



OFFICIAL REPORT

OF THE

EXTRAORDINARY (EMERGENCY)

MEETING OF CHIEF PLEAS

OF THE

ISLAND OF SARK

HANSARD

Assembly Room, Sark, Monday, 21st June 2021

*All published Official Reports can be found on the
official Island of Sark Chief Pleas website www.gov.sark.gg*

Volume 7, No. 4

Present:

Seigneur

Maj. C M Beaumont Esq.

Speaker of Chief Pleas

Lt. Col. R J Guille, MBE Esq.

Prévôt

K N Adams

Greffier

T J Hamon

Treasurer

S Hudson

Assistant Constables

C Jones

D Gale

Conseillers:

Helen Plummer

John Guille

Christopher Drillot

William Raymond

Simon Couldridge

Natalie Craik

Nichola McHugh

Edric Baker MBE

Tony Le Lievre

Frank Makepeace

Fern Turner

Paul Williams

Sandra Williams

Vaughan Bougourd

Kevin Delaney

Business transacted

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Extraordinary (Emergency) Meeting of Chief Pleas

Chief Pleas met at 6 p.m.

[THE SPEAKER *in the Chair*]

PRAYER

The Greffier

ROLL CALL

The Greffier

The Greffier: There are 15 Conseillers, the Seigneur and the Speaker of Chief Pleas present.

Procedural – Electronic devices

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

Business of the Day

1. Electricity – Policy & Finance Committee Report considered – Propositions carried

To consider a Report with Propositions from the Policy and Finance Committee entitled 'Electricity'.

Proposition 1:

That Chief Pleas authorises the Policy & Finance Committee by way of an agent or representative appointed by the Committee, if the Committee so determine, to negotiate the purchase (subject to the final approval of the Chief Pleas) of Sark Electricity Limited/Sark Electricity Holding Limited and/or its assets and/or any other assets located on Sark, and which are used for the Island-wide generation and/or distribution and/or supply of electricity.

Proposition 2:

That Chief Pleas authorises the Policy & Finance Committee to direct the Law Officers of the Crown to draft legislation to enable the compulsory purchase of Sark Electricity Limited/Sark Electricity Holding Limited and/or its assets and/or any other assets located on Sark, and which are used for the Island-wide generation and/or distribution and/or supply of electricity.

The Speaker: We only have one Agenda Item tonight.

Agenda Item 1 is to consider a Report with Propositions from the Policy & Finance Committee entitled 'Electricity'.

I would ask Conseiller Guille to introduce the Report, please.

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Conseiller Guille: Thank you, sir.

I will say we will be asking for named votes on both of the Propositions when it comes to it. Thank you.

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We are assembled this evening because of the yet more extraordinary threats against our community, about the need and indeed the duty to the public that we should never find ourselves in this position again. Firstly, let me make something absolutely clear: these threats were and are very real and were made to the highest levels both in Sark and in Guernsey.

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Mr Witney-Price, who may be better known to you all as Mr Alan Jackson, has spent the last few days trying to rewrite history by suggesting that Chief Pleas is fabricating this crisis. He has been quoted on the Friday as saying that he never had an intention to turn off this weekend. This compares to a phone call made by Mr Witney-Price to the Governor's office on Tuesday morning. A report from the Governor's secretary: 'Alan Witney-Price, formerly Jackson, telephoned this office this morning to advise that there are only sufficient finances in SEL to last until Saturday, when the electricity will be switched off.'

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I do not know about the rest of you, but if I were running Sark's monopoly electricity provider I would think very carefully before calling the Queen's representatives to the Bailiwick to make threats to disconnect the Island's electricity supply and, in turn, most people's water supplies.

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In separate correspondence with Guernsey Electric, the Price Commissioner and the Seigneur of Sark on the same day, he used bad language towards and insulted the Price Control Commissioner and stated that the Chief Pleas and the Commissioner needed to learn a lesson. The six political members of the CCA, the Bailiff, the Comptroller, the Procureur and other Law Officers have all recognised this as a real and valid threat to the safety of Sark's residents. I will leave it to you to decide who to believe on this detail.

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That sums up what is the most recent attempt by Mr Witney-Price to rewrite the truth, and in that respect it is probably worth revisiting his first public meeting on Sark shortly after he acquired the company. In this meeting he stated repeatedly that the company was wholly his, bought entirely with his own money, and more importantly he was committed to the long-term future of Sark and transferring our electricity supply into a modern, cost-effective green solution.

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Upon leaving the meeting, I was informed by a well-respected Sark resident that he had been contacted by a top Guernsey financier who informed him that Mr Jackson had, in the days before the meeting, been seeking a significant level of private investment in SEL, with a plan that the company would be restructured and sold at a profit within a short time period. Again, I will leave you to decide whose narrative to believe here.

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The Propositions before you are intended to begin to finally bring to a conclusion what has been an extraordinary situation for Sark. There are few modern jurisdictions where there would even be the remotest possibility of such threats occurring, let alone being acted upon. You must remember, though, that these threats have been made before and indeed they have already been acted upon. There are 19 homes in the north of the Island currently being powered by Chief Pleas-supplied generators. In this situation, Mr Moerman offered a sensible alternative to relocate equipment and avoid any disconnection of homes, but Mr Witney-Price declined this compromise and instead disconnected 19 properties.

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These Propositions are not intended to be final, they are merely the beginning of a process, but first of all we would like to reach out for a negotiated solution. The second Proposition is not to agree compulsory purchase, it is merely to ask the Law Officers to begin drafting such legislation so that we have it on hand should we need to in the future. Most other jurisdictions already have this on their statute books and it is something that I think Sark is missing, and it will put us in a strong position.

I think I would like to open up the debate to the floor and accept any questions from
Conseillers, please.

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The Speaker: Could I have your hands raised, please, Conseillers, who would wish to speak?
Thank you. Keep them up, please.

I have taken down the names of the hands I saw up, there will be an opportunity for other
people to chip in if they wish, but I would ask Conseiller Drillot to start the debate off, please.

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Conseiller Drillot: Thank you, Mr Speaker.

I would just like to put a few background points on some of the correspondence that has been
sent around, mainly one of the biggest ones that was posted on Facebook a while ago – I say a
while ago, last week – just some of the background really on people thinking that P&F, the
Douzaine, Chief Pleas have been sitting on their hands for the last two and a half years, not really
doing anything.

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Since I have been on Chief Pleas I have been involved from the beginning with Policy & Finance
on the original threat to shut off, which obviously I was not on Chief Pleas for, but it was a concern
to all, so we started working on that one. Then, as everybody knows, it got out of hand with the
previous owner, then got sold; then we were taken on to deal with on the Douzaine side, with
Mr Jackson, and I would just like to clarify some of the points where he is blaming us for sitting on
our hands, holding back, not doing this, not doing that. I think it is important that everybody in
here knows what we are dealing with.

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In September 2020, the Douzaine met with Mr Jackson on-site to negotiate and have a look at
the issue up north. We agreed then that we would allow for the works to go ahead that he
required to put in temporary, to be permanent, cables to supply the north end with electricity.
We were accused more than once of not giving this permission. The only permission we did not
give was the wayleaves. That came later with another conversation where the Douzaine was called
to the power station for an emergency meeting to give Mr Jackson the wayleaves to get on with
the job that he wanted to do. This was months later, after he had told us that this work was *urgent*.

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It turned out that we could not give him the wayleaves, we could give him permission to dig
the road – this is the road that is owned by the Seigneur, so the wayleaves had to come from the
Seigneur. So Mr Jackson went down a different line, still blaming the Douzaine for not giving him
the permission to get on with the work. I want to clarify that the Douzaine did everything they
could at that time.

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Later on, in a Policy & Finance hat, we spoke and had a meeting with Mr Jackson and went
through lots of ideas and tried to negotiate. We tried to sit round a table with his lawyers and
himself to come up with some kind of solution to help to get everybody working in the same way.
We all thought it was a very good meeting, but we are still waiting for some of the action points
from that meeting to come, which would have *possibly* meant we would not be in this situation.

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I would also like to clarify that I made a mistake in a Chief Pleas meeting where I inadvertently
accused them of not mapping their cables correctly. It was my mistake, it was not one of their
cables, it was another electric cable. I hold my hands up to that one, seeing as Mr Jackson keeps
accusing me of it. I will just admit in here that I did make that mistake.

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But I would also clarify that Chief Pleas, the Committee of Policy & Finance and the landowners
have been waiting for quite a while now for Mr Jackson to give us a detailed map – we have had
a rough map – of where all the cables are, how deep they are and what condition they are in. This
is something that, when we came to Chief Pleas a few meetings ago, we agreed to do a survey of
the cables for that reason, because we just do not know where all this cabling is and what
condition it is in, which is quite relevant to the negotiations that we may be having if this
Proposition goes through to buy the company.

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The last thing I would like to put forward at the moment – I might well have some more later,
depending on what else in the debate there is – is that I am going to, sorry, back both of these
and would approve that most people would go for it. It is something that Policy & Finance have

110 been working on for a lot longer than I have been there, it is something that the public has been asking for for years, for Chief Pleas to take control. I feel it is something that we need to look into, it is not something that we are going to guarantee we are going to do, but from tonight we need to look into it and we need to make sure, and we need to be ready that if we have to compulsory purchase we need to get that started, because that will take a while to sort out.

115 So I hope that both of these will go through. Thank you.

The Speaker: Conseiller Delaney, please.

Conseiller Delaney: Thank you, Mr Speaker.

120 The Price Control Commissioner issued a letter to residents of Sark on Friday evening and I would just like to put on record, he says: 'I am writing to inform you that the Managing Director of SEL has notified my office, the Governor of Guernsey and the Seigneur of Sark that the company will shortly cease trading due to financial difficulties.'

125 Unfortunately he omitted to say that the company had already informed us, all the Members of Chief Pleas, in a letter dated 3rd June from Carey Olsen that SEL cannot be run at a loss and will close if the OPC and SEL cannot agree a way forward on this. In the penultimate paragraph he again reiterated this point.

I bring that to the House's attention because the moment that Mr Jackson made that statement I think we had no choice but to go forward and put in place provision to legally take control of the power station in the event of the switch being thrown. We have no choice on it. I think that is almost a point that cannot be debated in the sense that he has made – rather than a 'threat', we could say he has put this information into us and then into the public domain. So I ask the Chair of P&F if he could just expand, and firstly give us and the public an assurance that those procedures are in place, that we are in a position to legally go in and keep the electricity on for the people, because I think that is probably the most pressing issue this evening. I believe it is the one thing that the public will want to know from this meeting.

135 Thank you.

The Speaker: Would you like to take that point now, or at the end?

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Conseiller Guille: I will take that point now, please.

The Speaker: Conseiller Guille.

145 **Conseiller Guille:** Thank you, Conseiller Delaney.

Yes I can confirm, to expand on the statement that we issued on Friday, there was a meeting of the Civil Contingencies Authority in Guernsey on Thursday afternoon of last week, which I attended in person, and they are fully aware of the situation. Legislation has been drafted and is ready to go, and in the event of a switch-off we will have all the help, and more, that we can from the Bailiwick authorities. So any malicious switch-off should only last literally for a matter of hours at the most. We do not even need to wait for officers to arrive from Guernsey this time round.

150 On top of that several Sark residents, the Emergency services and other officials have got very robust contingency plans should there be any sabotage to the equipment at the power station, and should it not be possible to turn it back on immediately there are contingency plans in place to protect the vulnerable and keep communications going on in the Island.

155 I hope that is assurance enough.

The Speaker: Conseiller Craik, please.

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

165 I think everyone can agree that none of us want to be sitting here this evening and none of us want to feel like we are back where we were three years ago. What we can all agree on is that Sark cannot keep being threatened with having its power turned off; and I think it is time now that the Sark Government does something to basically put a contingency in place to try and sort the situation out.

The two Propositions we have this evening basically start that process and by all means does not mean that we, P&F go off and just do our own thing. Anything that is done has to come back to Chief Pleas, has to be approved by Chief Pleas; and I just wanted to reiterate that point.

170 For the community it no doubt is very worrying as it is for everyone sitting in here this evening in Chief Pleas, and I just feel we cannot keep going on the way we are going, and we have to actually put a stop to this continuing.

Thank you.

175 **The Speaker:** Conseiller Makepeace, please.

Conseiller Makepeace: Thank you, Mr Speaker.

180 My big concern is that if we do not go down the compulsory purchase route then we could be faced with months and months, or even years, of costly litigation. If my figures are correct I think that so far we have, I would consider, wasted over £400,000 of taxpayers' money in legal fees for Mr White and the ongoing saga.

185 I understand that the Law Officers, understandably, cannot give us any guarantees that we would not be in a situation of costly litigation, and I think we should bear this in mind. My own preference would be, if we were to go ahead, to remove the current Price Commissioner because I think the fight has become too personal and bitter between him and Mr Jackson, and I think that maybe we would be better off appointing someone else to negotiate or to act on our behalf.

Thank you.

The Speaker: Would you like to reply to that?

190 **Conseiller Guille:** Yes, please.

The Speaker: Conseiller Guille.

195 **Conseiller Guille:** I am a bit perplexed, if we go ahead with negotiations to buy the company, why we need to remove the Price Commissioner because, given the nature of his position and his previous involvement, he certainly would not be involved in any way as part of a negotiation team to purchase the company.

200 Yes, there are some people of the opinion that money has been wasted, with various legal costs, between some very litigious personalities involved, but if it was not for the Price Commission and the Price Commissioner's law, we could all potentially be sitting here paying 85p a unit for our electricity, or 65p a unit, or whatever the owner, whoever they might be at the time, of Sark Electricity decides.

205 So it is very easy to grab those big numbers and make a point of them, but we have got to remember that the Price Control Commissioner's Office has kept our – I would not say 'kept our electricity cost down to a reasonable amount', because even some small to medium level of investment in the company could make it more efficient and we could all enjoy cheaper electricity. But there is no denying the Price Commissioner has kept bills down for Islanders, so we have seen some value out of his office.

210 **The Speaker:** Conseiller McHugh.

Conseiller McHugh: Conseiller Guille, the Price Commissioner has kept bills down, but he has taken the company to the brink of insolvency and I think that is evident in the accounts. I think Sark Electricity has never made a fortune. Their revenue lines are £700,000 and they were never
215 a big company, and we have spent a fortune pursuing them, making them shut up; and Anthony White, in my opinion, has tried to make them trade at something which is not feasible.

I think the people in this room have been for a long time, or recently, saying this is where we are, like we need to dismiss what has gone before because no one wants to talk about that now, because this is where we are. But I think, where we are, we need to hold our hands up that we
220 are partly responsible for that and I fear that if we pursue compulsory purchase, we are going to find ourselves in a position where we are dealing with finance that we cannot afford to pay back, litigation that could cripple us, and this knee-jerk reaction ...

We have talked about compulsory purchase for years it has been on the cards, and then over a period of four days, with an embargoed report that was not allowed to be public until six o'clock,
225 we are going to vote on compulsory purchase legislation. The ramifications of us doing this wrong could I think break the Island, and I do not think it is a decision that we can be making in such a short time frame.

I cannot support this Proposition. If you had come to us *today* asking for us to move something in force that was a contingency that would stop the electricity turning off then, absolutely, we
230 need to make sure that electricity does not get turned off. But compulsory purchase I think it is too dangerous. And litigation has been our downfall up to here, and it has been the cause of it all in my opinion.

Thank you.

235 **Conseiller Guille:** Mr Speaker, can I reply?

The Speaker: Do you wish to reply?
Conseiller Guille.

240 **Conseiller Guille:** I am not sure I share Conseiller McHugh's opinion that the Price Control Commissioner has brought SEL to the edge of bankruptcy, nor that they are forcing them to trade in an untenable position.

I think, going through the detail of their reports, they are not forcing them to have ... where their costs do not meet their income. What is at dispute here is unnecessary costs which should
245 not be attributable to the consumer, which is excessive legal fees pursuing cases with no merit.

It was summarised quite well to me by the MD of Guernsey Electric who said it is not like a normal retail business where all of your costs can be absorbed by the price of your product, by the consumer, by your customer. The electricity customers do not have a choice whether they
250 buy electricity or not, therefore you have to run your business in a responsible manner, not to overburden them with unnecessary cost. So I greatly dispute that it is the Price Control Commissioner's fault that SEL is in this situation.

As for the concerns over compulsory purchase, I would just reiterate, and I thought it was clear enough at the start: we are not voting tonight to decide to compulsorily purchase the company. Proposition 2 is instructing the Law Officers to draft regulations. It will take a future vote, once
255 Proposition 1, if it passes and we enter into negotiations; once, if and when those negotiations fail, then we will have a further vote as to whether we want to compulsorily purchase the company. So that is absolutely *not* what we are voting on tonight.

Most other jurisdictions already have compulsory purchase legislation written into their statutes that has been there for decades and decades, really. They have used it on Guernsey to
260 purchase land for the Airport, and countless examples. We are just, by suggesting that the Law Officers draft this legislation, almost filling a gap where Sark's laws and regulations are missing in this instance. So that is what we are voting on tonight, we are not voting that tomorrow we are going to compulsorily purchase the electricity company.

265 **The Speaker:** Can I ask if there is any –

Conseiller McHugh: Just quickly, John, why would we draft this legislation if we had no intention of using it –?

270 **The Speaker:** Conseiller McHugh, sit down, please.

Conseiller McHugh: Sorry, sorry.

The Speaker: I am going to ask if there are any other contributors to the debate.

275 Conseiller Raymond? Conseiller Bougourd? Conseiller Sandra Williams? Conseiller Makepeace, again? Conseiller Delaney, again?

Conseiller McHugh, I will allow you to come back to Conseiller Guille, but please address him as Conseiller Guille and not by his first name, please.

Conseiller McHugh again.

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Conseiller McHugh: Oh, it does not really matter now.

I was just saying, it just feels that we are proceeding down a route which I think would be calamitous, and why would we get the Law Officers to draft legislation that I do not think we can use? It would surely be a seven-figure sum and, with the potential of litigation, I just think it is a scary route to go down ...

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Wait a minute, what else was I going to say? I cannot remember. That is it, yes, okay. Thank you.

The Speaker: Conseiller Raymond.

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Conseiller Raymond: Thank you, sir.

I would just like to clarify the position of the Price Control Commissioner. The previous legal fees that have been mentioned were very unfortunate, but he was acting under legal advice at the time by an English lawyer; and there was a difference of opinion when it came to court from a Guernsey lawyer and the matter was settled out of court. That was, I know, extremely unfortunate but I want to make it clear that the Price Control Commissioner was acting under advice.

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He has also received a challenge, an appeal, call it what you will, in the Seneschal's Court from the company under the control of Mr Jackson, as he then was, which was settled out of court when Sark Electricity withdrew their appeal in April 2020. The price then was, I think, 53 pence so at that stage the company accepted that level of price.

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I have also asked him if all of the points that Mr Witney-Price, as he now is, has raised as being proper expenses, which should be recoverable from the customer, were included in his Price Control Order. He has told me that the price would then rise to 69 pence per unit. I think that at least gives us an indication of the value of his service. He has also told me that he has been approached recently by a number of people who have read his Price Control Order and his variation, and that they would like to purchase Sark Electricity.

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The Speaker: Conseiller Bougourd.

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Conseiller Bougourd: Thank you, sir.

Just a couple of points: Mr Witney-Price comes up with a lot of figures but, as Conseiller Raymond has already told us before the meeting, the Price Control Commissioner has not seen audited figures since 2016, so how do we know that these figures are anywhere near correct, for a start? That is by the way.

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The other thing is, I was going to say, we have heard a lot of ‘untruths’ – some would say they might be lies, I will say ‘untruths’ – about various things that have been said, things that have been written down. I think a lot of it is complete nonsense. We need to take, today, the sensible thing and vote for these Propositions.

320 So I would urge everyone to do the sensible thing and go forward and vote in favour of these Propositions. Thank you.

The Speaker: Conseiller Sandra Williams.

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

I would just like to concur with what Conseiller Craik said earlier. We seem to be getting ourselves here, and then moving on, and then finding ourselves here again. I think that now probably is not the best time for everybody, but I think we need to proceed forward and look at purchasing the company with the fallback that if we need it – and the legislation will take a while
330 to be approved, to be drafted – that we opt for the compulsory purchase if necessary.

The Speaker: Conseiller Makepeace.

Conseiller Makepeace: Thank you, sir.

335 I think on the subject of compulsory purchase it is also useful to mention that utility companies in the UK and elsewhere also have statutory powers – for example, to erect or lay sewers or pipes. This is counter-balanced by rights for landowners. So I think if we had a similar legislation here then maybe we would have avoided a lot of unnecessary expenditure and problems, because Mr Jackson – or whatever his name is – would have been able to compulsorily divert his cables
340 across the land.

Thank you.

The Speaker: Conseiller Delaney.

345 **Conseiller Delaney:** Thank you, Mr Speaker.

I would like to tackle first, if I may, the concept of the confidentiality of a meeting we held collectively here on Friday, and the fact that the Papers today were embargoed until six o’clock this evening. I would just make the point that I think when this House agrees to do such things, this is something that should be used very, very sparingly.

350 I think tonight to deny the public access to particularly the Papers today, I am struggling to see why these Papers were embargoed. I have to say as well that I did not see it coming, what is actually on the Papers. I say to you, Mr Speaker, the old adage that the best players are always in the stands. Well, I am no longer in the stands, I am down here on the pitch. I spent the best part of the weekend studying all sorts of bits and pieces and exchanges of correspondence and what
355 have you, thinking we were coming really tonight to debate how we would legally protect our citizens by protecting the power supply, and how we go about that.

I really did not see this coming. I reiterate that I think when we move into almost these secret society-type exercises, it is something that should be used very, very sparingly by this House.

360 Mr Speaker, my observation on what we are debating this evening is, I think it is unquestionable that this course of action will escalate the situation beyond recovery. I do not see any way, if we do pass these tonight, that we could go and explore other aspects of why we find ourselves where we are today. I think the fact that we have the current Policy & Finance Committee, I do not think any of them were there when we passed the relevant law which is the Control of Electricity Prices (Sark) Law, 2016, and I think they are being forced to deal with the
365 hand that they have been dealt.

My concerns are that we have this law, it did not work with the David Gordon-Brown family ownership of the company, it apparently is not working with the – and I *will* get his name right,

because I have written it here in capitals – the Alan Witney-Price ownership of the company. I ask whether we should take just a moment to stop and reflect is this possibly some flaw in the law itself, in the powers that we issued to Anthony White and the way it is so much, in my opinion, of the way he exercises those powers is subjective rather than objective.

For some clarity on this or for some transparency, if I may, I spoke to Mr Witney-Price on Thursday. He contacted me and asked if he could have a cup of coffee, and I think that is his right to talk to any Conseiller, quite frankly. He had a conversation with me, it was about a half-hour conversation and it was I who, towards the end of the conversation, brought up the subject of SEL, how things were going. I said my view was that something would come up at the next Chief Pleas, and he just shook his head and said ‘We won’t be trading at the next Chief Pleas.’ So that is where we ended up with that.

Afterwards, I contacted the Chair of Policy & Finance because I was aware that certain moves were afoot and I thought it important that I report to him that this meeting had taken place. He expressed his gratitude for that. I also happened by chance to bump into the Chair again yesterday outside here, and said that it was most likely that Mr Witney-Price would ask to meet me again today, and I would have no reason not to meet with the man.

I made my position clear for Mr Witney-Price that as far as the position we find ourselves in with the electricity, we have no choice but to take action to ensure that we can keep the power on. But our discussion did leave me with some reflection, and the reflection was that at the last Chief Pleas I asked why we were not sitting and negotiating. Why was P&F not sitting and negotiating with Sark Electricity?

On reflection, actually, it is wrong for me to say that this comes as a result of my meeting with Mr Witney-Price today, the reflection came to me this morning that of course it is not for us to interact with the company. We are the legislature and we have handed over to the executive – in this case Mr White – to act on our behalf. So we make the policy, the executive goes out and executes it. Which is why I say within the House this evening that I wonder whether we should give some consideration before we go down this route, to looking at the law that came into force in 2016, I believe; and examining, before we go down a path that I believe to be beyond recovery, that we do look at that lot and we say is there perhaps anything in there that, had it been slightly different, we would not have ended up where we are today.

I am not here as a spokesman for Mr Witney-Price, I am speaking in the interest of the credibility of this House to have stress-tested every eventuality before we make a move based on something that for me has come, I have to say, totally out of the blue – the concept that we would be coming here tonight and asked to vote on the Propositions. I did not see it coming. I really did not see it coming. In fact we were actually told within the summary tonight that this was only agreed yesterday, 20th June 2021 by the Policy & Finance Committee – in fact, I know because I was passing by, and it was round about four o’clock yesterday

So we have moved to this position in a little over 24 hours, which is a fundamental change in position. We are now talking public ownership of this company. What I would urge the House to do is just buy us a little more time, perhaps give us a week or two, and we can take feedback from the public. We could revisit this at the Midsummer meeting and I think the credibility of this House would be enhanced were we to do that.

Thank you, Mr Speaker.

The Speaker: Anybody else, before I ask the Chairman to sum up? Two more. Conseiller Turner, followed by Conseiller Raymond.

Conseiller Turner, please.

Conseiller Turner: I would just like to say that this crisis has been going on since 2016 –

The Speaker: You need to stand up, please.

420 **Conseiller Turner:** Sorry, start again!

This crisis has been going on since 2016 with the electricity and we are merely putting things in place to protect the Island and the public, and I cannot see any reason why we should not vote against this. It *is* for everybody on the Island

425 **The Speaker:** Thank you.
Conseiller Raymond.

Conseiller Raymond: Thank you, sir.

I cannot see any reason for delaying the motions that are in front of us as Propositions today.
430 We are actually only instructing Policy & Finance to get the Law Officers to draft a law to enable compulsory acquisition to take place. It is not the *act* of compulsory acquisition. That *may* unfortunately come in the future, but it is not on the Agenda tonight.

As for the negotiations, those can go ahead, they are very sensible and reflective, and I think would meet Conseiller Delaney's requirements.

435 **The Speaker:** Thank you.

Conseiller Guille, if you would like to sum up, please, and then we will go to a named vote on both Propositions.

440 **Conseiller Guille:** Thank you, sir. I would like to thank all Conseillers for some very useful contributions this evening.

I appreciate Conseiller Delaney's concerns about the lateness of supplying papers to the public and, indeed, Conseillers. It is solely due to the extraordinary threats received by the Island. The decision was taken by Committee with advice from officers in Guernsey as well that there is the possibility, with an unmanaged switch-off of the power station done suddenly and remotely, as
445 can be done, that the machinery in there will be permanently damaged beyond repair.

So in the best interest of the Island, we wanted to risk escalating that situation, which we believe earlier publication of the papers before the weekend could have led us down that road.

I think the Propositions presented, Conseillers must be aware that the conduct of SEL in recent
450 years is what has brought us to this situation. That you can have disagreements with the Price Commissioner, you can have disagreements with the Government of Sark, but threatening to turn off the electricity to an Island where over half of the population is over 60 should not, in my opinion, even be an option that should be uttered. Therefore I am afraid I can see the situation is not retrievable with the current owners of the electricity company, which is why I would urge
455 everybody here to support both of these Propositions.

Thank you.

The Speaker: We will go to the vote on Proposition 1, and this will be a named vote: That Chief Pleas authorises the Policy & Finance Committee by way of an agent or representative appointed
460 by the Committee, if the Committee so determine, to negotiate the purchase (subject to the final approval of the Chief Pleas) of Sark Electricity Limited/Sark Electricity Holding Limited and/or its assets and/or any other assets located on Sark, and which are used for the Island-wide generation and/or distribution and/or supply of electricity.

Greffier.

There was a named vote.

Carried – Pour 13, Contre 2, No Vote 0

POUR

Conseiller Helen Plummer
Conseiller John Guille
Conseiller Christopher Drillot
Conseiller William Raymond
Conseiller Simon Couldridge
Conseiller Natalie Craik
Conseiller Nichola McHugh
Conseiller Edric Baker MBE
Conseiller Tony Le Lievre
Conseiller Fern Turner
Conseiller Paul Williams
Conseiller Sandra Williams
Conseiller Vaughan Bougourd

CONTRE

Conseiller Frank Makepeace
Conseiller Kevin Delaney

NO VOTE

None

465 **The Speaker:** Now, I will just count that up.

I declare Proposition 1 **carried**. There were 13 votes Pour, and 2 Contre.

We will now move to Proposition 2: That Chief Pleas authorises the Policy & Finance Committee to direct the Law Officers of the Crown to draft legislation to enable the compulsory purchase of Sark Electricity Limited/Sark Electricity Holding Limited and/or its assets and/or any other assets located on Sark, and which are used for the Island-wide generation and/or distribution and/or supply of electricity.

470

Greffier.

There was a named vote.

Carried – Pour 11, Contre 4, No Vote 0

POUR

Conseiller Helen Plummer
Conseiller John Guille
Conseiller Christopher Drillot
Conseiller William Raymond
Conseiller Simon Couldridge
Conseiller Natalie Craik
Conseiller Edric Baker MBE
Conseiller Fern Turner
Conseiller Paul Williams
Conseiller Sandra Williams
Conseiller Vaughan Bougourd

CONTRE

Conseiller Nichola McHugh
Conseiller Tony Le Lievre
Conseiller Frank Makepeace
Conseiller Kevin Delaney

NO VOTE

None

The Speaker: There were 11 votes Pour, and 4 votes Contre. I declare Proposition 2 **carried**.
Greffier, the Grace, please

PRAYER

The Greffier

Chief Pleas closed at 6.50 p.m.