regulations laid before Chief Pleas: the Emergency Powers (No. 4) Regulations, The Emergency Powers (No. 4) (Amendment) Regulations, The Emergency Powers (No. 5) Regulations and the Emergency Powers (No. 5) (Amendment) Regulations.

850 The No. 4 Regulations and their amendment have been superseded by the No. 5 Regulations, which repealed those documents and brought in some of the provisions forward from those Emergency Powers and made new ones. I am sure that the next time we meet, in the end of October, there will be further Emergency Powers to lay before this parliament.

Greffier.

PRAYER

The Greffier

Chief Pleas closed at 8.41 p.m.