



**CHRISTMAS MEETING of CHIEF PLEAS
to be held on 17th JANUARY 2024 at 5.00pm in the ASSEMBLY ROOM**

AGENDA

1. MATTERS ARISING from the Michaelmas Meeting held on the 4th of October 2023.
2. QUESTIONS Not Related to the Business of the Day.
3. To CONSIDER a Report with Proposition from the POLICY and FINANCE COMMITTEE entitled "**The Public Notaries (Bailiwick of Guernsey) Law, 2023**" and to APPROVE the Projet entitled "The Public Notaries (Bailiwick of Guernsey) Law, 2023".
4. To CONSIDER a Report with Proposition from the POLICY and FINANCE COMMITTEE entitled "**Reinstatement of Finance & Resources Committee**".
5. To CONSIDER a Report with Proposition from the POLICY and FINANCE COMMITTEE entitled "**Sark Replacement Power System Update**".
6. To CONSIDER a Report with Propositions from the DOUZAINÉ entitled "**Rubbish/Recycling and Sewage Charges**".
7. To CONSIDER a Report with Proposition from the EDUCATION COMMITTEE entitled "**Changes to Education Committee Mandate**".
8. To CONSIDER a Report with Proposition from the TAXATION REVIEW (SPECIAL COMMITTEE) entitled "**Progress Report**".
9. To CONSIDER a Report with Proposition from the DEVELOPMENT CONTROL LAW (SPECIAL) COMMITTEE entitled "**Disbandment of the Development Control Law (Special) Committee**".
10. To CONSIDER an Information Report from the MEDICAL and EMERGENCY SERVICES COMMITTEE entitled "**Annual Medical Report**".
11. To CONSIDER an Information Report from the AGRICULTURE, ENVIRONMENT and SEA FISHERIES COMMITTEE entitled "**Annual Information Report**".
12. To CONSIDER an Information Report from the DOUZAINÉ entitled "**Seasonal Regulation No. 2**".
13. To CONSIDER an Information Report from the DOUZAINÉ entitled "**Seasonal Regulation No. 4 - 2024**".
14. COMMITTEE ELECTIONS: To elect Conseillers to Committees as required.
15. COMMITTEE and PANEL ELECTIONS: To Elect Non-Chief Pleas Members and Panel Members to Committees and Panels, as required:

P M Armorgie

27 December 2023

NOTES:

1. Anyone wishing to see any of the Reports and Supporting Papers may do so at the Committee Offices, Monday to Friday, 11 am to 3 pm; copies may be obtained from the Committee Office. The Agenda, Reports and Supporting Papers may also be seen on the Sark Government Website at:
www.sarkgov.co.uk

POLICY & FINANCE COMMITTEE

Report with Proposition to Christmas Chief Pleas, 17th January 2024

**THE PUBLIC NOTARIES (BAILIWICK OF GUERNSEY) LAW
2023**

The Association of Guernsey Notaries Public (“the Association”), the body responsible for the admission of Notaries Public expressed its concerns to the lack of formal regulation of persons holding these responsibilities and the potential impact that this could have on ongoing international recognition of notarial acts issued in the Bailiwick. During 2022 the Committee was consulted, at the policy stages, on introducing legislation for the better regulation of Notaries Public.

Proposals to address these concerns were developed by “the Association”, in liaison with the Faculty Office UK (Diocese of the Archbishop of Canterbury). To give effect to these proposals required the respective parliaments in the Bailiwick to make primary legislation.

At its meeting on the 18th July 2023 the Committee was consulted on the draft Projet entitled “The Public Notaries (Bailiwick of Guernsey) Law 2023”, a copy of which is attached to this Report. The Committee requests that Chief Pleas approves this draft legislation.

Proposition –

That Chief Pleas approves the draft Projet de Loi entitled “The Public Notaries (Bailiwick of Guernsey) Law, 2023”

**Conseiller John Guille
Chairman, Policy & Finance Committee**

POLICY & FINANCE COMMITTEE

Report with Proposition to Christmas Chief Pleas, 17th January 2024

**REINSTATEMENT OF FINANCE & RESOURCES
COMMITTEE.**

The amalgamation of the Policy & Performance and the Finance & Resources Committees to a single Policy & Finance Committee was approved at Chief Pleas meetings on the 10th October 2018. The mandates for both Committees were simply combined and approved at the Chief Pleas meeting held on the 16th January 2019. A copy of Policy & Finance Committee's current mandate indicating those responsibilities previously allocated to the two committees is attached to this Report.

Since 2019 the level of work and commitment expected from the Policy & Finance Committee has continued to increase due to national and international legislation, the effects and requirements introduced by BREXIT and to a lesser extent COVID, but also at the local (Bailiwick) level in continuing introduction and commencement of new and revised legislation.

It is envisaged that these external pressures and work commitments will continue and has led to the Policy & Finance Committee to scrutinise more closely its current mandate and to assess its effectiveness in discharging those mandated functions and responsibilities which were added when the two committees were originally combined in 2018-19.

In response to these additional pressures Chief Pleas recently approved the job description and recruitment of a Senior Executive Officer ostensibly to work in matters relating to the core (original) mandate of the Policy & Performance Committee (para a. and b. in the current mandate of the Policy & Finance Committee).

The Committee considers that, given there are now a higher number of Conseiller members present than in 2019 & when the decision was taken to amalgamate, it is appropriate for the Finance & Resources Committee to be reinstated with the responsibilities and workload relating to those activities and functions formerly undertaken (para c. to l. in current mandate of the Policy & Finance Committee).

The Policy & Finance Committee understands that due to the nature and complexity of the request to reinstate the Finance & Resource Committee it will take time for the Law Officers to effect the necessary legislation, transfer functions and to update the relevant statute book at Guernsey Legal Resources (GLR). During this transition period the Policy & Finance Committee will continue to undertake those mandated financial functions and responsibilities in its current mandate.

To ensure that good fiscal governance, including accounting principles, are maintained during 2024 the Policy & Finance Committee will be inviting Chairpersons of those committees that retain financial responsibility periodically to attend its own scheduled meetings. Where invited the Committee would encourage attendance to foster cooperation understanding and communication.

Once the Finance & Resource Committee is reinstated the Policy & Finance committee proposes that it revert to its former name of Policy & Performance.

In the Proposition the Committee is seeking approval from Chief Pleas to proceed. Once the required legal matters are completed and at the next Chief Pleas meeting thereafter the Policy & Finance Committee renamed to Policy & Performance committee proposes to bring forward any recommendations relating to its own as well as the Finance & Resource Committee mandate & constitution. At this time, it is also anticipated that Finance & Resource Committee will be repopulated with current members as per those requirements prescribed under the *Constitution and Operation of Chief Pleas Committees*.

In the meantime, the Policy & Finance Committee will continue discharging those functions and responsibilities within its current mandate.

The Policy & Finance Committee would welcome members in taking this time as an opportunity to review the attached old & current mandates and to provide any proposals or suggestions regarding allocation of current and/or any new functions or responsibilities between the two committees once the Finance & Resource Committee is re-instated.

Proposition 1 –

That Chief Pleas approves the reinstatement of the Finance & Resource Committee and to instruct the Law Officers to make the necessary legislative changes.

**Conseiller John Guille
Chairman, Policy & Finance Committee**

POLICY AND FINANCE COMMITTEE MANDATE

CONSTITUTION:

- Six members who shall be sitting members of Chief Pleas, two of whom shall be elected as Chairman and Deputy Chairman by sitting members of Chief Pleas.
- The Treasurer of Sark and the Chief Secretary/Senior Administrator shall be members *ex officio*.
- A quorum shall consist of three members who are members of Chief Pleas.

MANDATE:

- a. To lead on all Chief Pleas matters relating to:
 - 1) External communications.
 - 2) Economic Development.
 - 3) The Island's constitutional position, international relations and matters relating to the other Islands of the Bailiwick.
- b. To monitor progress of priorities set by the Policy Development Group and report to Chief Pleas
- c. To collect data on the income and expenditure of all committees, so as to monitor the overall expenditure of Chief Pleas.
- d. To consider expenditure requests submitted by all committees, related to the planned future activities and obligations of those committees, and to produce a proposed Budget for consideration at Michaelmas Chief Pleas, based on those committees' costed plans and requests and any other factors that Policy and Finance Committee considers should be taken into account in compiling that Budget.
- e. To regulate and control the financial and resource (employees, property, equipment etc.) related affairs of Chief Pleas.
- f. To raise Chief Pleas revenue and advise how best to utilise its financial and other resources as part of the budget process.
- g. To regularly undertake the review of revenue raising and advise on the need for update or modification.
- h. To monitor costs of the Seneschal's Court and make recommendations to Chief Pleas on the funding of the Court.
- i. To advise Chief Pleas on internal commercial matters.
- j. To be responsible for, and keep under regular review, the Memorandum of Understanding between Isle of Sark Shipping Company Limited and Chief Pleas.
- k. To give such instructions as are appropriate on behalf of Chief Pleas to the shareholders of Isle of Sark Shipping Company Ltd.
- l. To be responsible for all aspects of the Island insurance.

LEGISLATION

See **Appendix 1**

POLICY AND PERFORMANCE COMMITTEE

MANDATE

CONSTITUTION:

- Four members who shall be sitting members of Chief Pleas, two of whom shall be selected as Chairman and Deputy Chairman by their fellow Committee Members.
- A quorum shall consist of three members.
- Permanent Members of Policy and Performance cannot be a Member of any other Committee other than Policy Development Group.
- Members of this Committee may work on Policy Development Teams.
- Policy Development Team Leaders attend this committee for the duration they are a Policy Development Team Leader.
- The Senior Administrator shall be a member *ex-officio*.

MANDATE:

1. To lead on all Chief Pleas matters relating to:
 - i. External communications.
 - ii. Economic Development.
 - iii. The Island's constitutional position, international relations and matters relating to the other Islands of the Bailiwick.
 - iv. To monitor progress of priorities set by the Policy Development Group and report to Chief Pleas

LEGISLATION

See **Appendix 1**

FINANCE AND RESOURCES COMMITTEE

MANDATE

CONSTITUTION:

- Four members who shall be sitting members of Chief Pleas, two of whom shall be selected as Chairman and Deputy Chairman by their fellow Committee Members.
- The Treasurer of Sark and the Senior Administrator shall be members *ex officio*.
- A quorum shall consist of three members who are Chief Pleas' members.
- Members of Finance and Resources Committee may not be members of any other committee, other than Policy Development Group or if they are a Policy Development Team Leader. As a Policy Development Team Leader that member attends Policy and Performance Committee for the duration of that policy development task.

MANDATE:

- m. To collect data on the income and expenditure of all committees, so as to monitor the overall expenditure of Chief Pleas.
- n. To consider expenditure requests submitted by all committees, related to the planned future activities and obligations of those committees, and to produce a proposed Budget for consideration at Michaelmas Chief Pleas, based on those committees' costed plans and requests and any other factors that Finance and Resources Committee considers should be taken into account in compiling that Budget.
- o. To regulate and control the financial and resource (employees, property, equipment etc.) related affairs of Chief Pleas.
- p. To raise Chief Pleas revenue and advise how best to utilise its financial and other resources as part of the budget process.
- q. To regularly undertake the review of revenue raising and advise on the need for update or modification.
- r. To monitor costs of the Seneschal's Court and make recommendations to Chief Pleas on the funding of the Court.
- s. To advise Chief Pleas on internal commercial matters.
- t. To be responsible for, and keep under regular review, the Memorandum of Understanding between Isle of Sark Shipping Company Limited and Chief Pleas.
- u. Give such instructions as are appropriate on behalf of Chief Pleas to the shareholders of Isle of Sark Shipping Company Ltd.
- v. To be responsible for advertising for tenders and placing contracts for the maintenance of Island property other than that under the control of the Island Trustees.
- w. To be responsible for letting, appointing tenants, fixing rents and terms on property surplus to the requirements of the Douzaine. Income arising from and expenditure on Island Property to be recorded in the Island's Financial Statements.
- x. To be responsible for all aspects of the Island insurance.

LEGISLATION

See **Appendix 1**

**POLICY & FINANCE COMMITTEE AND
FUTURE ENERGY SPECIAL COMMITTEE**

Report with Proposition to Christmas Chief Pleas, 17th January 2024

SARK REPLACEMENT POWER SYSTEM UPDATE

PUBLIC MEETING

Sark Replacement Power System

10th JANUARY 2024
ISLAND HALL

5:30pm - 7:30pm

All residents welcome

In attendance: Members of Policy & Finance and Future Energy Committees
Mr Jake Burnyeat Communities for Renewables CIC
Mr Shane Lynch Electricity Price Controller, Sark

Comments or questions can be sent in advance
to policy.finance@sarkgov.co.uk or be taken at the meeting.

The matter of securing a reliable and resilient island-owned electricity system for Sark has been a major infrastructure concern to Chief Pleas and a matter which continues to be one of highest priorities on the Bailiwick Risk register.

The decision to proceed with works with a view to introducing an electricity generation and distribution system with or without elements of the existing network (TBD) was approved by Chief Pleas at the Rescheduled Extraordinary Meeting, 21st September 2022 (item 2). Communities for Renewables (CfR) was engaged, on a consultancy basis, to manage a tender process in order to find suitable company/companies to carry out the design and build of these new systems.

Since 2021 a number of critical reviews, report and evaluations have been undertaken which appear on the website at <https://sarkgov.co.uk/new-power-system>. These reviews have repeatedly highlighted the aging state of the current electricity infrastructure on Sark, the lack of reasonable investment in maintenance and safety upgrades and the danger to both public safety and reliability of supply that these poses. In October 2022 requests for expression of interest were sent to over 50 design

and build contractors companies. Seven (7) companies replied with proposals, which after review, three (3) were short-listed. Representatives of these companies visited the island this year and were requested to provide more detailed initial proposals.

The preferred proposal is with Infinite Renewables Ltd (IRL) in partnership with Sancus Utilities. The reasoning for the recommendation to proceed with IRL/Sancus Utilities as opposed to those other shortlisted companies is provided in the attached appendix.

To date an amount of circa £50,000 has been spent on the project.

Independent advice and scrutiny was obtained from Energypeople and Guernsey Electricity throughout the bid evaluation stages.

MOVING FORWARD

Indicative costs (estimated) for both a generation and distribution system as well as electricity price implications (impact) are provided in the Appendix.

However to progress to a point where firm actual build costs for a replacement power system for Sark can be properly determined and financing options can be realistically assessed requires a full design phase to be undertaken.

To undertake full design phase works the financial investment required is as follows:

Action	Cost (£)
IRL generation system design fees	45,000
Sancus distribution system design fees	75,000
Energypeople owners' engineers oversight	10,000
CfR support over Jan-June 2024 for managing the process on behalf of Chief Pleas including managing the design contractors, contract negotiations, finance strategy and funder engagement	25,000
Design works contingency and budget for legal support outside of Guernsey Gov if needed	20,000
TOTAL	175,000

The Committee acknowledges that the expenditure to date has and, where approved at this meeting the proposed expenditure of circa £175,000, will need to be taken from Sark's general reserves. These sums will be factored into any borrowing needed for the project build and paid back into reserves at a future date. The funding needed for the overall project will be recovered through the future price of electricity with advice and guidance provided by amongst others, the Electricity Price Commissioner.

The Committee acknowledges the potential inherent and immediate fiscal risk of this action but balances it with the absolute need to secure electricity provision on the island for current and future generations.

Proposition -

That Chief Pleas authorises those works and anticipated costs as outlined in this Report to progress to the generation and distribution system design phase work with IRL/Sancus Utilities.

**Conseiller John Guille
Chairman, Policy & Finance Committee**

SUMMARY REPORT BY CIC

Summary of procurement process

A request for expressions of interest (REOI) for Design and Build contractors for the Sark Replacement Power System was sent out October '22 to over 50 companies (including all who had previously shown interest in Sark) and to the open market via the Guernsey Gov procurement portal. Responses were received by the December '22 deadline from 7 companies. Q&A was carried out through January and February '23. Following this, 3 companies were short-listed to provide full proposals:

- Schneider
- Eaton
- Infinite Energy (IRL) in partnership with Sancus Utilities.

The request for full proposals (RFP) was sent out at the end of March '23 to the 3 short-listed companies with a deadline of the end of May. Island visits and bidder discussions were held through April and May. The Schneider visit was delayed by fog, so the deadline was extended to the end of June. Responses were received in June from all 3 bidders but further information was required from all three to be able to make an informed recommendation. It took through to the end of September to get this further information.

Following review of the 3 bids it was decided split the generation system and distribution system into separate contracts. A new RFP for the Design and Build of the distribution system was drafted, which included a detailed design scope for the distribution system.

Energypeople and Guernsey Electricity reviewed the tender docs and supported CfR in the review of the bids and bidder discussions.

Tender evaluation summary

Eaton – Do not progress. The proposal was for a feasibility study which was high cost compared to the others. System costing was detailed and covered the complete system up to individual customer connections and metering. Significant work went into the costing. However, the Eaton smart grid system is high specification and cost and unaffordable for Sark. Eaton are only interested if their complete smart grid system is deployed.

Schneider – Do not progress. Schneider's proposal had some strong elements including their smart grid controller and proposal for developing the smart metering and billing system. However, there were concerns over their proposal to use a US-based Design and Build contractor, their system was high spec for Sark's needs and the system cost increased significantly to a level unaffordable for Sark once costs for underground cabling, transport and an appropriate scale generation system were included.

IRL and Sancus – Progress on the basis set out below.

IRL's initial proposal was based on them acting as contracts manager on behalf of Sark Power, with Sark Power contracting directly with the individual contractors. This was not the basis of the tender, and IRL subsequently agreed they would be prepared to act as a single lead Design and Build contractor. The IRL bid is based on a consortium of SMEs with small balance sheets relative to the major contractors. However, they have experience of managing similar-scale projects and seem committed to the task.

The IRL proposal for the generation system is well considered, appropriately scaled and the costs seem realistic. Significant work has gone into considering delivery and construction logistics.

The IRL team has experience in managing the development and construction of integrated renewable energy projects (wind, solar and battery). Netherlands-based Business in Wind appears to be a good sub-contractor for the wind turbines, with niche experience in constructing and decommissioning wind turbines on remote island locations and a business line in supplying reconditioned wind turbines of the scale needed for Sark. Further information and assurance will be sought through the design phase on IRL's selection of sub-contractors for the solar, battery, diesel and control system.

IRL's proposed sub-contractor for the generation system electrical works and wind turbine civil works is a company called Sancus (a subsidiary of Wind Care). Late in the process, IRL proposed Sancus as contractor for the distribution system. IRL have good experience of working with Sancus and confidence in their ability to design and deliver the distribution system. As Sancus will be involved in the generation system, it would make sense to use them for the distribution system if deemed a suitable contractor. Further work was required to confirm whether they are a suitable contractor. A new RFP for the Design and Build of the distribution system was drafted and provided to Sancus to quote against at the end of October. Their response was received on 19th November. CfR are happy with the response, which includes good references.

The recommendations are:

- To progress with the generation and control system design-phase work with IRL, under a FEED contract (Front end engineering design) – which would include contract 'heads of terms' for a full Design and Build contract. IRL have agreed there would be no obligation on the Island to enter into an Design and Build contract with IRL. However, IRL's design fees assume they get the Design and Build works and there would be a £20,000 intellectual property charge (in addition the design phase fee) if IRL's design was used by an alternative contractor.
- The generation system design work scope and price needed to be firmed up with IRL. CfR and Energypeople drew up and agreed the scope and fee with IRL. The scope includes design of an emergency diesel-only transitional system, sub-contractor selection, costing, logistics plan, and information to support the planning application and island engagement (including plans and photo montages of the wind turbines).
- The Design and Build contract head of terms should be negotiated at the outset of the design phase works and include:
 - An open book costing mechanism, which clearly states fees and margins, and how cost increases and decreases are managed.
 - A mechanism for managing the risk of contracting with SMEs. This could include insurance-backed warranties and Sark Power directly placing orders for major equipment purchases with free-issue to the design and build contractor.
 - Terms for warranties and damages for construction delays (with reasonable carve outs for delays out of the design and build contractor's control) and under-performance as specified in the tender. Damages for under-performance of the renewables system could be based on the marginal cost of increased diesel consumption. Performance warranties will be in part dependent on the operations arrangements and contracts.
 - IRL to be responsible for managing interface with the distribution system Design and Build contractor.
 - IRL sub-contractors to be subject to Sark Power's approval.
- To proceed with Sancus and their design partner Aurora for the design phase of the distribution system on the assumption they will be the Design and Build contractor, subject to satisfactory outcome of the design work (which also includes selection of sub-contractors to be approved by Sark) and negotiation of Design and Build contract terms (as per IRL above).
- CfR and Energypeople included a detailed scope of work in the distribution system RFP, which Sancus have confirmed they are happy with, subject to some clarifications which have been agreed with them.

- Explore the case for installing an island fibre broadband network in the cable trenching. A fibre network may be beneficial in any case for the energy system communications and control.

Replacement power system indicative specification and cost

The indicative specifications and costing for the replacement generation and distribution system have been provided by IRL and Sancus as part of a competitive tender process. Neither company has yet been paid or engaged. The costs are indicative only and subject to the outcome of the design phase work.

Generation system £3.1million (preliminary estimate)

- 2 x 225kW (30m tower and 29m diameter rotor) refurbished wind turbines
- 500 kWp solar farm (1 field)
- 500kWh storage capacity battery
- 2 x 300 kVA diesel generators (+1 back-up/increased capacity if required)
- ‘Micro grid’ control management system
- A simple building to house the generators, batteries, distribution boards and workshop

Distribution system £4.8million (preliminary estimate)

- Replacement 11kV (or 3.3/6.6kV alternative) high voltage network built and maintained to UK standards
- Low voltage network replaced up to individual properties (excluding any upgrades required to property)
- Scalable to future needs where cooking, heating and transport are electrified
- Control and billing system to enable low cost ‘heat tariff’ for hot water and storage heating when there is a surplus of wind or solar

Total c.£8million (preliminary estimate to be confirmed through design phase) plus costs for design works, finance raising, project management and other development costs. These are likely to bring the overall cost to around £8.6million.

Design phase investment required

A detailed scope of work for the design of the replacement generation system and distribution system is provided in the accompanying documents. The design phase works are the first stage in the Design and Build process, and are required in order to firm up the financial case and progress the financing raising process.

The Chief Pleas investment required to progress the design phase works:

IRL generation system design fees	£45,000
Sancus distribution system design fees	£75,000
Energypeople owners’ engineer oversight	£10,000
CfR support over Jan – June ’24 for managing the process on behalf of Chief Pleas including managing the design contractors, contract negotiations, finance strategy and funder engagement.	£25,000
Design works contingency and budget for legal support outside of Guernsey Gov if needed	£20,000

Total	£175,000
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The design works are expected to take around 18 weeks (e.g. Feb – June).

Finance strategy

Discussions have been held with Ravenscroft and States of Guernsey. SDLC (who were funding partner for the Schneider bid) remain open to funding the system on an 'energy services company' basis.

Ravenscroft are happy to help with a Channel Islands community bond raise and are confident the capital could be raised if the return is sufficient (likely to be 7% or more at current base rates). A guarantee would reduce risk and return.

Guernsey 2014–2046 Treasury Bond (£330million at 3.75%) Around ½ is loaned to state owned companies (Guernsey Electricity, Auringy etc) to reduce their borrowing costs. Another proportion is committed to schools, hospitals, social housing etc.

States of Guernsey could possibly provide a loan (likely at base+0.5-1%) or a loan guarantee.

There is still significant uncertainty in the build costs. We need to complete the design phase before progressing the finance strategy and further discussions with funders.

The replacement system needs to happen, and to provide electricity at a similar or lower cost to current prices. If finance and/or build costs are too high to enable this, grant funding or subsidised investment will be required. It may be beneficial to separate the financing of the generation system (which will have an asset life of around 20 years) and the distribution system (which will have a longer asset life).

£8million is in the mid-range of the capital raisings CfR has managed for community-owned energy projects, using a combination of community shares/bonds, public sector investment and debt finance.

Electricity price implications

The current system has been declared past its serviceable life and in some parts dangerous. Sark needs a replacement power system. Continuing indefinitely with the current system is not an option. There may be some cost savings if parts of the existing distribution infrastructure can be retained. This will be looked at in the design phase. Costs could also increase as the design and specification are firmed up through the design phase and sub-contractors selected.

If the build costs and/or finance costs are too high for the replacement system to deliver power at a price comparable to current rates, we will need to secure grants or low cost government finance. We will explore these options anyway as, even at current rates, electricity prices on Sark are twice the rate on Guernsey and the power system is critical infrastructure.

At a base-case cost of around £8.6million, current consumption of 1.4million kWh per year, and assuming the whole system was funded via community bonds and commercial-rate loans at 7% over 20 years, the tariff rate would need to be 65-70p/kWh to cover operating and finance costs. This is too high.

At the same base-case cost of £8.6million, current consumption of 1.4million kWh per year, and assuming the whole system was funded via a loan at 3.75%, the tariff would need to be around 47p/kWh to cover operating and finance costs.

If consumption increases to 2million kWh per year, the tariff rate could come down to at or below the current regulated price of 52p/kWh even with a 7% loan. This could happen with a 20% rebound in demand

(including the off grid properties re-connecting the network) and a shift from bottle gas to electricity for cooking (which we estimate would increase electricity consumption by around 300,000kWh/year).

A grant or low interest long-term government loan for the distribution system costs could also bring the tariff down to at or below the current regulated price (assuming no increase in demand).

To achieve price parity with Guernsey (23p/kWh) would require a grant for the majority of the replacement system cost.

A diesel-only system would avoid the cost of the wind turbines, battery and solar array. However, the distribution network still needs replacing. Electricity prices with a diesel only system would be higher (probably over 80p/kWh) and would leave the island exposed to diesel price volatility.

DOUZAINE

Report with Propositions to Christmas Chief Pleas, 17th January 2024

RECYCLING/RUBBISH AND SEWAGE CHARGES

The Public Works collects and processes domestic recycling (blue and clear bags) and burnable rubbish ('black bag'), for which a charge is made. This charge was last increased effective of 1st August 2018 and the Douzaine feels the time has come for a further increase.

The Douzaine is proposing to increase the charge for domestic Rubbish/Recycling from the current £22.20 per (adult) per quarter, to £27.40 per (adult) per quarter. The Douzaine is further proposing to increase the charge per load of sewage from the current £18.37 per load, to £22.67 per load. Both of these increases are in line with the (Guernsey) RPI since the previous increase.

There is no intention to increase the (domestic) 'black bag' charge.

While a more detailed scheme for commercial rubbish charges has yet to be finalised and brought to Chief Pleas, it is running a deficit of around £20K per year, a cost that is currently carried by the public purse. The Douzaine is thus proposing an interim measure for the gap between now and a more comprehensive review of the commercial charges to come to a future Chief Pleas.

The Douzaine is proposing to increase the charges for commercial rubbish disposal by 23.4%, across the range of charges. This increase being inline with the increase proposed for domestic charges.

If approved, these increases will come into effect from the 1st February 2024

Proposition 1 –

That Chief Pleas approves the increase to the Sark Public Works charge for the Rubbish/Recycling collection to £109.60 per person, per year (£27.40 per quarter).

Proposition 2 –

That Chief Pleas approves the increase to the Sark Public Works charge for the sewage collection to £22.67 per load.

Proposition 3 –

That Chief Pleas approves the increase to the Sark Public Works charges for the commercial rubbish collection, by the 23.4%.

**Conseiller Frank Makepeace
Chairman, Douzaine**

EDUCATION COMMITTEE

Report with Propositions to Christmas Meeting Chief Pleas, 17th January 2024

CHANGES TO EDUCATION COMMITTEE MANDATE

On a number of occasions over the past few months and for various reasons the Education Committee has found itself struggling to have sufficient members available to attend meetings and for the meetings to be quorate.

To help alleviate this problem, the Committee request that, in accordance with **The Education (Sark) Ordinance, 2003**, Section 1 (2), Chief Pleas approves an increase of number of Conseillers on the Education Committee from 4 to 5.

In addition the Education Committee requests approval to the additions and changes to its mandate (as attached).

To note for consistency and where there is approval that there will be a need to revise the *Constitution & Rules of Procedure for Operation of Committees*.

Proposition 1 -

That Chief Pleas approves the Education Committee to comprise of five serving Conseillers.

Proposition 2 -

That Chief Pleas approves the amended Education Committee Mandate, as attached.

Conseiller Jolie Booth
Chair, Education Committee

EDUCATION COMMITTEE MANDATE

CONSTITUTION:

- Five members who shall be sitting members of Chief Pleas, two of whom shall be selected as Chairman and Deputy Chairman by their fellow Committee Members.
- Parents of school age children currently being educated in the Sark system shall not be members of the Committee.
- Up to 2 non-voting members who shall not be sitting members of Chief Pleas but who shall be elected by Chief Pleas.
- From time to time, as required, the Head of School, the Chair and/or other members of the Board of Governors and/or other teachers may be invited to attend meetings, as deemed relevant and necessary by the Committee.
- A quorum shall consist of three voting members.

MANDATE:

1. Establish a statutory system of public education for the children of Sark, in accordance with the Education (Sark) Ordinance, 2003 that is of high quality*.
2. Appoint a Board of Governors, representative of the community of Sark and constituted in accordance with their terms of reference.
3. To negotiate and manage a Service Level Agreement for Education Services with the States of Guernsey acting by and through the Committee for Education, Sports and Culture.
4. Receive information from representatives from the States of Guernsey connected with the Service Level Agreement and the Board of Governors in sufficient depth and with regularity so as to enable the Committee to fulfil their role.
5. Approve and champion the Education Policy for Sark and approve the School Development Plan for Education, as recommended by the Board of Governors, on an annual basis, commending the plan and expenditure to Chief Pleas.
6. Commission an independent inspection of Education for the children of Sark at suitable intervals (at least once in every three years); and ensure that actions are taken to implement recommendations in a timely fashion so as to rectify any deficits.
7. Provide the finances to the Board of Governors to enable them to maintain a school and its equipment, and the facilities for education, physical education and recreation.
8. Approve the appointment, definition of conditions of service and salary, appraisal and pay progression, disciplining and the dismissal of staff at Sark school and roles which fall under the remit of the Education Committee, following recommendation from the Board of Governors.
9. For the purposes of teachers' accommodation the Education Committee will act in management.
10. The funding of education (on Sark and elsewhere) within the constraints of Island finances, including the provision of education for children with special needs.
11. Uphold the behaviour expectations and disciplinary measures when necessary, including decisions at appeal for the temporary and/or permanent exclusion of unruly children from school.
12. Monitor complaints regarding the Education, Welfare or Safety of a child and act as the final body of appeal in accordance with the published complaints procedure.
13. Report on education matters to Chief Pleas.

** high quality education that is at least as good as one they would receive in the UK, whether it is provided on Sark or elsewhere.*

LEGISLATION

Laws

- The Education (Sark) Law, 2001
- The Education (Amendment)(Sark) Law, 2003
- The Children (Sark) Law, 2016
- The Child Protection (Sark) Law, 2020

Ordinances

- The Education (Sark) Ordinance, 2003
- The Education (Repeals)(Sark) Ordinance 2004
- The Education (Sark)(Amendment) Ordinance, 2005
- The Education (Sark) (Amendment) Ordinance,2018
- The Education (Sark) (Amendment) Ordinance,2019
- The Education (Sark) (Amendment) Ordinance,2020
- The Child Protection (Sark) Ordinance, 2021
- The Education (Sark) Amendment Ordinance 2023

Service Level Agreements

- Sark Education Services agreed with the States of Guernsey acting by and through the Committee for Education, Sports and Culture
- Secondary Education Services for Sark Students agreed with the States of Guernsey acting by and through the Committee for Education, Sports and Culture
- Service Level Agreement agreed with the States of Guernsey acting by and through the Committee for Health and Social Care

January 2024

TAXATION REVIEW (SPECIAL) COMMITTEE
Report with Proposition to Christmas Chief Pleas, 17th January 2024

PROGRESS REPORT

The information given in this report addresses potential revenue raising measures that the Taxation Review (Special) Committee (TRSC) consider workable for Sark.

The purpose of the Report is to give Chief Pleas and the residents of Sark an insight into the investigations of the Committee of a number of revenue raising proposals that we believe to be workable within the island's current administrative system. To this end, consideration has been given at all times to ruling out any new forms of taxation that would incur more cost in administration than in actual revenues raised.

Some of these proposals are new ideas, some are variations on existing Taxes. Implementation, if subsequently approved, will in most cases require varying degrees of changes to the current Tax Law.

The Committee offers no view as to the merits, the perceived fairness or otherwise of our deliberations and findings to date. We believe we have discharged our duties without fear or favour and will continue to do so. It will be for The Policy and Finance Committee to consider our findings and lay before Chief Pleas one or several of our proposals. It will be then, and only then, with the benefit of evidence-based representation from our lead committee, that debate as to the merits, the perceived fairness or otherwise of each potential revenue raising proposal will be either approved or rejected on the floor of the house.

SARK PROPERTY TAX

1. Derelict Buildings

This is an emotive subject for some, especially where the owner of a derelict property finds themselves asset rich but cash poor and simply does not have funds available to do up the buildings.

Derelict buildings could be registered on the Cadastre by the owner and charged a percentage of the property tax that would be payable if they were habitable.

2. Properties that are Second Homes or Holiday Homes.

If non-resident owners are not using their property for more than ninety days a year then they are not eligible to pay Sark Personal Tax, and do not get a Sark Tax Number.

Furthermore, if the property is not rented out in their absence (i.e., Empty) the Island does not get the benefit from the expenditure that would be beneficial to the Island's GDP.

In such circumstances an additional percentage could be added onto the property tax of 50%

SARK PERSONAL TAX

The Minimum Personal Tax for 2024 is set at £525. The committee offers the following thoughts on how personal taxation could be addressed in the future:

1. A Sark Resident (a person that resides in Sark for more than say 270 days a year) pays the Minimal Personal Sark as set out by Chief Pleas in accordance with existing Tax Law.

2. In respect of a Sark Resident who spends less than 270 days but more than 180 days on Sark in the year then the Minimum Personal Tax payable is increased five times i.e., 500%.

By example if the Minimum Personal Tax is £525 then they would have to pay £2,625 to the Sark Government (Tax Assessor).

3. A Sark Resident who spends less than 180 days but more than 90 days on Sark in the year then the Minimum Personal Tax is increased ten times i.e., 1000%.

By example if the Minimum Personal Tax is £525 then they would have to pay £5,250 to the Sark Exchequer.

4. If the taxpayer cannot prove that they have physically been on Sark for 90 days in the year, then the Minimum Personal Tax payable is increased twenty times i.e., 2000%.

By example if the Minimum Personal Tax is £525 then they would have to pay £10,500 to the Sark Exchequer. This is punitive aimed at those who are using their Sark Tax Identification Number to avoid paying taxes elsewhere.

5. Refinements to automatic default to Minimum Personal Tax.

The committee notes that adjusting the payment of forfeit so that the 2nd, 3rd, 4th etc. householder does not automatically default to minimum personal tax could deliver increased revenues to the exchequer.

Exemptions:

A. If a resident has been off island for medical reasons this should be counted as time on Sark. We have an example of this in 2023, where a resident has been off Island for eight months receiving medical treatment.

B. If a Sark resident is off Island whilst acting as a carer for a family member or friend, with documentary proof, this time should be counted as time on Sark.

C. Any other reason that is acceptable to Policy and Finance or its equivalent.

TOURISM TAX (Bed Tax).

Whilst visitors to Sark pay a landing tax when they set foot on Sark, those that come for a holiday on the Island staying longer with Hotels, Self-Catering, Bed & Breakfast or Camping they pay no further tax. They enjoy the beauty of the Island and its infrastructure at no further cost. Perhaps a Tourism Tax per person per night should be imposed. This is a tax that is imposed by most governments in Europe and around the World.

The Committee considers that a bed tax could raise additional revenues for the exchequer and suggest the following rates;

1 Hotel accommodation: £2 per person per night.

2 Self-Catering and Bed & Breakfast accommodation: £1 per person per night.

3 Camping accommodation: £0.50 per person per night.

The committee believes that the responsibility for the collection of the above accommodation taxes and payment to the Sark Government would be the duty/responsibility/liability of the owner/manager/landlord.

SEASONAL WORKERS TAX

Aligned to the requirement for an accommodation provider to collect and submit a bed tax could be the collection and submission of a seasonal worker tax.

A weekly Seasonal Workers Tax of £10.10, being pro rata to Sark's 2024 Personal Tax rate, to be submitted to the Sark exchequer by accommodation providers in respect of their seasonal workforce.

PROPERTY TRANSFER TAX (AKA STAMP DUTY).

The committee notes that not all land and property transactions in Sark result in the exchequer benefitting from Property Transfer Tax.

Property Transfer Tax could be payable on each and every property and land transaction on Sark without exception.

ANNUAL TAX ON ENVELOPED DWELLINGS (ATED)

This is a complex form of taxation and the committee's deliberations on this subject are a work in progress.

THE NEXT STEP

Whilst it is noted by the Taxation Special Committee that a Public Consultation does not require the approval of Chief Pleas; it would like the following proposition to be considered by members of the house.

Proposition –

That Chief Pleas approves the Taxation Review (Special) Committee undertaking a public consultation seeking comment on the proposal presented in this report and inviting further input from the people of Sark.

**Conseiller Kevin Delaney
Chairman, Taxation Review Law (Special) Committee**

DEVELOPMENT CONTROL LAW (SPECIAL) COMMITTEE

Report with Proposition to Christmas Chief Pleas, 17th January 2024

**DISBANDMENT OF THE
DEVELOPMENT CONTROL LAW (SPECIAL) COMMITTEE**

At the Michaelmas Meeting of Chief Pleas, 5th October 2011 (Item14) the Committee requested the drafting of a new Law as a replacement for **The Development Control (Sark) Law, 1991**. Though originally the task of the Development Control Committee, due to the workload at the time, the Committee requested the task of drafting of **The Development Control (Sark) Law, 2013** be transferred to a Policy Development Team. When the structure of Chief Pleas was changed in January 2019, the Policy Development Team became the Development Control Law (Special) Committee. The Development Control Law (Special) Committee had met regularly in 2015, but only sporadically three items since.

It is suggested that with the lack of progress the task should be transferred back to the Development Control Committee, and that the Development Control Law (Special) Committee be disbanded.

Proposition –

That Chief Pleas approves the disbandment of the Development Control Law (Special) Committee, with any responsibilities it had being returned to the Development Control Committee.

**Conseiller Sandra Williams
Member, Development Control Law (Special) Committee**

ITEM 10

MEDICAL & EMERGENCY SERVICES COMMITTEE Information Report to Christmas Meeting Chief Pleas, 17th January 2024

ANNUAL MEDICAL REPORT

In compliance to Section 26 Schedule 4 Modifications to Schedule D1 to the Guernsey & Alderney Ordinance of **The Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017**, the Committee submits the Panel's annual report for the year 2022 (as attached).

Conseiller Helen Plummer
Chairman, Medical & Emergency Services Committee

RESPONSIBLE OFFICER FOR THE BAILIWICK OF GUERNSEY

**Under “The Regulation of Health Professions
(Medical Practitioners) (Guernsey and Alderney)
Ordinance, 2015”**

ANNUAL REPORT FOR THE YEAR 2022

Dr Peter Rabey, MBChB, FRCA.

Responsible Officer

States of Guernsey.

Date: 3rd February 2023

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1. Executive summary

The Responsible Officer is required to submit an annual report to the States of Guernsey, through the Committee *for* Health & Social Care, as to the discharge of his or her functions. This report provides a summary of activity relating to regulation and revalidation of doctors in 2022.

Key Findings:

- At the end of 2022 there were a total of 285 doctors on the Bailiwick Register and with a licence to practice. Of these 158 were “local practitioners” and 127 were “UK-connected Practitioners”. A breakdown is given in section 7 of this report.
- All local practitioners had completed appraisals in 2022, although 3 were late.
- Revalidation recommendations were made for 16 local doctors to the GMC by the RO in 2022. Four doctors had a ‘defer’ recommendation for lack of evidence, three of whom have since had positive recommendations. The remaining doctor will come up for revalidation again in 2023. Positive recommendations were made for the other doctors. All recommendations were accepted by the GMC.
- No doctors received sanctions or warnings from the General Medical Council in 2022.

2. Purpose of the Report

This report is to inform the Committee *for* Health & Social Care and through them the States of Guernsey, as to the discharge of the Responsible Officer’s functions during the calendar year 2022. This is a requirement of the Responsible Officer under the Ordinance.

3. Background

In 2015 the Bailiwick established the role of Responsible Officer for the States of Guernsey as part of “The Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Ordinance, 2015” (“the Ordinance”). The role mirrors, to a significant extent, that established in 2010 UK legislation (“The Medical Profession (Responsible Officers) Regulations 2010”).

The Responsible Officer has prescribed obligations regarding medical practitioners which include ensuring that appropriate annual appraisals take place (for local practitioners), liaising with UK RO’s (for UK-connected doctors working here), making recommendations to the General Medical Council (GMC), investigating and referring concerns, protecting patients, and ensuring that any conditions are complied with.

The ordinance describes two classes of medical practitioner: “Local Practitioners”

(those doctors on the local register who do not have a connection to UK designated body), and “UK Connected Practitioners” (those who do).

Although defined as Responsible Officer in local law, the GMC recognise a Suitable Person role for local practitioners in the Bailiwick, rather than a Responsible Officer role under the UK Regulations. This is because the Bailiwick is not a UK Designated Body under their legislation, and is the same in the other Crown Dependencies. The Suitable Person role is similar to the UK Designated Body Responsible Officer role in terms of making recommendations to the GMC about revalidation of doctors.

Dr Rabey remained the Responsible Officer for all but one local doctor in the Bailiwick in 2022. Dr John McInerney, Responsible Officer in Jersey, continued to act as RO for one doctor working in the Bailiwick because of a conflict of interest (as described in previous reports).

Every licensed doctor who practices medicine in the Bailiwick of Guernsey must be registered with the General Medical Council and must take part in medical revalidation.

4. Duties of the Responsible Officer

Previous reports have set out the duties of the Responsible Officer with respect to revalidation of doctors. These remain as set out in schedules 2 and 3 of the Ordinance.

5. Governance Arrangements

Governance arrangements remained largely unchanged from my 2021 report. The local register of doctors may be accessed by the public through the HSC website at <https://gov.gg/healthprofessionalregisters> . The GMC register may be accessed through their website at <https://www.gmc-uk.org> .

No decisions of the RO were appealed to the Registration Panel in 2022.

The RO remains an active participant in the Responsible Officer Network organised by NHS England, and takes part in Suitable Person Reference Group meetings organised by the General Medical Council.

The RO meets regularly with their designated GMC Employment Liaison Advisor and has further ad-hoc communication as required. A contract is in place with NHS Resolution to provide expert advice, support, and interventions for concerns regarding doctors. The RO has an external Responsible Officer – Mr Peter Lees of the Faculty of Medical Leadership and Management and takes part in appraisal and revalidation under their auspices. The RO’s appraisal position is fully up to date.

6. Register of Doctors

The Register of doctors is a live document and is amended regularly to reflect additions, departures, and other changes. The Bailiwick Register is available in summary form on-line at <https://gov.gg/healthprofessionalregisters>.

At the end of 2022 there were a total of 285 doctors on the Guernsey Register and with a licence to practice – an increase of 40 from the end of 2021. Of these 158 were “Local Practitioners” and 127 were “UK-connected Practitioners”. The increase was largely in the UK connected group and includes more locum doctors providing services locally and doctors involved in privately prescribing medical cannabis.

A breakdown for the position at the end of 2022 is provided in the table below, with the change from 2021 identified in brackets.

Local Register of Medical Practitioners 2020										
	HSC		MSG		GP's		Others		Total	
	2022	+/-	2022	+/-	2022	+/-	2022	+/-	2022	+/-
Local Practitioners	36	(+4)	51	(-)	67	(-1)	4	(+3)	158	(+6)
UK-Connected Practitioners	54	(-3)	30	(+17)	22	(+14)	21	(+6)	127	(+34)
Total	90	(+1)	81	(+17)	89	(+13)	25	(+9)	285	(+40)

UK Connected Doctors: 54 UK-connected doctors worked for HSC in 2022. This includes locums, visiting doctors, and visiting appraisers for doctors. 30 doctors working for MSG in 2022 retained a UK connection, most were here as locums. There was an increase from 8 to 22 GP's connected to UK designated bodies; most acted as locums (including for Alderney and Sark) while in the Bailiwick, although some are in permanent posts in Guernsey but have retained their status on the UK Performers List.

Doctors Classed as “Others”: This group consist largely of doctors who hold private clinics, provide medical advice to local firms, and services to Guernsey prison. Four were connected locally, 21 had UK or no declared connection.

Conditions: The RO has powers to add conditions to a doctor's local registration. In 2022 this power was not exercised. The GMC also did not impose conditions on the practice of any locally registered doctors in 2022.

7. Medical Appraisal

a. Appraisal and Revalidation Performance Data

In 2022 there were 149 locally connected doctors who required an appraisal in-year. A total of 146 appraisals were completed within the agreed time period. The table below gives details:

Appraisals 2022					
	HSC	MSG	GP's	Others	Total
Number with appraisal due in 2022	31	47	67	4	149
Appraisals within agreed time period	31	46	66	3	146
%	100%	97.9%	98.5%	75%	98%

The 3 late appraisals were for doctors who required a 'deferral' recommendation to the GMC for revalidation.

The overall in-year appraisal rate for local practitioners was 98%.

No cases of non-engagement with appraisal were notified to the GMC in 2022, although 4 doctors in total required deferral recommendations to the GMC due to insufficient evidence for a positive recommendation. In each case an action plan was put in place to remedy the position and 3 have now successfully revalidated. One was deferred until later in 2023.

b. Appraisers

Medical appraisal remains the cornerstone of revalidation of doctors. Doctors with a UK connection take part in appraisal and revalidation with their UK designated body. For locally-connected doctors there are 2 main groups of appraisers. Most doctors fit cleanly into one of these groups, but for doctors in the "other" category, their appraiser is determined by best-fit (nearly always obvious).

Primary Care; Doctors in General Practice in Guernsey continue to demonstrate high levels of engagement in appraisal. GP's undertake appraisals with the Wessex Appraisal Service, a service run by Health Education England; they use a mix of off-island and on-island appraisers.

Secondary Care: Approximately half of appraisals in secondary care are conducted on-island, with the remainder conducted by an off-island appraiser (usually remotely). The on-island appraisals were delivered by a group of eight trained doctors comprising of both States-employed doctors and doctors from the Medical Specialist Group. Off-island appraisers were largely delivered by experienced appraisers from Southampton.

Individual appraiser feedback continues to demonstrate high levels of satisfaction with the quality of appraisers.

A local Appraisers Network meeting takes place regularly, chaired by the Appraisal Lead, Dr Flambert.

c. Quality Assurance

As in previous years, routine ongoing quality assurance continues with active involvement of the appraisal leads and the RO, including reviews of appraisal portfolios and reflection and feedback for individual appraisers.

d. Access, Security and Confidentiality

The Responsible Officer is registered through HSC with the Data Protection Commissioner and has up-to-date Data Protection training.

e. Clinical governance

Prior to their appraisal, doctors receive information about all complaints and incidents in which they are named. This report is available to the appraiser, appraisal lead and to the RO. In addition some doctors may be asked to reflect with their appraiser about specific incidents or events at their appraisal. The appraisal systems allow for such specific items to be identified clearly to both the appraiser and to the RO, to ensure that appropriate reflection and learning has taken place and been evidenced.

8. Revalidation Recommendations

Revalidation typically takes place over a five-year cycle, at the end of which the GMC seek a recommendation from the doctor's RO / Suitable Person (if they have one).

Revalidation recommendations were made for 16 local doctors to the GMC by the RO in 2022. Four doctors had a 'defer' recommendation because there was insufficient evidence for a positive recommendation. Two of these have since had positive recommendations. The remaining two have remedial plans in place and will come up for revalidation again in 2023. Positive recommendations were made for 13 other doctors. All recommendations were accepted by the GMC

There were no notifications to the GMC of non-engagement by a doctor in processes for revalidation.

All recommendation were made on schedule and were accepted by the GMC. (Appendix A presents numerical details using the NHS England audit template.)

9. Recruitment and engagement background checks

Background checks remain in place for doctors seeking to join the local Register, including:

- Checks of GMC registration:
 - o Current GMC Registration
 - o Holds a valid Licence to Practice
 - o On the Specialist Register or GP Register (as appropriate)

- Curriculum Vitae (CV) of the doctor
- References (minimum of two)
- Recent enhanced Disclosure and Barring Service (DBS) check
- Form of information completed (contact details, training, qualifications, etc.)
- Specimen Signature
- Registration fee paid.

When a doctor's name is added to the local register a circular is sent widely (including all island pharmacies) informing them of the name, specialty, and role of the new doctor, and providing a specimen signature.

Doctors undergo normal employment checks by their prospective employer in addition to the process of adding to the local register.

Guernsey remains in a favourable position in terms of obtaining appropriate information for background checks before a doctor's name is added to the local register. The use of very short-term locums is impractical for geographical and regulatory reasons, and there are robust processes for identifying and checking on any new doctors who work in the Bailiwick.

10. Responding to Concerns and Remediation

As noted in previous reports, concerns about doctors can be raised in many ways. In addition to the powers given to the RO under the Ordinance, local policies for responding to concerns are in place for both Primary and Secondary Care. The policies are based on "Maintaining High Professional Standards" (MHPS) and provide pathways for action when a concern arises.

Concerns about doctors may result in informal or formal management. Informal management typically is used for minor matters when there is no risk to patients and the doctor demonstrates insight.

The Responsible Officer continues to meet his obligation to investigate concerns and to liaise with the GMC about any fitness to practice issues.

Due to the small number of cases, details of investigations are not included in this report. This is to protect doctors against possible identification in our small community. Where action needs to be taken on a doctor's registration the information is available in the public domain. Public identification in cases where no substantive concern has been upheld by investigation can cause unfair and lasting harm to a doctor's reputation.

General Medical Council and Medical Practitioners Tribunal Service.

No doctors received sanctions or warnings from the GMC in 2022.

11. Risks and Issues:

Complaints: No new complaints were received in 2022 about the discharge of the RO function.

Conflicts of Interest: No new conflicts of interests were reported in 2022.

12. Conclusion

This annual report has presented details of the discharge of the Responsible Officer's functions in the year 2022. Standards around revalidation remain high, and processes for identifying and acting on concerns are in place and working effectively.

The RO would like to thank all those involved in helping to deliver high quality regulation of doctors in the Bailiwick in 2022.

13. Annual Report Appendix A: Audit of revalidation recommendations.

Revalidation recommendations between 1 January 2022 to 31 December 2022	
Recommendations completed on time (within the GMC recommendation window)	16
Late recommendations (completed, but after the GMC recommendation window closed)	0
Missed recommendations (not completed)	0
TOTAL	16
Primary reason for all late/missed recommendations: For any late or missed recommendations only one primary reason must be identified	
No responsible officer in post	0
New starter/new prescribed connection established within 2 weeks of revalidation due date	0
New starter/new prescribed connection established more than 2 weeks from revalidation due date	0
Unaware the doctor had a prescribed connection	0
Unaware of the doctor's revalidation due date	0
Administrative error	0
Responsible officer error	0
Inadequate resources or support for the responsible officer role	0
Other	0
Describe other	-
TOTAL [sum of (late) + (missed)]	0

AGRICULTURE, ENVIRONMENT & SEA FISHERIES COMMITTEE
Information Report to Christmas Chief Pleas, 17th January 2024

ANNUAL INFORMATION REPORT

Each year the Committee submits a report to Chief Pleas outlining the significant events to have happened over the previous twelve months. Reports are submitted by the Committee members for their particular field. This year there are three reports, the Abattoir report being attached.

Sea Fisheries

The 2023 season has been an average one compared with previous years. Crab has been difficult to catch in numbers, with Pip's Pickers finding it hard to keep up with the demand. Lobster prices have stayed above average which has helped.

Sark Fishermen have had very little difficulty in exporting to France, despite paperwork. There continues to be a good relationship with the French.

The local market has been well supplied by two fishermen. It seems that there is a larger supply of wet-fish caught in our waters on sale. Although prime fish such as Brill and Turbot are hard to find. Bass seems to be making a recovery which is a good sign. Mackerel again was late in arriving.

Sue Daly is due to do a survey on our Crayfish stocks in 2024. We are also waiting for the results for the FishIntel Project, the experiment to track what species come into our waters.

Joe Carlton and Terry Crowther still patrol our waters as Assistant Constable Sea Fisheries (ACSF). The emergency services has been called out once this year. We are still awaiting printed sweatshirts to identify the ACSF when they go along side fishing boats. The RIB has been serviced and is in good working order. Mooring problems we hope have been sorted out for the coming year.

An update on the seaweed farming project is that the company is hoping to the over to Sark and give a presentation to Chief Pleas and the public.

Asian Hornet Report

With 24 queens caught during the spring-queening programme and eight nests subsequently found and destroyed, it has been a very busy year for the few volunteers. The dangers for 2024 lie in the late discovery of two nests and the probability that four nests remained undiscovered. This means that queens will be hibernating to emerge in the spring, thus creating our own home-generated problem in addition to those that migrate in from France and Jersey.

A door drop will be sent out in early January asking for volunteers island-wide to participate in the spring queening trapping programme from March until June. Thereafter, the numbers of queens trapped will provide a good indication of the numbers of nests we can expect and thus shape our response. The training of nest tracking teams, follow-up door drops to keep islanders, businesses and visitors informed and able to react will all be key in controlling this invasive hornet. Public safety and the protection of our rich diversity of pollinators is dependent upon it.

Conseiller Helen Plummer
Chairman, Agriculture, Environment & Sea Fisheries Committee

Sark Abattoir Annual Report 2023

Operational Report

The team has continued to operate as per Guernsey guidance with advice from the Guernsey Official Vet.

Operational issues are as follows;

Pig scalding age – John Robinson has received quotes for a replacement scalding/dehairer if the current machine fails. The cost is significant and potentially an opinion should be sought as to whether replacement is viable based on current pig numbers or whether changing process to skinning could be considered.

Butchery hot water supply – John Robinson has engaged Alan Blythe to fit a much larger boiler in the Butchery. This is ongoing but hopefully will be installed in the coming weeks. This will overcome a hygiene issue in ensuring the butchery area is cleaned appropriately with sufficient hot water and degreasing additives without reliance on slaughter room supply.

Butchery drainage – Quotes to improve the current drainage in the butchery have been received and investigations into credit note from original floor installer are active. Preferably adjustments to the drain can be provided but if cost is prohibitive then the issue will need further consideration.

Air extraction – A building firm has been engaged to give a quote on this issue and also costs of a drying unit for overalls, waterproofs and boots are being sought.

Laundry – Quotes for washer/dryer will be sought in the new year.

Cattle on the lairage – A cattle halter has been ordered to aid in the safe control of animals walking off their trailer and into the Abattoir.

Team Changes

It is understood that Jack Cullen will leave Sark during 2024

Denise Cross has been employed as a trainee to support the team and further employees continue to be sought.

The ideal team size would include a Head Slaughter Man, 2 additional Slaughter Men and 2 Trainee Slaughter Men – with the aim to rotate the team on Slaughter days to allow each employee to manage their working week more effectively.

With the departure of Jack, Sark will be unable to provide qualified Butchery Services – this problem is being considered and solutions will need to be agreed.

2023 Animals processed

This data will be included in 2023 treasurers report with supporting financial data.

DOUZAINE

Information Report to Christmas Chief Pleas, 17th January 2024

SEASONAL REGULATION N° 2

The Seasonal Traffic Regulation N° 2 was *laid before* at the Midsummer Meeting of Chief Pleas, 7th July 2021, having come into force 1st May 2021, and is still in effect.

This Regulation does not need to come before Chief Pleas each year, however, for information purposes, a copy of the 'The Seasonal Regulation N° 2', as it is distributed to all tractor owners each year, is attached to this report.

**Conseiller Frank Makepeace
Chairman, Douzaine**



The Government of Sark
DOUZAINE

SEASONAL REGULATION N° 2

The Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) Law, 2013 (as amended) allows the Douzaine (incorporating the Road Traffic Committee) to make Regulations.

1. Section 15(2) of the above Law provides as follows:

*“It is an offence to drive or attempt to drive a ******motor vehicle on or along such of the public roads or any part thereof as may, from time to time, be specified by the Committee by regulations otherwise than:-*

- (a) in such direction, and*
- (b) during such hours on any day, as may be specified therein.”*

******The Douzaine specifically excludes **invalid carriages** [as defined in Section 44 of *The Motor Vehicles (Sark) Law, 2013*] from the following regulations -

2. From the **1st April** until further notice, or failing such notice until (and including) the **30th September**, The Avenue and the direct road from the Post Office to St. Peters Church will be closed to tractors between **11.00 am and 5.00 pm**.

[For the purposes of this Regulation, The Avenue is defined as being that stretch of road from La Collinette to the junction outside the Post Office].

3. The only exceptions to the above restriction are that –

- (a) a person may access his or her home by tractor,
- (b) a person may access premises by tractor for the purpose of making commercial deliveries, and
- (c) a person may access premises by tractor for the purpose of making purchases from the Gallery Stores, the transport of which necessitates the use of a tractor.

[When a person accesses premises on The Avenue by tractor for any of these purposes, he or she must travel in an **East to West direction only**].

4. From the **1st April** until further notice, or failing such notice until (and including) the **30th September**, parking is not allowed between the Power Station and the Visitor’s Centre or the Church along the line of The Avenue, between 11.00 am and 5.00 pm.

5. This Regulation shall not apply to emergency services personnel responding to an emergency.

6. Any person who breaches the terms of this Regulation commits a criminal offence under the terms of the Ordinance.

Conseiller Frank Makepeace
Chairman, Douzaine

DOUZAINE

Information Report to Christmas Chief Pleas, 17th January 2024

SEASONAL REGULATION N^o 4 - 2024

Section 16A of the **Road Traffic (Horse-Drawn Vehicles) (Sark) Ordinance, 1968** (*as amended*) permits the Douzaine (incorporating the Road Traffic Committee) to '*make regulations concerning the driving, use and parking on the public roads of horse-drawn vehicles*'.

Attached to this report, and for information purposes, is a copy of the '**The Seasonal Regulation N^o 4 – 2024**'.

Conseiller Frank Makepeace
Chairman, Douzaine



DOUZAINE

SEASONAL REGULATION No 4 - 2024

REGULATIONS MADE PURSUANT TO SECTION 16A OF THE ROAD TRAFFIC (HORSE-DRAWN VEHICLES)(SARK) ORDINANCE, 1968 (AS AMENDED)

The Douzaine (incorporating the Road Traffic Committee), in exercise of the powers conferred on it by section 16A of **The Road Traffic (Horse-Drawn Vehicles) (Sark) Ordinance, 1968** (as amended)¹, hereby makes the following Regulations.

1. In these Regulations, "**carriage driver**" means a person in charge of a horse-drawn vehicle, and "**drive**" and related expressions shall be construed accordingly. The Interpretation (Guernsey) Law, 1948² shall apply to these Regulations.
2. **From the 1st April 2024** until further notice, or failing such notice until (and including) the **30th September 2024**, between 11am and 5pm it is an offence for a carriage driver to -
 - (a) drive along The Avenue in an east to west direction,
 - (b) park on The Avenue,
 - (c) stop for the purpose of procuring, boarding or disembarking passengers on The Avenue,and, for the purposes of this Regulation only, "**The Avenue**" means the stretch of road from the junction outside the Post Office to La Collinette Junction.
3. Because of the danger of overturning created by the camber of the road, it is an offence for a carriage driver driving on the direct road between the Church and the Visitors' Centre to turn left outside the Visitors' Centre back towards The Avenue.
4. **Unless traffic conditions require otherwise**, it is an offence for a carriage driver to drive faster than walking pace -
 - (a) on La Coupee, from the top of the hill, down to the flat concrete surface,
 - (b) from St. Peter's Church to La Collinette, via The Avenue,
 - (c) when navigating the following crossroads: La Collinette, Le Carrefour, Clos à Jaôn, and La Vauroque,
 - (d) when navigating the following blind corners: from Maison Pommier to La Grand Fort turning area, and from the top of Rosebud Hill to La Collinette in either west to east or east to west direction.

¹ As amended by the Road Traffic (Horse-Drawn Vehicles) (Amendment) (Sark) Ordinance, 2012; there are other amendments not relevant to these Regulations.

² Ordres en Conseil Vol. XIII, p. 355.

5. Subject to clause 6 of this regulation, a carriage driver in charge of a parked horse-drawn vehicle must -
 - (a) sit on the vehicle holding the horse's reins, or
 - (b) stand within arm's reach of the horse's head.
6. A carriage driver in charge of a parked horse-drawn vehicle may leave that vehicle unattended for a period of no more than ten minutes only if during that period the horse is under the control of an adult who is able to control it, and who is not in charge of any other horse.
7. It is an offence for a carriage driver who holds a provisional horse-drawn carriage driving licence to drive on a public road unless accompanied by a person who -
 - a) has held a full horse-drawn carriage driving licence for 12 months or more, and
 - b) has driven a horse-drawn carriage on at least 5 days during the previous 12 months.
8. It is an offence for a carriage driver to park at La Collinette **prior to 9.00am** unless he is fulfilling a previously-made agreement to collect from there a specific passenger at a specific time.
9. Save in a case where special dispensation has been obtained in advance from the Constable, **from the 1st April 2024** until further notice, or failing such notice **until (and including) the 30th September 2024**, it is an offence for a carriage driver to -
 - (a) park between the Power Station and La Collinette lay-by, other than for the purpose of collecting passengers from The Aval du Creux Hotel,
 - (b) park or procure or board passengers other than in La Collinette lay-by, or, if there is no space in La Collinette lay-by, on the roadway opposite the (old) NatWest Bank, and
 - (c) park on the roadway opposite the (old) NatWest Bank leaving the carriage facing any direction other than north.
10. It is an offence for a person in charge of a dog to allow it to run free while he is driving a horse-drawn vehicle.
11. A person who breaches clauses 5 or 6 of this Regulation commits a criminal offence under the terms of the Ordinance.

Conseiller Frank Makepeace
Chairman, The Douzaine