



**OFFICIAL REPORT**

**OF THE**

**EASTER MEETING**

**OF CHIEF PLEAS**

**OF THE**

**ISLAND OF SARK**

**HANSARD**

**Assembly Room, Sark, Wednesday, 27th April 2022**

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**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

**Constable**

P Burgess

**Assistant Constable**

C Jones

**His Excellency the Lieutenant Governor**

Lt. Gen. Richard Cripwell CB CBE

**Conseillers:**

Helen Plummer  
John Guille  
Christopher Drillot  
Simon Couldridge  
Nichola McHugh  
Edric Baker MBE  
Frank Makepeace  
Fern Turner

Paul Williams  
Sandra Williams  
Vaughan Bougourd  
Kevin Delaney  
Joseph Donovan  
Pippa Donovan  
Kevin Monaghan

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## Easter Meeting of Chief Pleas

*Chief Pleas met at 5 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.

### **Apologies received**

**The Speaker:** I present apologies from Conseiller Le Lievre.

### **Welcome to the Lieutenant-Governor, Lt. Gen. Richard Cripwell CB CBE**

**The Speaker:** I would like to welcome our new Lieutenant-Governor, His Excellency Lt. Gen.  
5 Richard Cripwell, and also Mrs Cripwell, who is in the audience at the back.

It was a great pleasure for the Seigneur, myself and three others from Government to attend  
Your Excellency's installation on 15th February at the invitation of the Royal Court. It seemed a  
busy and productive day for you. Some of us had a very rough journey in a force 8 gale to and  
from Guernsey on Ray Lowe's charter boat to take part in the events. You had an almost as rough  
10 journey coming over today – and you were *into* the headwind as well.

On behalf of Chief Pleas, I welcome you to Sark and hope that you both, and with your family,  
manage to spend some relaxing times here in our lovely Island.

### **Welcome to Conseiller Kevin Monaghan**

**The Speaker:** I would now like to welcome Conseiller Monaghan to this, his first Meeting. Kevin  
was the only candidate to come forward to fill one of the three vacant seats in the by-election  
15 scheduled for 23rd March. I welcome you to this Assembly and hope that you will be elected to  
one or more Committees under Committee elections at Item 16.

I can confirm that Conseiller Monaghan has completed his declaration of interest form.

**STATEMENT**

**Douzaine update –  
Statement by Conseiller Drillot**

**The Speaker:** We now have a Statement by the Douzaine. Conseiller Drillot, to give a Douzaine update.

20

**Conseiller Drillot:** Thank you, Mr Speaker.

Update from the Douzaine: 2021-22 has been difficult for the Douzaine, working with a pandemic and then the coming out of this has different challenges to normal. The Douzaine has been running one Member down since the resignation of Conseiller Turner and we would like to thank her for her time on the Committee. We hope to fill this place tonight.

25

The Public Works team has been working hard to get the public toilets and areas ready for the start of, hopefully, a busy season. The Public Works team format has changed for 2022. Jason Brehaut left – and we thank him for his time on board – and Shaun Southern joined us. But unfortunately it was not for him, and he has moved on. Once again, we would like to thank him for his time and input to the new system. We look forward to welcoming Mark Feibel on to the team next month.

30

In January 2022, Fiona Heald retired as Public Works Treasurer. Once again, we would like to thank her for all her hard work in the past times.

Elliot Osborn started in January in the new role set up by the Douzaine as a Quarry Operative. This position is set to sort the rubbish, to maximise the amount shipped and reduce the dirty waste costs that we were producing, and to sort out the recycling, freeing the other two lads to get on with the rest of the jobs we must do.

35

The Island-owned properties have been upgraded to rental standard and as they change hands new contracts are set for tighter agreement. The Medical Centre is getting the accommodation upstairs updated and a kitchen fitted, so it can finally be used for locums as designed. Recycling started in February and has been a great success. So much so, it has left us with a shipping issue, which we are working round. We would like to thank the public for their help with this, and we hope you keep sorting your rubbish. This has cut the burning down by at least 60% and we are still working hard on reducing that more. A big thank you to Conseillers Williams and Drillot, and to the office staff for all their hard work on getting this set up.

40

45

GRG have been reporting that there are a few issues with the wrong materials going into the bags. House to house of the sort of things that are wrongly going in will be coming out shortly. On the whole, it is looking good.

The harbour café needed a lot of structural work. Some was done last year. This year it was decided to replace the windows and doors after one had been vandalised. This has revealed more structural issues which are being repaired at the moment.

50

The café was put out for tender and interest from Sark Shipping to use as a waiting room/ticket office was looked into. In the end it was not feasible and we had an interest to turn it back to a café. With their proposal, it has been agreed and a three-year lease has been signed, and we wish Phil and Jackie all the best in this adventure. Alongside the structural work, we are fitting a new, up-to-date kitchen, which hopefully all will be up and running for mid-June.

55

The materials have arrived for the re-tarmacking of the bottom part of the Harbour Hill. The contractors are just sorting some equipment and then they will be here to do the job some time in May. A tender is being drawn up for the repointing and repair of the monument, which is in a bad state, so hopefully we will get this done this summer.

60

Thank you.

**The Speaker:** Are there any questions of the Chairman of the Douzaine on his Statement? No.

**Procedural –  
Electronic devices**

65 **The Speaker:** In that case, 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. Matters Arising from the Christmas Meeting held on Wednesday, 19th January 2022**

**The Speaker:** We move to Agenda Item 1, Matters Arising from the Christmas Meeting held on 19th January 2022. Are there any matters arising? No.

### **2. Matters Arising from the Extraordinary (Special) Meeting held on Wednesday, 19th January 2022**

70 **The Speaker:** We move to Agenda Item 2, Matters Arising from the Extraordinary (Special) Meeting held on 19th January 2022. Are there any matters arising? No.

### **3. Matters Arising from the Extraordinary Meeting held on Wednesday, 16th February 2022**

**The Speaker:** We will move on to Agenda Item 3, Matters Arising from the Extraordinary Meeting held on 16th February 2022. Before I ask for any matters arising, I would wish to make a correction to the *Hansard*. On page 14, line 345, it was Conseiller Pippa Donovan speaking, and not 'Pippa Delaney'. *(Laughter)*

75 Are there any matters ...? *(Interjection and laughter)* Now, you weren't paying attention! *(Laughter)* You were quoted as introducing an Item which Conseiller Pippa Donovan introduced, so I thought it best to clear that matter up.

Other than that, are there any other matters arising on those minutes? No. Okay.

### **4. Questions not related to the Business of the Day – None**

80 **The Speaker:** We move to Agenda Item 4. You can see, sir, we are rocketing through this. Agenda Item 4, Questions not related to the Business of the Day. There are none.

**5. The Customs and Excise (General Provisions)  
(Bailiwick of Guernsey) (Amendment) Law, 2022 –  
Policy and Finance Committee Report considered –  
Proposition carried**

*To consider a Report with Proposition from the Policy and Finance Committee entitled 'Amendment to Customs Law' and to approve the Projet de Loi entitled 'The Customs and Excise (General Provisions) (Bailiwick of Guernsey) (Amendment) Law, 2022'.*

*Proposition:*

*That Chief Pleas approves the Projet de Loi entitled, 'The Customs and Excise (General Provisions) (Bailiwick of Guernsey) (Amendment) Law, 2022'.*

**The Speaker:** So we move to Agenda Item 5, to consider a Report with Proposition from the Policy and Finance Committee entitled 'Amendment to Customs Law' and to approve the Projet de Loi entitled 'The Customs and Excise (General Provisions) (Bailiwick of Guernsey) (Amendment) Law, 2022'. I would ask Conseiller Bougourd to introduce the Report, please.

85

**Conseiller Bougourd:** Thank you, sir.

In order to maintain biosecurity post-Brexit within the Bailiwick, it is proposed that the Customs and Excise (Bailiwick of Guernsey) Law, 1972 is amended in order to allow certain functions of the comptroller to be designated to appropriate Guernsey Border Agency (GBA) officers in relation to the sale or destruction of certain ceased perishable goods. This is a fairly common-sense amendment, really. This amendment would allow the GBA to deal with perishable goods, normally by way of destruction, soon after seizure, rather than hold on to them for a month.

90

The Policy and Finance Committee consider the proposed amendments to the Customs Law to be an appropriate and timely response to the challenges faced by those responsible for maintaining biosecurity in the Bailiwick and recommend that Chief Pleas approves this amendment.

95

Thank you.

**The Speaker:** Are there any questions or debate from the floor? (**Conseiller Makepeace:** Yes, sir.) Conseiller Makepeace.

100

**Conseiller Makepeace:** Just a question, really. Who will decide, then, if the items need to be destroyed?

105

Thank you.

Or we do not know what state they are in, do we, actually, the items, I was wondering?

**The Speaker:** Conseiller Guille.

110

**Conseiller Guille:** Thank you, sir.

Conseiller Makepeace, presumably one of the customs officials at the point of entry into the Bailiwick, being that Guernsey or Alderney. So the airports or the ports in Guernsey, or the airport or the port in Alderney.

115

**The Speaker:** Conseiller Sandra Williams.

**Conseiller Sandra Williams:** I do not think it is relating to this, but it is customs. Could I just ask the Policy and Finance Committee if they are aware of the hold-ups that we are having with the



120 Guernsey Border Agency allowing staff to come and work on the Island? It is customs and excise, but it is a different –

**The Speaker:** It is not an appropriate question. You should have brought that up under –

**Conseiller Sandra Williams:** Well, I only knew about it yesterday.

125 **The Speaker:** Yes, sorry. It is not an appropriate ... Write to the Committee and get your answer that way. *(Interjection by Conseiller Sandra Williams)*

Anybody else? No. In that case, we will go to the vote on the Proposition: that Chief Pleas approves the Projet de Loi entitled the Economic and Financial Crime ... Sorry, I am on the wrong one. I am on Customs and Excise – I turned over one page too many.

130 So the Proposition is that Chief Pleas approves the Projet de Loi entitled, ‘The Customs and Excise (General Provisions) (Bailiwick of Guernsey) (Amendment) Law, 2022’. Those in favour; those against? **Carried.**

**6. The Economic and Financial Crime Bureau and  
Financial Intelligence Unit (Bailiwick of Guernsey) Law, 2022 –  
Policy and Finance Committee report considered –  
Proposition carried**

*To consider a Report with Proposition from the Policy and Finance Committee entitled ‘Legislation Relating to the Investigation of Economic Crime’ and to approve the Projet de Loi entitled ‘The Economic and Financial Crime Bureau and Financial Intelligence Unit (Bailiwick of Guernsey) Law, 2022’.*

*Proposition:*

*That Chief Pleas approves the Projet de Loi entitled, ‘The Economic and Financial Crime Bureau and Financial Intelligence Unit (Bailiwick of Guernsey) Law, 2022’.*

135 **The Speaker:** We move to Agenda Item 6, to consider a Report with Proposition from the Policy and Finance Committee entitled ‘Legislation Relating to the Investigation of Economic Crime’, and to approve the Projet de Loi entitled ‘The Economic and Financial Crime Bureau and Financial Intelligence Unit (Bailiwick of Guernsey) Law, 2022’. I would ask Conseiller Pippa Donovan to introduce the Report, please.

**Conseiller Pippa Donovan:** Thank you, sir.

140 The legislation itself that is attached to this Report for reference primarily sets out the role and legal responsibilities of the Director of the Economic and Financial Crime Bureau and provides the legal basis for the Financial Crime Bureau to operate within, alongside the other existing intelligence units in Guernsey.

145 For those who have read the legislation, you may be wondering how it affects Sark. This cannot become a Bureau with Bailiwick-wide reach, unless we, and Alderney too, pass it. An FCB set up solely by Guernsey would not have jurisdiction in Sark, so would not enjoy powers to investigate Sark’s residents, and therefore we would somewhat be alone and exposed in the event that a criminal financial activity was suspected.

150 Though there is currently no company register in Sark, and so subsequently the likelihood of a Sark resident committing corporate financial crime is reduced, in the past Sark and the Bailiwicks of Guernsey and Jersey have been in the national spotlight in relation to perceived loose or lacking financial legislation and this is our opportunity to take a step towards safeguarding for the future and actively demonstrate unity as part of the wider Bailiwick against financial crime.

155 This is an example of a Law that we ask the House to support and pass in the hope that we never need to refer to it. In the event that a Sark resident is suspected of committing a financial

crime, I hope you will agree it is certainly better to have a robust Law in place than to have to scabble around embarrassingly wishing we had one and, in doing so, potentially attracting negative attention to our Island.

160 In supporting this Proposition, I believe we are protecting our national and international reputation, sending out a strong and firm message to anyone thinking that they can move to our Island because they are less likely to be caught committing financial crime, and play an active part in protecting the wider Bailiwick from being blacklisted as a whole.

Thank you.

165 **The Speaker:** Are there any questions or debate? (**Conseiller Makepeace:** Yes, sir.)  
Conseiller Makepeace.

**Conseiller Makepeace:** Just one slight point I did not really understand too well. Will this be like a sort of law enforcement agency? How far do their powers of investigation go? Will they be able to take it all the way through to possible prosecution or not?

170 Thank you.

**The Speaker:** Conseiller Pippa Donovan.

175 **Conseiller Pippa Donovan:** Thank you.

The Financial and Economic Crime Bureau is set up and primarily is run by the Government of the States of Guernsey as an investigatory unit, such as the Financial Intelligence Service, and would be working alongside the Police Force and any other necessary body with the powers to investigate and then take forward within the policing process, dependent on the levels of crime found, which I hope answers your question.

**Conseiller Makepeace:** It is just that I remember the financial investigation authority, was it before, I think they had very little authority. They had to act on tips, tip offs or something like that. So is this just to strengthen that, is it now?

185

**The Speaker:** Yes, it is.

**Conseiller Makepeace:** Oh, okay. Thanks.

190 **The Speaker:** Anybody else? No.

In that case, we will go to the Proposition in the Report: that Chief Pleas approves the Projet de Loi entitled 'The Economic and Financial Crime Bureau and Financial Intelligence Unit (Bailiwick of Guernsey) Law, 2022'. Those in favour; those against? **Carried.**

#### **Procedural – Agenda reordered**

195 **The Speaker:** Before we move to Agenda Item 7, I would propose, under Rule 10, that Item 18 from the Addendum be taken now. I gave notice of this movement of the order to Conseillers, and a simple majority in favour will reorder the Agenda.

Those in favour; those against? **Carried.**

**18. Public Functions (Transfer and Performance)  
(Bailiwick of Guernsey) (Amendment) Law, 2021 –  
Policy and Finance Committee Report considered –  
Proposition carried**

*To consider a Report from the Policy and Finance Committee entitled ‘The Public Functions Law’ and to approve the Projet de Loi entitled ‘The Public Functions (Transfer and Performance) (Bailiwick of Guernsey) (Amendment) Law, 2021’.*

*Proposition*

*That Chief Pleas approves the Projet de Loi entitled, ‘Public Functions (Transfer and Performance) (Bailiwick of Guernsey) (Amendment) Law, 2021’.*

200 **The Speaker:** We will now move to Agenda Item 18 from the Addendum. Agenda Item 18, to consider a Report from the Policy and Finance Committee entitled ‘The Public Functions Law’ and to approve the Projet de Loi entitled ‘The Public Functions (Transfer and Performance) (Bailiwick of Guernsey) (Amendment) Law, 2021’. I would ask Conseiller Guille to introduce the Report, please.

205 **Conseiller Guille:** Thank you, sir.  
I am actually handing over to Conseiller Pippa Donovan for this one, please.

**The Speaker:** Okay.

210 **Conseiller Pippa Donovan:** Thank you, sir.  
Other than what is written in the Report, giving the background following the States of Deliberation in Guernsey in 2010 and then through to their approval in 2015, and now to this for the Public Functions Law, I see it very much as housekeeping in terms of that it is a sensible and straightforward thing to do and to follow, but you will note that in section 3 in the Projet de Loi, it just notes how the transfer of functions ... there will be a section 1A inserted into there for  
215 Alderney and Sark Committees, and just explains how that works with regard to our specific Governments and the transfer of those sorts of powers in any situation where decisions need to be made and how that would work in the respective Islands.

I do not have anything further to add, but if anyone has any questions, I will do my best to answer.  
220 Thank you.

**The Speaker:** Are there any questions or debate? No.  
Then we will go to the Proposition in the Report: that Chief Pleas approves the Projet de Loi entitled ‘Public Functions (Transfer and Performance) (Bailiwick of Guernsey) (Amendment) Law, 2021’. Those in favour; those against? **Carried.**  
225

**7. Education Matters –  
Education Committee Report considered –  
Proposition carried**

*To consider a Report with Proposition from the Education Committee entitled ‘Education Matters’ and to approve the Service Level Agreement entitled ‘Education Services for Sark School’.*

*That Chief Pleas approves the proposed Service Level Agreement with the States of Guernsey, acting by and through the Committee for Education, Sport & Culture.*

**The Speaker:** We now move back to the main Agenda, Item 7, to consider a Report with Proposition from the Education Committee entitled ‘Education Matters’ and to approve the service level agreement entitled ‘Education Services for Sark School’. I would ask Conseiller McHugh to introduce the Report, please.

230

**Conseiller McHugh:** Thank you, Mr Speaker.

As you can see from the Report, we have been very busy on the Education Committee. Much has happened, but much has also been resolved. We have recruited a new Head of School, who will begin in September, Michelle Brady. Michelle is originally from Guernsey and she is delighted to be joining Sark School. I think that she will be good for the School and that the parents will like her. Michelle is replacing our current Head of School, Nick Wolfe, whose contract will end at the end of this current term.

235

In July, Nick will have taught at Sark School for four years – three years as a class teacher and one year as an acting head – and he will be sorely missed, not only at the school, but because he has become a fully paid-up member of our community. I hope that he has enjoyed his time here and I would like to thank him for all his hard work, wishing him well in the next chapters of his life.

240

We also have a second teacher to replace. Jo Branson handed in her notice mid-December last year, giving only one term’s notice, and those were the terms of her contract. She has now left the Island; she left at Easter. Because we are an Island with less access to supply teachers, and as a direct result of her resignation and the short notice period that she gave, all new teachers’ contracts will now include a notice period of two terms.

245

The replacement for Jo Branson, whilst not complete, is nearly complete, and interview weekend will run the weekend after next, but there are now only two candidates, rather than the preferred four. But both candidates are strong and both candidates have experience in Key Stage 1 and early years foundation study. The interview panel will include Nick, Paul Armorgie, and Michelle Brady, the new Head of School.

250

The service level agreement, as attached to this Report, is now complete, and if the House approves the Proposition at the end of this Report, both parties will sign the contract and the agreement will begin.

255

Before I go on to briefly outline the new service level agreement, I would like to again thank Conseiller Joe Donovan, and again underline that the credit for negotiating this agreement is his. The agreement has already been signed by Conseiller Joseph Donovan’s counterpart in Guernsey, and should the House pass the Proposition tonight, it is my intention that Conseiller Joseph Donovan will sign on our behalf.

260

The SLA has been negotiated to a fixed charge of £24,552 per annum, and this number is based upon what we used to pay Beverley Gates. The new agreement is fluid and organic, and will flex to meet our requirements. It will begin as an on-Island review and the date for this review is currently pencilled in as 23rd May. This solution is more robust and more stable than what we previously had.

265

Term-time hosts. In March, after a meeting with Guernsey Health & Social Care, the Education Committee began a recruitment campaign to attempt to secure more host families. The campaign

reached three potential host families, but this is not enough to cover our 2022 cohort. In March, at our initial meeting with Guernsey HSC, we agreed an Easter recruitment deadline before we would start implementing a plan B, but in light of our shortfall, we have decided to extend this  
270 deadline and ramp up our marketing campaign. There is a meeting scheduled with HSC on 6th May to discuss this new tack and there is a marketing meeting scheduled for tomorrow night with the Board.

Whilst both the Board and the Education Committee will continue to market term-time hosts and there is a strong chance of success, there can be no guarantee, because we are dealing with  
275 things which are out of our control, and the Education Committee is duty bound to formulate and to be ready to implement a contingency. The contingency will likely comprise an extra teacher and an on-Island solution, and our first step will be to initiate recruitment. After consulting with the HSC – who do the vetting for the term-time hosts – and the Board, the marketing campaign will work towards a second deadline.

For 2023, the task of finding new host families will hopefully become easier because in 2023  
280 there will only be a requirement for two hosts and in 2024 there are currently no leavers. This will allow us some breathing space to find and implement a proper solution, because in 2025 we will currently require four placements; in 2026, nine; in 2027, nine; and in 2028, we will need 13. It is important to note that these numbers will likely change.

Should new arrivals come to Sark with post-13 requirements, the 2003 Education legislation,  
285 as amended in 2019, legally obliges us to make full provision, even though, as things stand, with nothing offered at the School post-13 and too few hosts, we may be practically unable to do this. This could lead to legal challenge and it needs to be addressed. Also, *bona fide* Sark students may not bond well with their hosts and in such an instance there needs to be an opportunity to move.  
290 If the host solution is to work, what we need is an actual bank of willing Guernsey families, and for all these reasons, if host families remain our accommodation solution, marketing for hosts will not end with the 2022 cohort. It will need to be ongoing and ongoing.

The 2017 review: it was never meant to be like this. It was the Sark house at the heart of the  
295 2017 review that won over sceptical parents. But why does the project remain incomplete? The new shortage of host families has understandably rekindled parental anger at this issue. If a Sark house is a solution to post-13 education, then the project needs to be properly recognised and swiftly implemented. But if the Sark house is unworkable, then equally the idea needs to be dismissed, because as long as it remains a formless ideal, it is actually damaging, because it impedes any progress towards a different solution.

To this end, a working group has been set up and this group will formulate a Sark house  
300 proposal, a proposal that hopefully the Education Committee will bring before the House. If any parent or another member of the community feel that they could contribute to this working group, then please contact the Board.

The Committee will bring the House further progress reports and further thoughts on all these  
305 issues at the Midsummer Meeting, if not before.

Thank you for your time.

**The Speaker:** Any questions or debate, please? Could you raise your hands?

Conseiller Makepeace. Conseiller Guille, start off this time, please, followed by  
310 Conseiller Makepeace.

**Conseiller Guille:** Thank you, sir.

I would just like to also extend my thanks to Conseiller Joseph Donovan for, shortly after joining  
315 Chief Pleas and the Education Committee, dealing so ably with the service level agreement with Guernsey and setting up what I think will be a very useful safeguard for the future. And I would like to say, coincidentally with the new head teacher, Michelle Brady, having previously worked in Guernsey, what a good linkup I think this is going to be in order to build a solid foundation for education on Sark, as she can link up with all of her past colleagues in Guernsey to give support

320 for the School, for the pupils and, really importantly, for the teachers in their onward professional development.

So thank you again, Conseiller Joseph Donovan.

**A Conseiller:** Hear, hear.

325 **The Speaker:** Conseiller Makepeace.

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

330 I would just like to thank Conseiller McHugh for all her work. I know she has worked at this tirelessly, and often maybe paints a modest picture of the amount of effort and concern that she puts into it.

I would also like to thank Conseiller Joseph Donovan as well, who has been a welcome addition to the Committee, which actually would have been contrary to the views of the previous Head of Education.

335 That is all I have got to say, sir. Thank you.

**The Speaker:** Conseiller Joe Donovan – anybody else? Followed by Conseiller Baker.  
Conseiller Joseph Donovan, followed by Conseiller Baker.

**Conseiller Joseph Donovan:** Thank you, Mr Speaker.

340 I would just like to say thank you to Conseiller Guille for his kind comments, and also reiterate – and I would really like to make this point – Conseiller McHugh has been the unsung hero of our Committee and she has worked tirelessly to bring all of these elements to a head. So thank you to her and thank you for the very clear report and her speech tonight. I think it really helped to set out the direction that we are heading in and I do believe it is the right direction.

345 I would also like to thank our departed primary teacher, Mrs Branson. We would not be where we are today without her efforts. And obviously our current head teacher, who sadly will soon be leaving us, Mr Wolfe, who has done a fantastic job in some extremely difficult circumstances, along with our Seigneur, who was the head of the Board at the time. They were under an immense amount of pressure, along with the teachers at the School, and they have done a great job holding the fort. So thank you to all of them; and also to our Guernsey counterparts. It has been a really eye-opening experience and a very good one working with them to set this agreement up and I would hope that the House agrees that this is the right direction to take education on Sark. I firmly believe that it is.

355 Just to reiterate some of the points that Conseiller McHugh raised, it allows us an incredible amount of flexibility that we have not had before and access to a range of services, skills and experiences that I am absolutely certain will help to improve education as a whole. I am quite happy to answer any questions if anyone has got them regarding the agreement, but we spent quite a bit of time making sure that it is what we need and appropriate, so I am confident it is the right thing to vote in favour of it tonight.

360 Thank you.

**The Speaker:** Conseiller Baker, please.

365 **Conseiller Baker:** I think it has all been said, quite honestly, but an excellent Report, very transparent in the way it is presented as well.

Thank you very much for everybody concerned.

**The Speaker:** Anybody else? No.

370 We will then go to the vote on the Proposition: that Chief Pleas approves the proposed service level agreement with the States of Guernsey, acting by and through the Committee for Education, Sport & Culture. Those in favour; those against? **Carried.**

375 Conseiller McHugh, you mentioned the fact that you will be working on, and you have of course always the option, if you need to come back before the July Midsummer Meeting, to request an Extraordinary Meeting, if that was necessary.

**Conseiller McHugh:** Thank you, Mr Speaker.

**8. Amendment to the Reform Law for the Constable - New Role –  
Policy and Finance Committee Report considered –  
Proposition carried**

*To consider a Report with Proposition from the Policy and Finance Committee entitled 'Amendment to the Reform Law for the Constable – New Role'.*

*Proposition*

*That Chief Pleas directs the Policy and Finance Committee to speak with the Law Officers of the Crown to draft an amendment to 'The Reform (Sark) Law, 2008' to bring into effect the changes mentioned in this Report.*

380 **The Speaker:** We move to Agenda Item 8, to consider a Report with Proposition from the Policy and Finance Committee entitled, 'Amendment to the Reform Law for the Constable – New Role'. I would ask Conseiller Drillot to introduce the Report, please.

**Conseiller Drillot:** Thank you, Mr Speaker.

385 At the Easter 2020 Chief Pleas, the Douzaine presented a report outlining the change of Constable role. This had been delayed due to COVID. This role has been in place for two years. The Douzaine, through Policy and Finance, would like the House to allow the Law Officers to make the necessary changes to this Reform Law.

Thank you.

**The Speaker:** Are there any questions or debate? No.

390 In that case, we will go to the Proposition: that Chief Pleas directs the Policy and Finance Committee to speak with the Law Officers of the Crown to draft an amendment to the Reform (Sark) Law, 2008 to bring into effect the changes mentioned in the Report.

Those in favour; those against? **Carried.**

**9. The Investigation for Air Accidents and Incidents –  
Policy and Finance Committee Report considered –  
Propositions carried**

*To consider a Report with Propositions from the Policy and Finance Committee entitled 'The Investigation for Air Accidents and Incidents'.*

*Proposition 1*

*That Chief Pleas agrees that the legislation which currently applies to the Bailiwick of Guernsey regarding the investigation of air accidents and incidents is updated, in particular to implement:*



*(a) Annex 13 to the Chicago Convention as required; and (b) Regulation (EU) 996/2010 on the investigation and prevention of accidents and incidents in civil aviation.*

*Proposition 2*

*That Chief Pleas agrees to the substance of the proposed Order in Council (set out in paragraphs 4.2 and 4.3 of the appended Policy Letter) for the purposes of Article 72A of the Reform (Guernsey) Law, 1948, as amended.*

**The Speaker:** We move to Agenda Item 9, to consider a Report with Propositions from the Policy and Finance Committee entitled 'The Investigation for Air Accidents and Incidents', and I  
395 I would ask Conseiller Couldridge to introduce the Report, please.

**Conseiller Guille:** Sir, Mr Speaker, Conseiller Guille.

**The Speaker:** Again? (**Conseiller Guille:** Yes, sir.) (*Laughter*) Yes. Okay, Conseiller Guille. You  
400 gave me a wrong list here, or have I chosen it wrong?

**Conseiller Guille:** No, there was a mix-up somewhere along the line, sir, but I will be presenting this Item.

This really is a housekeeping one for us. Obviously we know of the high-profile, tragic accident  
405 recently in the Bailiwick and this change has come about as a direct request from the Department for Transport in the UK, that the Bailiwick updates its legislation relating to the investigation of air accidents and incidents.

I would like to move to the Propositions, please, Mr Speaker, and hope the House as a whole supports them.

410 Thank you.

**The Speaker:** Are there any comments or debate? No.

In that case, we will go to Proposition 1: that Chief Pleas agrees that the legislation which  
415 currently applies to the Bailiwick of Guernsey regarding the investigation of air accidents and incidents is updated, in particular to implement (a) Annex 13 to the Chicago Convention as required, and (b) Regulation (EU) 996/2010 on the investigation and prevention of accidents and incidents in civil aviation. Those in favour; those against? **Carried.**

Proposition 2: that Chief Pleas agrees to the substance of the proposed Order in Council set out in paragraphs 4.2 and 4.3 of the appended policy letter for the purposes of Article 72A of the  
420 Reform (Guernsey) Law, 1948, as amended. Those in favour; those against? **Carried.**

**10. 2021 Financial Statements –  
Policy and Finance Committee Report –  
Proposition carried**

*To consider a Report with Proposition from the Policy and Finance Committee entitled '2021 Financial Statements'.*

*Proposition*

*That the Financial Statements of the Island for the year ended 31st December 2021 be adopted.*

**The Speaker:** Agenda Item 10, to consider a Report with Proposition from the Policy and Finance Committee entitled '2021 Financial Statements' and I would ask Conseiller Turner to introduce the Report, please.

425 **Conseiller Guille:** Conseiller Pippa Donovan, sir.

**The Speaker:** Wow! That list you gave me is wildly wrong! *(Laughter)*  
So who is introducing this one?

430 **Conseiller Guille:** Conseiller Pippa Donovan.

**The Speaker:** Conseiller Pippa Donovan, please.

**Conseiller Pippa Donovan:** Thank you, Mr Speaker.

435 The Policy and Finance Committee presents the Financial Statements for the Island of Sark for the year ended 31st December 2021. The financial statements have been reviewed and signed by an independent accountant, Brayon Ltd, as required by the Reform Law of Sark, 2008.

440 You may have noticed a slight change to how the figures are being presented, one that we believe is clearer and easier to understand, aligns to common accounting practices and demonstrates to both Conseillers and the public more transparency and improve financial visibility.

Overspend versus underspend in certain areas can all be, and have been, explained in the Report and schedules. Public Works is an example of this, as we have already heard from Conseiller Drillot earlier on, but we are really hoping that the recycling will help to reduce our Public Works costs overall moving forward.

445 Last year, when we were in the process of budgeting and planning, there were certain aspects that proved very difficult, or nigh on impossible to forecast. For example, how many Islanders would support the recycling initiative, how many bags we would be looking at for the weight per kilogram, etc. Now, having had almost a full quarter of data collected about this, Public Works are able to use these trends and information to help inform them moving forward. As already touched on by Conseiller Drillot, the Treasury Office also took over processing the Public Works accounts, and so this change to the way of working has led to increased financial visibility and it is hoped will help with more realistic budgeting moving forward.

450 There are many positives to take, because it will not have escaped you that we ended the year with a notable cash balance of over £200,000, versus a forecast of just £3,000, the primary influences being the collection of Impôt and increased property sales, and therefore income from Property Transfer Tax.

455 In closing, I would like to thank the Committees for continuing to make every effort, as was made, to manage budgets closely with the support of the Treasurer and her office as the Island recovers from the challenges presented in 2020. We would also like to thank the Treasurer, Sarah Hudson, and the Treasury team for compiling this very thorough breakdown of last year's statements, and I would revert to the House for any questions.

Thank you.

460 **The Speaker:** Are there any questions or debate? I see your hand up, Conseiller Makepeace. Anybody else? Conseiller Baker; Conseiller Sandra Williams.  
Conseiller Makepeace, followed by Conseiller Baker.

470 **Conseiller Makepeace:** Yes, sir. I am a little uncomfortable with the figure of £206,000 as the surplus, because as I understand, for this to be valid, we would have to restate the parameters from previous years. In other words, we would need to take this year's figures with last year's ... The fact that we changed the system around I think gives an artificially high surplus and if we were to use previous years' parameters, the surplus would change from £206,000 to around about £86,000. So that is all I have got to say.

475 **The Speaker:** Conseiller Sandra Williams.

**Conseiller Sandra Williams:** Thank you, sir.

I was hoping that I would not have to ask this in the House, but I did actually email the P&F Committee and asked them for information on the Chief Secretary's and Committee Support Officer's increase in pay, but I had no response from any of them. In 2020, it was £63,359; in 2021, it went up to £107,219, and now we are being asked for £92,527.

I understand that we are taking on an assistant to the Chief Secretary, and I wondered if that is reflected in the Budget from last year that did not happen, because of COVID at the time, and is it added into the total cost for this year.

Also, I may have just missed it, but I do not remember a report coming to Chief Pleas asking us to approve another £30,000 in 2020, pre-COVID, for this to be advertised on the website. I did ask the Committee the question, because I may have missed it on the website and I may have not been at the Meeting, but I just think people are concerned that we are supposed to be saving money because of COVID, and everyone is being asked to save money on budgets, and yet we seem to be able to find another ... And I am not by any means belittling the work that is done. I think the team do a good job. But I think we should justify where we are spending that extra £30,000 of taxpayers' money.

**The Speaker:** Conseiller Baker.

**Conseiller Baker:** Yes, sir. I have got several observations to make. If I can start with the smallest first, section 23, 'Miscellaneous expenditure', we still have Digimap licensing. Surely, sir, in the days of Google Earth and the like, is it correct to continue with this sort of expenditure?

Second point, item 20, I would like a breakdown for the Seigneur, officers and Civil Service; if we could have the sum of money apportioned to each person. It used to be in the distant past, and it was changed. Is that possible, to do it now?

Thirdly, which is probably the most important part, I have been concerned, and also many members of the public have been concerned, at the cost of running the new Abattoir, and when we filter through the figures in the accounts, we see that the income for 2021 was £7,742; the management fees were £12,603. I think that means that the Island is subsidising the slaughterhouse, or Abattoir, if we prefer to call it that, by £4,862 a year, but this is not really the true amount. If we look at the Public Works incinerator operating cost, we see that at £29,000, and a significant part of these costs would be the disposal of Abattoir waste.

Could I, through the Chair, ask that the Agriculture Committee, in the interest of transparency, get accurate figures of the costings of the Abattoir, please?

**The Speaker:** Okay. Thank you.  
Conseiller Makepeace.

**Conseiller Makepeace:** Yes, sir. I would just like to refer to comments made by Conseiller Sandra Williams. I actually find it quite incredible that Mrs Williams has written to one of the Committees and has received no reply about increasing salaries, when I actually wrote to the Medical Committee to ask if they would let me know why Ms Beverley Gates was still being employed by their Committee. It had not been taken to the House for approval, there is no information about her conditions or rates of pay, so I think really, maybe the Medical Committee should reply as well, because Ms Gates, as I understand, is still in employment despite leaving and resigning last September, and leaving us in a bit of a mess, to be honest.

Thank you, sir.

**The Speaker:** You are going to do a bit of summing up, are you? Or answering questions? (Conseiller Guille: Answering questions.) Right, we will get back in a moment with that.

Conseiller Sandra Williams.

**Conseiller Sandra Williams:** I was just going to make comment that I am 100% sure, and if Mr Makepeace would like to have a look, he will see that Ms Bev Gates's realigned job as Safeguarding Officer was approved by this House with the figure that she was going to be paid per year.

**A Conseiller:** Sir?

**The Speaker:** Conseiller Delaney, do you want to speak?

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

Just a couple of comments, if I may, and I am going to refer the Committee back to one of the first things I spoke about when I joined this House last year, and that was two concerns I had – or observations would be a better way of putting it.

One was I felt that with some of the challenges we are going to have ahead of us on the public finances, we should be seriously looking at our accounts being audited. I think it is almost inevitable that we are going to be borrowing at some point in the not-too-distant future. As we all know, Governments have two ways of getting hold of money: they can either tax or they can borrow. I think an important start on this would be, when we do go to borrow, we are in the strongest position to negotiate the lowest cost of finance. I think having our accounts audited would go a considerable way towards that.

The other point was, that I raised last year, in basically the first speech I gave to the House, was the need for us to strengthen our balance sheet. It is a painless exercise, but we can look across the Island's properties and the figure has barely moved this year from £657,000 up to £665,000. I must tell you what comes for that. We get: Ivy Cottage; teacher's houses, in the plural; the fire station; assembly room/new offices; visitor centre; crane shed; Creux Harbour shelter; Greffe and committee offices; the medical centre.

There is a lot of latitude there and I would ask the Committee to consider undertaking a revaluation of those assets and getting on the balance sheet before we do move to go out to doing some of the, what I think is inevitable, quite large-scale borrowing we are going to have to do as we move forward. We know that the power station itself ... and Conseiller McHugh floated the idea earlier of the Sark house that we are going to have to resolve one day or another.

Mr Speaker, when it comes to borrowing, I would also ask whether the Committee would have a look at the concept of whether we as an Island, semi-autonomous state, whatever we want to call ourselves – a self-legislating state – would be allowed to issue bonds, because it is the most effective way of borrowing.

I must say Conseiller Makepeace has shot my fox a little, because I thought we were looking at a £200,000 surplus. I have taken that at face value. Conseiller Makepeace makes it £86,000. But for illustrative purposes, were we allowed to issue a bond, by my calculations, at £200,000, we could probably issue a £4 million bond at a 5% coupon. I think that would be a very effective way of borrowing going forward. One might look at a 10-year bond. I would certainly, from my own perspective, always wish to see us borrowing only for capital expenditure.

I think that is a mistake many governments, including Guernsey, I must say – and I attended an event on Monday of this week where Guernsey politicians were bemoaning the fact that so much of the money that they borrow actually goes on revenue expenditure. But the concept of the Island being able to borrow through a bond, I think a likely scenario that would pan out – there is no money in money nowadays – a bond issued by a self-legislating jurisdiction such as ourselves that issued a 5% coupon, at the end of its life would probably find itself renewed immediately without the need for the capital to ever be ... It would almost be a perpetual bond, because a good, secure, fixed income of 5% a year would be quite an attractive proposition for a lot of people.

580 So I hope my points do not come over as negatives. I seek only to look into the future and see if we can begin to make some constructive preparation for what I do see on the road ahead of us in respect to some large capital expenditure.

Thank you, Mr Speaker.

**The Speaker:** Conseiller Makepeace.

585 **Conseiller Makepeace:** Yes, sir. If I could just ask, if – (**The Speaker:** Microphone.) Oh, sorry, yes. Well, it is on, actually.

**The Speaker:** It's on? Then you didn't switch it off. (*Laughter*)

590 **Conseiller Makepeace:** Oh.

I would just ask if Conseiller Sandra Williams would be so kind as to refer me to the information that she referred to, because I actually wrote to the Chairman of Policy and Finance back on 1st March, and asked if he:

is aware that Beverley Gates is currently employed by the Medical Committee in a paid role.

And I stated that:

she has a contract, apparently, that has been made possible with the assistance of the Chief Secretary and Treasurer. I believe this should have gone through and been approved by Chief Pleas.

595 And John (**The Speaker:** Conseiller Guille.) quite kindly replied and said to me:

It is a matter for the Medical Committee who are employing her and there are efforts under way to establish a formal agreement.

600 I still have not received, or we have not received, or the public have not received any details of this. And furthermore, if it was a new post, as Conseiller Sandra Williams suggests, why was it not advertised, the same as the head teacher, the same as the Assistant Chief Secretary? It just seems to be rather underhand that a Committee can go along and employ someone without the approval of the House.

Thank you.

**The Speaker:** Conseiller Guille, am I right in saying that that move of Ms Gates was approved by Chief Pleas last year, with a sum of money?

605

**Conseiller McHugh:** No, not with a sum of money.

**Conseiller Sandra Williams:** It went through 11-4; 11 for, four against. (*Interjection by Conseiller McHugh*)

610

**The Speaker:** Okay, that is all right.

**Conseiller Guille:** Sir, the grey area here is –

615 **The Speaker:** If you would like to stand up and respond. Can I then ask you to come back with any comments you have got on what you have heard –

**Conseiller Guille:** Yes, I am going to wrap this one up first, sir.

620

**The Speaker:** – before I ask Conseiller Donovan to sum up completely.

**Conseiller Guille:** Yes, my list of questions is long enough now I think.

To wrap that one up first, the grey area is Ms Gates was performing two functions as Director of Education and as Safeguarding supervisor.

625 **Conseiller McHugh:** I have got her resignation letter here, John, where she resigned from both positions.

**The Speaker:** Conseiller McHugh, do not interrupt, please, just like that. If you want to speak, put your hand up. I think, Conseiller Makepeace, your microphone is still on.

630 **(Conseiller Makepeace:** Oh, sorry.)

Carry on, Conseiller Guille.

**Conseiller Guille:** Sir, Ms Gates gave notice of her resignation, but agreed to stay on in that notice until a suitable replacement was found, which, much in the way that Education has developed ties with Guernsey with a service level agreement, I believe that is the ultimate aim of the Medical Committee, to develop stronger ties with relations to safeguarding with Guernsey. But it was absolutely crucial that we did not just throw the safeguarding support away. Having been left with no Director of Education for that period from October up until **(A Conseiller:** Now.) essentially now, where we have just voted through Proposition 7, that is an unacceptable, unsatisfactory position to be in.

640 So as Conseiller Sandra Williams has said, Ms Gates's continued employment for safeguarding was approved, and we simply have to have a safeguarder. I am not a fan whatsoever of this 'burn this position, get rid of this person' with absolutely no plan for any continuity. Education and child welfare are surely probably the two most crucial areas of any government to maintain a suitable service and suitable oversight of.

645 So I make no apology, on behalf of the Medical Committee, that they have looked to maintain some continuity with the safeguarding support. I think you need to take characters and personalities out of this and look at what is best for the Island. And what is best for the Island is to have support for the Safeguarding Officer until a better solution is found, not to just cut and run because you do not agree with someone's personality and leave our incredibly hardworking Safeguarding Officer without the support that she needs.

650 I do not want to add any further to that. That is within the remit of the Medical Committee and I do not believe they have done anything wrong by maintaining some continuity and given our Safeguarding Officer the crucial support that she needs.

655 I will go right back to the top of this long list of questions. The first one was Conseiller Makepeace's one about the surplus, and I would like to defer to the Treasurer to answer that accounting question, please.

**The Treasurer:** I am not quite sure what you meant, Conseiller Makepeace, but £206,000 is the true surplus for 2021. You mentioned that I should have made some adjustments to the 2021 surplus?

**Conseiller Makepeace:** No, what I am saying is if had used –

665 **The Speaker:** Conseiller Makepeace –

**Conseiller Makepeace:** Oh, sorry, sir; I do apologise.

**The Speaker:** Let –

670

**The Treasurer:** So any amendment to any accountancy treatments were made on the prior year figures to treat them correctly as the current year figures. So there is no change. These are the 2021 figures and it is a £200,000 surplus.

675 **The Speaker:** Conseiller Makepeace.

**Conseiller Makepeace:** Yes, sir.

Well, I would just like to say I am not entirely sure that I could agree with that, and I would also like to read out a definition that I googled today. It said:

An unaudited statement is a financial statement that has been prepared by an auditor, but for which a standard set of audit procedures have not been performed. In effect, the auditor has engaged in accounting services to prepare the statement, but not auditing services to examine the validity of the statement.

680 So my question is why do we not have audited accounts if, by all means this does not look like these are too reliable in this form?

Thank you.

**The Speaker:** Treasurer, do you wish to come back on that.

685

**The Treasurer:** That is the way they have been chosen to be reviewed by an independent accountant, and that is I guess for Chief Pleas to decide if they would like to change it. It is the way ... [*Inaudible*]

690 **The Speaker:** The Chief Pleas, a few years ago now, changed from being audited to being reviewed, and that was approved by Chief Pleas. So it would need to come back to Chief Pleas if there was to be change again to go back to a full audit.

Conseiller Guille.

695 **Conseiller Guille:** Yes, sir.

Chief Pleas did indeed agree to change from audited accounts to these. I think the main purpose of the change was to save the Island money! Because it was decided that a full audit of the Island's relatively small accounts was perhaps massively overkill and a massive expense which we did not need to incur. So Chief Pleas has agreed that.

700 I am hearing Conseiller Makepeace disagree with the Treasurer, but I am not hearing any substance to the disagreement, so if he would like to put his queries down in an email to all Conseillers, then I am sure the Treasurer can provide a detailed explanation if she has a detailed question to answer, with some evidence behind it, please.

I will carry on, Mr Speaker, with the list of questions, please?

705

**The Speaker:** Yes. Before you do, Conseiller McHugh, you wanted to come back in?

**Conseiller McHugh:** I did yes, only quickly, if I can –

710 **The Speaker:** Conseiller McHugh.

**Conseiller McHugh:** I have Beverley Gates's resignation here from 6th June, when she informed us that she was going to terminate her contract to be both the DoE and to be the Safeguarding Officer. She actually advised us that we would be better ... she was recommending an enhanced relationship with Guernsey and she offered to help with that handover. She said that she was happy to stay until January. So that is what we were expecting to happen.

715 At the time, there were only three of us on the Education Committee. It was me, Conseiller Williams and Conseiller Makepeace, and we felt very deeply that we needed to bolster

our numbers because we were not enough and nobody else wanted to come on the Committee.  
720 There was Conseiller Joe Donovan waiting in the wings, who was an ideal candidate and has proven to be ideal. So we wanted to make the Committee bigger.

We invited parents on the Committee and Beverley Gates did not agree with that. When we did something which she did not agree with, which was inviting parents on the Committee, first of all, initially she told us that everybody at the School would resign and that we would never  
725 employ a teacher again, but after that, when we still went on to and the House passed parents on the Committee, she resigned with immediate effect. There was absolutely no concern for the children at the School. The day after Chief Pleas, she said, with immediate effect, she was gone.

And *now*, the fact that she has moved over to Medical really irks me, because not only are we coping with the fallout from her review, which was ill-thought through and ill-conceived and was  
730 not finished off because there is no contract for term-time hosts in Guernsey, the Island are still *paying* her to do Safeguarding under Medical, whilst we are dealing with all the flak for Education! I find it wrong that she is still there.

Thank you very much.

735 **The Speaker:** Thank you.

I think that point has come over, and it might behove the Medical Committee to come back to the next Meeting and bring some clarity to the situation with regard to the employment of Ms Gates as the Safeguarder.

Conseiller Guille, if you will carry on, please.

740

**Conseiller Guille:** Thank you, Mr Speaker.

Next on my list was Conseiller Williams. First off, Conseiller Williams, I am going to look at every other member of P&F, and I am afraid I have got absolutely no recollection of an email from you on an important matter, such as the Office manning.

745

**Conseiller Sandra Williams:** Simon Couldridge had one, Pippa had one.

**Conseiller Guille:** No, I'm –

750 **The Speaker:** Please, no first names. We –

**Conseiller Guille:** I do not recall one and we would certainly have answered one. We had a meeting last night.

To pick up your points briefly, the Assistant Chief Secretary was approved by Chief Pleas. In fact it was approved nearly a couple of years ago. We went out to advertisement just before the  
755 pandemic and we had a couple of applications in. I know a couple were from the UK and then they were not able to come over, because of the pandemic, so we put it on hold and we used some of the budget set aside to bolster the Office staff, but we did not use all of the Assistant Chief Secretary budget, so we made a saving there. But now we are just going through the recruitment  
760 process again for an Assistant Chief Secretary. But we will come back to you with a more detailed reply.

It always seems to be the way for financial statements, and I know Conseiller Delaney amongst others agrees very much with me on this, that sometimes Conseillers have detailed questions, especially with regard to the financial statements, and I know it seems that you did attempt to do  
765 it beforehand, but it is very much appreciated for all of the volunteer Conseillers here, where we have detailed questions, that they are in email beforehand. So we will follow that one up, Conseiller Williams.

Next one was Conseiller Baker, questioning about our continued use of Digimap versus Google Earth. Digimap is a Guernsey company, and we are grateful of the close links we have to them. It  
770 provides us with a lot more up-to-date record than the Google services do, and a lot more



functionality in terms of being able to generate custom maps. Just off the top of my head, recently, all the maps for the census relating to all the dwellings over the Island and being able to divide the Island up into areas for the various enumerators to go to.

775 Go back a few years to the electricity crisis of 2018-19, Digimap was invaluable then when we were seeking quotes from companies in the UK to provide emergency generators and cabling to cover the Island in 26 or 52 generators, or whatever the different plans were. We were able to send these various companies quoting electronic maps, accurate maps of the Island that we could annotate here on Sark to enable these companies to quote for potentially supplying us with a whole new emergency electrical grid.

780 So I was a bit sceptical of Digimap when I first became a Conseiller, but I can certainly vouch for its usefulness for the Government. And not only for the Government – its usefulness for the Société Sercquaise as well, who do a lot of work based on Digimap. Be it archaeology or determining boundaries within the Island, or nature work, they certainly find it an invaluable tool as well.

785 With your request for a per person breakdown of wages, I am pretty sure there is going to be a data protection issue with that, but, again, for a detailed question like that, we will look into it and get back to you, Conseiller Baker.

Then your other comment on the slaughterhouse was apportioned obviously to the Agriculture Committee.

790 Conseiller Delaney, thank you, it is noted that your comments were constructive with ideas for the future, and I would hope, Conseiller Delaney, as Chairman yourself, and myself as a member of the Special Tax Committee, we will be able to work towards limiting that borrowing in the future. But obviously you are referencing some potential big infrastructure projects that might be coming our way in the near future. And yes, all those were good points that certainly deserve  
795 looking into.

That, sir, I believe, is the end of those questions and we are going back to Conseiller Donovan for summing up.

**The Speaker:** Donovan, yes.

800 Yes, just one moment, Conseiller Makepeace, stand up, please.

**Conseiller Makepeace:** I am sorry, I just had a question actually regarding Conseiller Guille's comments. I think that it is understandable that we should not be able to put down the exact amounts that people are earning because of data protection. But I think what would be  
805 appreciated is if we had, for example, the Civil Service band or grouping, so we can say it is group A, which is from £25,000 to £35,000, for example, to tell us what sort of group that is in and the salary range.

**The Speaker:** Conseiller Donovan, if you would ...

810 You have to hold your hand up a bit higher, Conseiller Plummer. (**Conseiller Plummer:** Sorry!) (*Laughter and interjection*) Conseiller Plummer, before we have a summing up.

**Conseiller Plummer:** Thank you, sir.

815 To get down to Conseiller Baker, for the new Abattoir management, yes, we did know that we were going to have a sticky time. A lot of things have been purchased that we needed for the Abattoir; it is running well.

I would like to thank, and I do not think many people know this, but Mr Philip Long has helped us out tremendously over the last 18 months that we have been working and he has not taken one penny. He believes he wants to help Sark thrive as much as possible.

820 We had our back up against a wall. Everybody knew that. We either had to close the Island for meat etc., for the farmers ... we had to have a new Abattoir. We did not have any choice, it was a long journey. If I had known this question was coming up, I am sure the Treasurer and myself could

825 have worked out the answer for you, but all I can say is yes. We are hoping that more animals will be going through in the future, plus the fact is we have new slaughtermen going in all the time and apparently it is far better than the old slaughterhouse that we had at the time – very much better on the bodies of the men that are working there. So we will try and get your figures for you.

Thank you.

830 **The Speaker:** Conseiller Donovan. No, we are ... Conseiller Donovan, do you want to go?

**Conseiller Pippa Donovan:** Are you sure? *(Laughter)*

Thank you, Conseiller Guille, for covering and answering a lot of those questions.

835 Firstly, thank you very much to the Treasurer and her team for providing the true figures of what has happened last year, and reflecting them in such a clear way.

835 Thank you everyone for your questions and for the debate. I think it is really important that we do take an active interest in our figures and not just at the end of every year and review them, but as the year progresses. I would encourage everyone to do that and work with the Treasury closely on that.

840 Just in closing, I think as we look towards the future, we are in a really good position to look for forward planning and public engagement, so that we can look to make more money and have to reduce any borrowing, but also stand the Island in good stead moving forward.

Thank you.

845 **The Speaker:** Right, let us go to the vote on the Proposition: that the Financial Statements of the Island for the year ended 31st December 2021 be adopted. Those in favour; those against?  
**Carried.**

**11. Donation to Ukraine –  
Policy and Finance Committee Report considered –  
Proposition carried**

*That Chief Pleas agrees to the donation of £4,000 in aid to the Ukraine.*

850 **The Speaker:** Agenda Item 11, to consider a Report with Proposition from the Policy and Finance Committee entitled ‘Donation to Ukraine’. If I could ask Conseiller Guille to introduce the Report – is that correct, Conseiller Guille?

**Conseiller Guille:** Spot on, sir. Thank you. **(The Speaker: Yes, good.)** *(Laughter)*

855 At a meeting held on 15th March 2022, the Committee, Policy and Finance, discussed the suggestion made by Conseiller Frank Makepeace via email that Sark should make a donation to Ukraine, as had been done by Jersey, Guernsey and Alderney. The Committee proposes making a donation of £4,000, which matches the proceeds of the recent jumble sale held for the cause, but it also matches, or is slightly more per capita, than the donations from the other islands’ governments as well, as a reference point.

860 The donation will be split between the UN Refugee Agency and the Red Cross Organisation. The Committee believes it is important for Sark to join in the support of the Ukrainian people in their time of need, and urges Chief Pleas to support this donation.

**The Speaker:** Any comments, please? No.

Then we will go to the vote on the Proposition: that Chief Pleas agrees to the donation of £4,000 in aid to the Ukraine. Those in favour; those against? **Carried.**

**12. Amendment to Development Control Legislation –  
Development Control Committee Report considered –  
Proposition carried**

*To consider a Report with Proposition from the Development Control Committee entitled 'Amendment to Development Control Legislation'.*

*Proposition*

*That Chief Pleas directs the Committee to consult with the Law Officers of the Crown regarding the proposed amendments mentioned in this report.*

865 **The Speaker:** Item 12, to consider a Report with Proposition from the Development Control Committee entitled 'Amendment to Development Control Legislation', and I would ask Conseiller Couldridge to introduce the Report, please.

**Conseiller Couldridge:** Thank you, Mr Speaker.

870 Hopefully this Report is relatively straightforward and uncontroversial. Over many years, way before many of the current Committee members, there has been discussion, as is mentioned here, but broadly speaking the Committee wishes to look at two aspects to bolster our position specifically, for protection of historic buildings and trees, in that there should be some protection for unsympathetic development or redevelopment of buildings of a particular historic value to Sark. And separately protection of certain trees which by their age or species make them of  
875 particular value to Sark as a whole. The Committee wishes to then speak to the Law Officers of the Crown as to how best to amend the existing legislation to bring about the desired protections, if it is at all possible.

I think that pretty much sums it up. So that is it. Thank you very much.

880

**The Speaker:** Okay. Any questions or debate, please? Conseiller Plummer. Anybody else? Conseiller Plummer.

**Conseiller Plummer:** Thank you.

885 I think this is a very good idea, but what would happen if the historic building or trees, or whichever, were unsafe due to rot and the age etc.? How would that be brought in? Would the building be made good or would it be taken down and rebuilt as a replica, which has happened to one old Sark house about 20 years ago? How would the Committee deal with that, do you think?

890 **Conseiller Couldridge:** Thank you, Conseiller Plummer.

I suppose the way we deal with it is that we would have to treat each case as it came along. If, for example, you had a very nice 200-year-old oak tree that was rotten and about to fall down, obviously we would not force somebody to preserve it, because it cannot be preserved. If there was a historic building, say, for argument sake, the Prison or the Seigneurie or the church, it would  
895 be our desire to have that building preserved and restored, rather than demolish it and replace it with a modern unsuitable building. That is basically the stance I think that we would like to take.

Thank you.

**The Speaker:** Anybody else?

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Conseiller Sandra Williams.

**Conseiller Sandra Williams:** I, too, support this amendment. Could I ask – I do not know; am I allowed to ask? – if you would like to stretch it and do something about derelict buildings on the Island as well?

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**Conseiller Couldridge:** Thank you for that comment, Conseiller Williams.

910 We have not covered that particularly. It is something that is often discussed. There are a number of buildings – I have passed I think several on the way down here – and it is an excellent suggestion. I think that is probably something we need to work on in the future, but this particular point, we want to have something put in place where we are building some protection for our architectural and historic heritage. But thank you for the suggestion.

**The Speaker:** I think I can say quite safely that when the – back in the beginning of the century – Development Control Law was being developed, one of the major factors behind it was the fact that the Committee needed the powers to be given to it to order the demolition of unsafe buildings, and therefore that was one of the prime movers behind the original reason to get the new Development Control Law in. I think it is still a very important part of what went on in the past, so your question is one which the Committee can look into and possibly check with the Law Officers as to whether, in the same timeframe, they might be able to put something like that in.

920 Okay, anybody else, before we go to the vote?

Yes, Conseiller Pippa Donovan.

**Conseiller Pippa Donovan:** Thank you, Mr Speaker.

925 Just a very quick comment to say I fully support this and I think that the historic buildings and trees is certainly a good starting point for us to then build on and look at other aspects. Both suggestions from Conseiller Williams and Conseiller Plummer are very good suggestions and I think this is just the starting point to then encourage Islanders to have more pride and care in those buildings as well and know that the DCC would have the power to order any demolition, or equally be able to exercise any more powers to do that and to maintain how the Island looks. But I think this is a very positive starting point.

930 Thank you.

**The Speaker:** Right, we will go to the Proposition, that Chief Pleas directs the Committee to consult with the Law Officers of the Crown regarding the proposed amendments mentioned in this Report. Those in favour; those against? **Carried.**

935

**13. Amendments to the Rules of Procedure for Chief Pleas –  
Policy and Finance Committee Report considered –  
Propositions 1 to 4 carried; Proposition 5 lost**

*To consider a Report with Proposition from the Policy and Finance Committee entitled ‘Amendments to the Rules of Procedure for Chief Pleas’.*

*Proposition 1:*

*That Chief Pleas approve the amendment to section 4 of the Rules of Procedure.*

*Proposition 2:*

*That Chief Pleas approve the addition of section 7 to the Rules of Procedure.*

*Proposition 3:*

*That Chief Pleas approve the amendment to section 10 of the Rules of Procedure*

*Proposition 4:*

*That Chief pleas approve the addition of the words ‘The declaration of interests form is a living document and must be updated whenever the circumstances of a Conseiller change.’ to section 15 of the Rules of Procedure.*

*Proposition 5:*

*That Chief Pleas approve the addition of the words ‘The declaration of interests form is a living document and must be updated whenever the circumstances of a Conseiller change The declaration of interest document is valid for the Conseillers elected term of office’ to section 15 of the Rules of Procedure and remove the requirement for an annual update.*

**The Speaker:** The next Item is Item 13, to consider a Report with Proposition from the Policy and Finance Committee entitled ‘Amendments to the Rules of Procedure for Chief Pleas’, and before I ask Conseiller Guille to introduce it, you will have all had on your desk a replacement Report to that which was sent out with the papers three weeks ago, and it has got more  
940 Propositions in. The original Proposition was just to accept all the proposals, so you will get an explanation of why you have ended up with this new Report which needs to be considered.  
Conseiller Guille.

**Conseiller Guille:** Thank you, sir.

945 The essence of the Report has not changed, but I would like to thank Miss Jan Guy for her email, which I think went to all Conseillers, so you probably had some warning of this. I think we took on board every single one of her points, actually.

So the Proposition has been split into, essentially, four Propositions – the last one has two options – and it should make it a lot easier to follow.

950 Mr Speaker, I would like to introduce each Proposition separately, introduce the Proposition, vote on it, before moving on to the next Proposition. Rather than do all the introductions together, I would like to break it down and do the votes after each introduction.

**The Speaker:** Right, so you would like to discuss section 4 –

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**Conseiller Guille:** And then vote.

**The Speaker:** – and then go to the vote, and then discuss section 7 etc., like that? Okay.  
(**Conseiller Guille:** Yes, sir.) Right, in that case, let me just ask if there are any general comments  
960 anybody wants to make before we go into the detailed look at the sections as provided for each Proposition? No. Okay. (**Conseiller Guille:** Okay.)

Off you go, Conseiller Guille.

965 **Conseiller Guille:** The proposed change to section 4 is simply that previously under the Rules of Procedure, the Office had to provide paper copies for every Conseiller. The feedback from the Office is a lot of the paper copies are not getting picked up, why bother printing them all out and wasting the paper and the ink? But to stop printing them all out and to just print them out on request, we need a change to the Rules of Procedure. That is simply what the Proposition is: that we change the Rules of Procedure so Conseillers only get a printed copy of the papers, which is  
970 obviously, even today, several hundred pages, if you request it. That is the Proposition.

**The Speaker:** Any comments from anybody on that Proposition? (**Conseiller Makepeace:** Yes, sir.) Conseiller Makepeace.

975 **Conseiller Makepeace:** Just a question, really, that if we just go to the digital mode, as such, I notice tonight everyone is working from a printed sheet – maybe would that be the size of the

print and the age of the Conseillers or so? But would we not need to start bringing in larger devices so we can actually see the print? I know my eyesight is not that good.

Thanks.

980

**The Speaker:** Conseiller Guille.

**Conseiller Guille:** The Proposition, Conseiller Makepeace, is that printed copies will still be available for Conseillers who request them.

985

**The Speaker:** Okay. We will go to the vote on Proposition 1: that Chief Pleas approves the amendment to section 4 of the Rules of Procedure. Those in favour; those against? **Carried.**

Conseiller Guille.

990

**Conseiller Guille:** Yes. Proposition to change section 7: this relates to making Statements, either political or personal at the beginning, before the published Business of the Day, and this proposes that questions can be taken on political Statements made by Chairmen of Committees.

It adds that Conseillers will be able to make personal Statements, but no questions will be allowed against the personal Statements. Obviously the difference here is if a Chairman is making a political Statement, then yes, questions are relevant; if all Conseillers are allowed to make personal Statements and we are allowed questions on those, then I hope you all look forward to being here until eight, nine and 10 o'clock in the evening. That is obviously the reason for the distinction between personal Statements and the political Statements.

995

So that is the Proposition and I hope you will support that.

1000

**The Speaker:** I have to say that there are very few personal Statements made in this Parliament, so I do not think, just because it will be in the Rules of Procedure, does not mean to say everybody has to now start making personal Statements. *(Laughter)*

Conseiller Delaney.

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**Conseiller Delaney:** Yes, thank you, Mr Speaker.

I cannot believe I am the only person who is just slightly confused, and can I just ask for a clearer definition? What is perceived as being a personal Statement – and perhaps looking at you for guidance on this – versus a political Statement? And I am not trying to be sharp when I say this, but I feel everything I say when I come into the House is a political Statement.

1010

I am not trying to split hairs, I genuinely am not grasping that separation, and I think it would be helpful to have an explanation, please.

**The Speaker:** The Assembly has in the past had Statements from various Members who have been accused of certain things and they have stood up to rebut them, but they are personal, they have been personal attacks on them, and they have made a personal Statement of rebuttal in the Chamber, which gives protection to the person. They are used very infrequently, but personal Statements, if a Conseiller wished to make a Statement of resignation to the House, that is where he would do it, if he wanted to make that Statement in the House.

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So it is not used very often, but it is something that happens and therefore the proposal from myself to the Committee was that we should regularise the Statement procedure because we have been making Statements, but it was not covered by the Rules of Procedure. So basically we are bringing the Rules of Procedure up to what we are doing by custom.

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Anybody else? Yes?

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**Conseiller Delaney:** Could I just thank you; I am obliged to you for that explanation. Thank you.

**The Speaker:** Right, Conseiller Guille – oh, sorry, Conseiller Sandra Williams.

1030 **Conseiller Sandra Williams:** Sorry, I think this is the point that I wanted to check with  
Conseiller Guille. It says here that:

It is proposed that questions may be tabled in respect of political statements, however this will not apply to personal statements.

It says:

it is proposed that an additional section (Section 7) be added to the Rules ...

It also says about personal statements and Committee statements before 'the commencement of the published business of the day.' Is that the commencement now or the commencement of the business of the day that is going to come out in our papers?

1035

**The Speaker:** Commencement of the Business of the Day is Agenda Item 1, (**Conseiller Sandra Williams:** Okay.) and Statements come before Agenda Item 1. (**Conseiller Sandra Williams:** Fine.) So we are regularising what we are doing by custom.

Are you happy to go to the vote, Conseiller Guille?

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**Conseiller Guille:** Yes, sir.

**The Speaker:** Yes. Right, we will move to Proposition 2: that Chief Pleas approve the addition of section 7 to the Rules of Procedure. Those in favour; those against? **Carried.**

1045

Conseiller Guille, Proposition 3.

**Conseiller Guille:** Proposition 3; simple. Section 10: replace the 'Finance and Resources Committee' with the 'Policy and Finance Committee'.

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**The Speaker:** I do not think we need any debate on that, so we will go to the Proposition that Chief Pleas approves the amendment of section 10 of the Rules of Procedure. Those in favour; those against? **Carried.**

Conseiller Guille, Propositions 4 and 5.

1055

**Conseiller Guille:** Okay. This relates to the declaration of interests, and this is in regard to a change of section 15 of the Rules of Procedure.

To put it in a nutshell, the two Propositions here are that ... Proposition 4 is that we continue to do an annual declaration of interest and that we also add the words that it is a 'living document' so that any Conseiller whose circumstances change during the year has to update their statement; the onus is on them to do that. The alternative, Proposition 5, is that when a Conseiller is elected, they do a declaration of interest, and then that stays with them for their whole term of office. In other words, they do not need to do the annual declaration.

1060

My personal view on this is that I will be supporting Proposition 4: that we stick with the annual declarations of interest. I think your declaration of interest form is essential to maintain trust from the public, and I struggle to see the problem with completing an annual form. I cannot see that it is an onerous task to administer. With a maximum of 18 Conseillers, it is 18 forms once a year. Okay, if you have to chase three quarters of those people, that is still not even 40 emails once a year.

1065

Where we are lacking, compared to, say, for instance England, or even Guernsey, is that politicians are scrutinised by the press for their potential conflicts of interest. There are journalists who are paid to go and investigate politicians and check whatever businesses they are involved in and to make sure they are not conflicted in their voting and they are not going to fall foul of the self-interest there. I cannot see that happening on Sark, so I would rather keep as many checks as

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1075 we can, I would rather keep the annual declaration of interest. It reminds a Conseiller every year to keep themselves up to date and I do not see it as too much burden to administrate.  
So I will be voting for Proposition 4, and I hope you support that as well.

**The Speaker:** Comment and debate, please. Conseiller McHugh; Conseiller Makepeace.  
Conseiller McHugh.

1080 **Conseiller McHugh:** Can I just clarify, John, have you changed your mind on the back of Jan Guy's email, then? This was suggesting that the annual declaration was scrapped, is that right?

**The Speaker:** Conseiller McHugh, through the Chair, please.

1085 **Conseiller McHugh:** Sorry, Mr Speaker. I have done so well tonight! (**The Speaker:** Yes.)  
I am just working out, have you changed it? The Addendum that arrived on the website tonight, I am most curious, have you changed it? Have you changed?  
Thank you.

1090 **The Speaker:** Conseiller Drillot.

**Conseiller Drillot:** Thank you, Mr Speaker.  
I would just like to reiterate what Conseiller Guille said. I think we are all busy, we are all working people, this is a living document. There are times that things will change and we will just completely forget to do it. This reminder every year comes through my door, and I think, go on, let's do it. So I will be going with Proposition 4.

**The Speaker:** Conseiller Makepeace.

1100 **Conseiller Makepeace:** Yes, sir.  
I would just like to ask if maybe the annual declaration of interest, I understand at the moment, they are only available to be viewed in the Office and cannot be copied or photocopied or whatever. Would it be possible for us to take our copies or is there some sort of data protection on that?

**The Speaker:** Can you just say that again, please? Yes, you can go and view it in there, you cannot take a copy of anybody else's declaration of interest form. (**Conseiller Makepeace:** Well, yes.) You can view them, but you cannot take a copy of anybody else's. You can take a copy of your own, but why would you want to do that? So it is dealing with data protection. It is there for public viewing as well, to see what the declarations of interest are, but not to be copied. (**Conseiller Makepeace:** Okay, thanks.)  
Conseiller Sandra Williams – no, sorry; Conseiller Delaney before Conseiller Sandra Williams.  
Conseiller Delaney.

1115 **Conseiller Delaney:** Thank you, Mr Speaker.  
On the subject of declarations of interest, I would like to go a step further myself. Personally I would like to see them published online, be available to the public. It is something that I believe our neighbouring islands Jersey and Guernsey do. They are a painless form that we all fill in at the beginning of our term of Chief Pleas and, as you rightly say, we should be renewing them every year. I think it would be another small step forward in our journey to become a fully open, transparent and accountable 21st century democracy and I would really ask that Policy and Finance perhaps give some consideration to that.  
Thank you.

1125



**The Speaker:** Thank you.  
Conseiller Sandra Williams.

**Conseiller Sandra Williams:** Thank you.

1130 It slightly blows my theory out of the window – I was going to ask whether or not anybody should have access, public members, to go in and read other people’s declaration of interests? Surely, if somebody has an issue with a Conseiller, the rightful thing to do is to report that issue to the President of Chief Pleas, who would then investigate what the accusation was and decide whether it was true or false.

1135 I think Conseillers are expected to do enough already. I have nothing to hide and anybody can see my declaration of interest form. I just do not understand why it should be on public display.  
Thank you.

**The Speaker:** Conseiller Delaney.

1140

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

I meant to carry this when I was on my feet a moment ago. There was an email that went out from ex-Conseiller Jan Guy earlier today, and it seemed to be about the technicality of what we are voting on. It did go out to all Conseillers, I am wondering if everybody received it. Did you receive it, Mr Speaker?

1145

**The Speaker:** No, I did not, and I would not want that to be discussed in the Chamber. (**Conseiller Delaney:** Okay.) It is a private communication to Conseillers, it does not form part of this Report.

1150

**Conseiller Delaney:** Okay, I take your point. I think it was just pointing out a technicality on what we are about to vote on, it was not a view on the policy –

**The Speaker:** If it is non-specific, you can carry on.

1155

**Conseiller Delaney:** Can I? I think it may be helpful.

**The Speaker:** But do not read the email out.

1160 **Conseiller Delaney:** Let’s see what I can do. Okay, I understand where you are coming from. I will not use that, but I am taking off there. I will go back to the actual amended Proposition itself.

1165 It was to do with Proposition 4, that Chief Pleas approve the addition of words ‘The declaration of interests form is a living document and must be updated whenever the circumstances of a Conseiller change’, and it says ‘to section 15 of the Rules of Procedure’. And let me say I believe there are some concerns out there that we should actually be addressing section 14. Section 15 appears to just be one line in the Rules of Procedure, and I hope I am getting this right, but I think when the public do take the time to try and highlight things to us, it is good if we can find a way of dealing with them.

Thank you.

1170

**The Speaker:** The section 15 is the new section 15 as published in the track-changed Rules of Procedure. So the reference to section 15 in the Proposition is referring to the new 15 on ... It does not have a page number. (*Interjections*) As opposed to 14(1).

1175 **Conseiller Guille:** Sir, can I add to that, please?

**The Speaker:** Yes, Conseiller Guille.

1180 **Conseiller Guille:** That is because we voted on introducing section 7 in Proposition 2. So section 7 was a new section which jumped everything forward on one. So declarations of interests were section 14 but they are now section 15. (**A Conseiller:** Ah!) Okay?

**Conseiller Delaney:** Well, I can hear approval. (*Laughter and interjections*)

1185 **The Speaker:** Yes. Okay.

**Conseiller Delaney:** Well, once again can I just say I am obliged to everybody getting that cleared up for us.  
Thank you.

1190 **The Speaker:** Right, thank you.  
Conseiller Guille.

**Conseiller Guille:** Thank you, Mr Speaker.

1195 Yes, Conseiller McHugh, Miss Guy's email did get us to look at it again and did get us to change our mind on it and introduce this alternative solution, which was a combination of what we had before, with the annual form, but also adding that it is a living document and that was something that used to be told to us but now is getting written into the Rules of Procedure.

1200 So yes, once again, I think it is probably time to go to the Propositions and I will be supporting Proposition 4.

**The Speaker:** Okay. It is either/or: if you vote for Proposition 4, if you approve Proposition 4, then there is no requirement to vote on Proposition 5. So when you vote on Proposition 4, you are voting to have those words in section 15. If you say no to Proposition 4, then we vote on Proposition 5, which is a different set of wording. It is either/or. So I will be asking you to vote in favour or against Proposition 4, if that is carried, then Proposition 5 falls because there is no point on ... we would get the reverse, mirror image of what you should vote on in Proposition 4.

1210 So you either go for the declaration of interests form is a living document that must be updated whenever the circumstances of a Conseiller change to section 15 of the Rules of Procedure – so you vote on that – or you vote for the declaration of interests form is a living document and must be updated whenever the circumstances of the Conseiller change. The declaration of interests document is valid for the Conseiller's elected term of office to section 15 of the Rules of Procedure, and removes the requirement for an annual update.

1215 Right, those in favour of Proposition 4. That looks pretty overwhelming. Those against. One – right, you've lost! (*Laughter*) So Rule 15 will be changed to the declaration of interests form is a living document that must be updated whenever the circumstances of a Conseiller change. (*Interjection*) Well, there is nothing in that Proposition about it being annual. So you have voted for the declaration of interests form is a living document that must be updated whenever the circumstances of a Conseiller change –

1220 **The Seigneur:** It's the addition of words.

**The Speaker:** – that those words are added in. (*Interjections*)

1225 I think, Conseiller Guille, in the changes that have occurred in the last 24 hours, we have lost something, because the original declaration of interests form says – this is what is in position now, although you have just voted to change it:

Conseillers shall submit a ... interests form to the Greffier on or before ... two days of being sworn in to ... office ... These will be updated by the Greffier requesting changes/ ... annually during December.

We have now removed that in accordance with your wording. (*Interjections*)

**A Conseiller:** That's still there.

1230 **The Speaker:** That is still there? So you are just adding those words in. (**A Conseiller:** Yes.) So where has that wording got to be added in? At the end of the first sentence? (**Three Members:** Yes.) Yes, okay. So we add in those words at the end of the first sentence of the current Rule 14 and then finish off with the other one. Okay. I just want to make absolutely sure we have got that right before we go to print. Conseiller Guille, are you happy with that? Yes.

Conseiller Couldridge.

1235

**Conseiller Couldridge:** Yes, just listening to debate, just a very small point. With the declaration of interests, should a Conseiller retire from being a Conseiller, or their term ends, does the declaration of interests then get removed, or can the ...?

1240 **The Speaker:** It gets removed immediately, yes.

**Conseiller Couldridge:** Okay, so it is not on view thereafter?

**The Speaker:** No, it is gone. As soon as the term –

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**Conseiller Couldridge:** Yes, I thought that was the case, just clarifying that point.

**The Speaker:** As soon as the term of office finishes, or a resignation, whatever –

1250 **Conseiller Couldridge:** It is taken off straightaway?

**The Speaker:** It is taken off straightaway.

**Conseiller Couldridge:** Good. Thank you very much.

1255

**The Speaker:** Yes. And that actually, the Greffier has just reminded me, on the annual system, the forms that were returned annually overtook the form that had been given the year before. So the forms of the year before are immediately destroyed.

Okay; that was slightly confusing. Well, I was confused! (*Laughter*)

#### **14. Sark Electricity Limited Update – Policy and Finance Committee Report considered**

*To consider an Information Report from the Policy and Finance Committee entitled 'Sark Electricity Limited Update'.*

1260 **The Speaker:** We now move to Agenda Item 14, and this is a Report with Proposition from the Policy and Finance Committee entitled 'Sark Electricity Company Update'. Conseiller Guille to introduce the Report, please.

**Conseiller Guille:** Thank you, sir.

1265

At the Extraordinary Chief Pleas Meeting held on 21st December 2021, the Assembly approved the Projet de Loi entitled 'The Compulsory Purchase (Electricity) (Sark) Law, 2021'. This legislation was then processed through the recognised channels and received Royal Assent on 16th February 2022, and was subsequently registered in the Royal Court in Guernsey on 21st February 2022. This

1270 Law will be brought into force through regulations made by the Policy and Finance Committee and different dates may be appointed for different provisions and for different purposes.

1275 Since the Christmas Chief Pleas Meeting on 19th January 2022, the Committee has continued to work closely with advisers from Guernsey and our appointed mediator, Mr Andrew Ozanne MBE. Andrew Ozanne has met with Mr Whitney-Price and his legal advisers on several occasions to try and reach a mediated agreement for the commencement of negotiation for Chief Pleas to purchase the assets for Sark Electricity Ltd by private treaty. The Committee remain of the opinion that a purchase through private treaty remains the preferred option. It remains the Committee's preference to reach a negotiated agreement, rather than by compulsory purchase.

1280 Mr Whitney-Price has provided some data via an electronic data room. However, this data is incomplete and repeated requests for more information have not produced any meaningful response.

1285 In early November 2021, Mr Nigel Bird, the engineer who carried out the distribution network survey for Chief Pleas, was approached by Sark Estate Management Ltd to carry out a survey of the power station site and equipment. At the Christmas Meeting of Chief Pleas, Conseiller Delaney noted that, as agent for the landlord of the power station building, there was some concern regarding the potential clean-up costs at the end of the current lease on 12th February 2031, less than nine years hence, and as landlord he intended to commission a survey of the sites. The Committee have not received any update on this matter, but I do understand this is hopefully progressing.

1290 The Committee, together with Andrew Ozanne and Guernsey advisers, are continuing their endeavours to progress this matter as a whole. I will add to this statement, some weeks ago – it was actually during our recent COVID outbreak over here – Andrew Ozanne did in fact come over for a briefing to Conseillers. Unfortunately, only four Conseillers were able to attend, which was a great shame, but I understand a lot of people were quarantined with COVID at the time. There was a lot of very useful information in that briefing, and Mr Ozanne and other advisers from the electricity advisory group will be arranging another briefing for Conseillers in the next few weeks, so please –

**The Speaker:** Keep COVID free.

1300 **Conseiller Guille:** – keep an eye out for this; and please do not get COVID, indeed! (*Laughter*) Hopefully everybody can attend that next time.

Thank you.

1305 **The Speaker:** Right, any questions or debate, please? (**Conseiller Makepeace:** Yes, sir.)  
Conseiller Makepeace. Anybody else?

Conseiller Makepeace.

1310 **Conseiller Makepeace:** I just wanted some clarification, because by chance I spoke to Mr Whitney-Price and he informed me that a price had been given for the assets and that Chief Pleas, or, sorry, maybe the P&F Committee had been informed and there was some package. Maybe I am forgetful, but I do not remember this price for the assets being circulated. Mr Whitney-Price clearly stated that his price was £1.8 million for the assets. I am just surprised that, if this information has been given to the House, why we have not received it.

1315 Also, Mr Whitney-Price informed me that there is some documentation such, from the Civil Contingencies Authority, that did not consider the equipment to be in immediate danger. But I really do not know if we can verify that or not. I am just reporting a private conversation I had.

Thank you.

1320 **The Speaker:** Thank you.  
Anybody else? Conseiller Guille, sum up, please. (*Interjection*) What? Conseiller Delaney.

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

I will brief the House on where we are in respect of the concerns about, basically, contamination of what in effect is a brownfield site at the top of the Harbour Hill.

1325 The report is correct to say that in early November contact was made with Mr Nigel Bird and while that contact has not come to an end, it is my judgement, as the CEO of Sark Estate Management, that it is not his expertise that we really require for the desired outcome of the Report we seek.

1330 We have engaged with one or two other companies, because the bottom line is the earlier work undertaken by Mr Bird has given some good indications of some of the issues we may expect to find round the equipment in and around the power station. And what we will be moving forward on is getting a preliminary risk assessment, which will move us on to some quite invasive works in and around the power station. These will include intrusive ground investigation on location, which will need trial pits, boreholes, window samples, hand pits etc., collection of soil, groundwater samples for chemical analysis to ascertain history such as hydrocarbons, PCBs etc.,  
1335 which ultimately will give us a macro view to determine whether there are areas of possible contamination.

Something that did come to me throughout my work on this is that of course I am doing this on behalf of the company. And for the benefit of everybody in the House, the power station has a lease on the power station itself from the company, which I believe, off the top of my head, has  
1340 about eight years left to run. Our concern is that were there a change of ownership, were the company to become insolvent, where would we be left with a site that may have some significant contamination – *may*, I must say – and probably would have some very serious costs involved in clearing the site?

The point I was going to go on to make is everyone I am sure will know the location of the power station, and we can see how, within the interests of our company, we would do this work because we have the Aval du Creux tenement to the left, if you are looking out from the power station, and then some aspects of the Friponnerie tenement to the right. But I think the Island has a vested interest in this which I must confess did not occur to me at the outset of all this. I think it is probably fair to assume that if there is any contamination, it is probably finding its way into the  
1345 Harbour Hill and down the Harbour Hill.

So we would like our investigations into this subject to include the Harbour Hill. I do not think we seek any recompense from the Island in doing so, but we will need permissions from, presumably, either P&F or the Douzaine, so we can organise these works, go to the Harbour Hill and dig out some of these pits and take soil and water samples etc.

1355 So I hope that has given some clarity to where we are in this situation. The work is imminent but it is dependent on me now having a conversation with the relevant Committee. I hope the House will understand it makes absolute sense to mobilise for this one operation, rather than we undertake our work as a company and the Island has to undertake a totally different survey for the Island's land, i.e. the Harbour Hill.

1360 Thank you, Mr Speaker.

**The Speaker:** Anybody else, before Conseiller Guille sums up?  
Conseiller Guille.

1365 **Conseiller Guille:** Thank you, sir.

I will deal with Conseiller Delaney's comments first, and I thank him for this investigation into this, as he does realise the Island has a vested interest and I look forward to his follow-up on that as early as is convenient, so we can progress that.

1370 Conseiller Makepeace's comments, a figure for the assets, various figures have been bandied about, but a figure on its own is worthless. A figure should be accompanied by a proper briefing, which is what Mr Ozanne was over to do several weeks ago and it is what we will be doing in the

near future. You cannot just talk about a figure in isolation with this. It needs to be backed up with advice and context. So please make every effort to attend the next briefing.

1375 With regard to the other comment about the CCA, I will simply say that Nigel Bird's EIS survey is the most up-to-date assessment of the state and safety and risks associated with the electricity grid over here.

Thank you, sir.

1380 **The Speaker:** Thank you.  
Right, there are no Propositions.

### 15. The Bailiwick Police Force – Policy and Finance Committee Report considered

*To consider an Information Report from the Policy and Finance Committee entitled 'The Bailiwick Police Force' and to note 'The Police Force (Bailiwick of Guernsey) (Amendment) Law, 2021 (Commencement) Ordinance, 2022'.*

**The Speaker:** Therefore, we will move on to Agenda Item 15, to consider an Information Report from the Policy and Finance Committee entitled, 'The Bailiwick Police Force', and I would ask Conseiller Drillot to introduce the Report, please.

1385 **Conseiller Drillot:** Thank you, Mr Speaker.

This is an Information Report to inform the House that the amendment to the Police Force Law, 2021, which was approved at Easter 2021, came into force 31st March 2022. I think it is pretty self-explanatory.

Thank you.

1390 **The Speaker:** Any questions? No.

### 16. Committee Elections – Douzaine: Conseiller K Monaghan elected – Protection of Vulnerable Adults: Conseiller S Williams elected

*To elect Conseillers to Committees, as required.*

1395 **The Speaker:** Then we will move on to Agenda Item 16, which is Committee Elections, to elect Conseillers to Committees as required, and I will ask Chairmen if they have nominations for any of their Committees. There is a Committee vacancy on the Douzaine and there is a Committee vacancy on the Special Committee, Vulnerable Adults.

So I will go to the Douzaine first. Douzaine, do you have a nomination?

1400 **Conseiller Drillot:** Thank you, Mr Speaker.  
Yes, we would like to nominate Conseiller Monaghan, please.

**The Speaker:** Are there any other nominations from the floor? No.  
Then I put it to you that Conseiller Kevin Monaghan be elected to the Douzaine. Those in favour; those against? **Carried.**

1405 Special Committee, Vulnerable Adults. Do you have a nomination? *(Interjection)* No, I am asking the Chairman of Vulnerable Adults. Who is the Chairman of Vulnerable Adults? Do you have a nomination –?

**Conseiller Plummer:** I do not have a nomination.

1410 **The Speaker:** Right, okay. Does any Conseiller wish to put themselves forward for the vacancy on Vulnerable Adults?  
Conseiller Makepeace.

1415 **Conseiller Makepeace:** I am a little confused by this, because I am a member of the Vulnerable Adults Committee, and we have never met. We have never had any exchange of emails and I really do not know what is happening with this, to be honest.  
Thank you.

1420 **The Speaker:** Then I suggest it is probably time that the Committee did meet, *(Laughter)* and it really does need to bring itself up to date.  
Conseiller Sandra Williams.

1425 **Conseiller Sandra Williams:** I could actually answer that question, because I was Deputy Chair of that Committee with Conseiller Amanda de Carteret. When Amanda de Carteret left, I went to Chairperson and we elected Conseiller Williams, Conseiller Plummer, and I believe Conseiller ...  
**(Conseiller Makepeace: Makepeace.)** Makepeace!

1430 We had a meeting with the Law Officer in Guernsey relating to the back-end of the meeting with Education. We asked how the Law Officer's works was going with the Vulnerable Adults, and we were told that it was on hold and it would probably be on hold during the whole of COVID and after COVID.

1435 We ended up with a draft, which I think all the Committee had, the original draft from the Law Officers, but no work has been continued with that. I do not believe that I have passed on the information to Conseiller Plummer, through the Office, where they need to go from here. Unfortunately, the Child Protection Law was more important than the vulnerable adults. We got the Child Protection Law finished, we got the draft of the vulnerable adults, and then it has obviously just got forgotten, or it has got onto the bottom of our 'too difficult' pile that we tend to find occasionally.

1440 **The Speaker:** Okay. So we do not have a nomination for the Vulnerable Adults at the moment, but ... *(Laughter)*

**Conseiller Sandra Williams:** Sir, I will go back on to Committee of the Vulnerable Adults and see if I can help them to push things through and start moving on that again.

1445 **The Speaker:** Are you putting yourself forward for election for the Vulnerable Adult –?

**Conseiller Sandra Williams:** I am, **(The Speaker: Okay.)** but they are all welcome to vote me off if they do not want me. *(Laughter)*

1450 **The Speaker:** So Conseiller Sandra Williams has put herself forward for election to the Vulnerable Adults Committee. Those in favour; those against? **Carried.** Congratulations.

**17. Committee and Panel Elections –  
None**

*To elect non-Chief Pleas members and Panel members to Committees and Panels, as required.*

**The Speaker:** We move to Agenda Item 17, Committee and Panel Elections, to elect non-Chief Pleas Members to Committees and Panels as required. Are there any Committees who wish to nominate any non-Chief Pleas Members? No.

1455 Nobody wants to put anybody on to Panels? No. Okay.

I would just inform you, then, that the Taxation Appeals Tribunal is now partially populated with the following members of the community: Mr D Curtis; Mr C Harris; and Mr J Robbins; with Mr David Brunning as Clerk. This Taxation Appeals Tribunal still has one vacancy, so if there is any member of the public here today, the Taxation Appeals committee is looking for a volunteer.

1460

**Conseiller Makepeace:** Sir, I would nominate myself, please. **(The Speaker and two Conseillers:** No.) Oh, I can't, can I? No, sorry. *(Laughter)* I thought he said a Chief Pleas Member –

**The Speaker:** This is *non*-Chief Pleas members.

1465

**Conseiller Makepeace:** Oh, *non*-Chief Pleas.

**Item laid before Chief Pleas –  
Capacity (Lasting Powers of Attorney) (Bailiwick of Guernsey) Ordinance, 2022**

**The Speaker:** Okay, that concludes the Agenda Items. We have one item laid before Chief Pleas, that is the Capacity (Lasting Powers of Attorney) (Bailiwick of Guernsey) Ordinance, 2022. No motions to annul the laid before item have been received by me, I therefore declare the law applicable in Sark.

1470

**General Election –  
Statement by the Speaker**

**The Speaker:** As a closing statement, I would inform you that the date of the General Election this year is planned to be held on Wednesday, 14th December and, as usual, the Election Ordinance will come out at the Michaelmas Meeting in October.

The Meeting is closed. Greffier, the grace, please.

*Chief Pleas adjourned at 7.07 p.m.*