



OFFICIAL REPORT

OF THE

CHRISTMAS MEETING

OF CHIEF PLEAS

OF THE

ISLAND OF SARK

HANSARD

Assembly Room, Sark, Wednesday, 21st January 2026

*All published Official Reports can be found on the
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Present:

Deputy Seigneur

S L Guille

Speaker of Chief Pleas

P M Armorgie Esq.

Deputy Prévôt

J Godwin

Greffier

T J Hamon

Deputy Treasurer

L Higgins

Constable

P Burgess

Assistant Constable

Jonathan Godwin

Conseillers:

Jolie Rose
John Guille
Helen Plummer
Carol Cragoe
Michael Locke
Natalie Tighe
Christopher Bateson

David Curtis
Edric Baker MBE
James Martin
Frank Makepeace
Patrick Dewe
Samuel Keyte
Karl Rang

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Christmas 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 14 Conseillers, the Deputy Seigneur and the Speaker of Chief Pleas present.

5 **The Speaker:** Thank you, Greffier.

Apologies received

The Speaker: Good evening and welcome to the Christmas meeting of Chief Pleas. This evening we have received apologies from Conseiller Miller, Conseiller Nicolle and Conseiller Moloney, who cannot be with us tonight. I have also received apologies for absence from the Seigneur. However, I am delighted to welcome the Deputy Seigneur, Stephanie Guille, to the meeting this evening.
10 Welcome to you.

Lieutenant-Governor absent

The Speaker: I have also received apologies from His Excellency Sir Richard Cripwell, the Lieutenant Governor of the Bailiwick, who cannot be here this evening due to the cancellation of this afternoon's ferry to Sark. He was hoping to be with us, but with the ferries today he has not been able to join us. But he sends his apologies.

Farewell to Major Marco Ciotti – Statement by the Speaker

15 **The Speaker:** Moving on. We are very delighted to welcome in the public gallery, Major Marco Ciotti to Chief Pleas this evening. Welcome to you, sir.

We would like to take this opportunity to bid a fond and grateful farewell to Major Ciotti upon his retirement as Secretary and Aide-de-Camp to the Lieutenant Governor of Guernsey.

20 Major Ciotti has served three Lieutenant Governors over a period of 13 years with unwavering dedication, professionalism, and grace, bringing our islands through exemplary support to His Excellency. His contributions have strengthened the ties that bind Sark, Guernsey, and the Crown,

fostering co-operation in governance, heritage, and the community. His role has involved principal secretarial duties, policy oversight, royal visit co-ordination, and liaison with Bailiwick legislatures including Chief Pleas.

25

As he embarks on this new chapter, we extend our deepest appreciation and warmest best wishes for health, happiness, and continued fulfilment.

At this point, I would like to ask my colleague, the Deputy Speaker, to present Major Ciotti with a small gift from Chief Pleas as token of our appreciation for his service to Sark and the Bailiwick of Guernsey. A round of applause for Major Ciotti. *(Applause)*

30

The Deputy Speaker: We would like to present you with this, Marco, with our best wishes from the whole of the people of Sark.

35

A Member: Hear, hear.

The Speaker: Thank you very much. *(Applause)*

Sitting alongside Major Ciotti this evening is his successor. I would like to give a very warm welcome to his first Chief Pleas, to Lieutenant Colonel Chris Ayres.

40

Welcome to you, welcome to your inaugural meeting. *(Applause)*

Declaration of interest forms – Statement by the Speaker

The Speaker: Moving on. I can confirm that the Greffier has received completed declaration of interest forms from each Conseiller, although I must say eight of these were received after the deadline of 7th January. I would please remind all Conseillers that this is an annual requirement. Even if your circumstances have not changed, the Greffier will send you a reminder email in December and your written confirmation is required, and your co-operation is greatly appreciated because this minimises the administration time.

45

Today's agenda – Statement by the Speaker

The Speaker: The next statement is: as you will have seen, the Agenda for today's meeting is both long and complex. As the meeting progresses I will probably call a short recess, comfort break, at an appropriate moment but we will see how we progress with each Agenda Item.

50

I wrote an email to Conseillers on 6th January outlining concerns over late or addendum substantive papers compressing Conseillers' preparation time, impacting the quality of debate and perceptions of transparency.

55

Two Agenda Items, 6 and 10, this evening have subsequently been deferred from today's Agenda to be submitted to future meetings. This was confirmed in two notices published on 13th and 14th January.

In addition to our five statutory meetings per year, I very much welcome the use of extraordinary meetings as a pressure-release valve for any important or complex items, thus prioritising time-critical business at statutory meetings. I very much support a firm publication deadline for reports and papers, with late items rolling to later sittings and less urgently justified, and I will reject incomplete papers.

60

65 I am discussing various issues with the Committees and officers currently. This includes Agenda reviews for volume and complexity, the use of more extraordinary meetings and explicit timelines for late or urgent papers, and the process enhances robust governance.

**Thank you to Mr Tony Mancini –
Statement by the Speaker**

The Speaker: The final statement from me is a thank you from Chief Pleas to Mr Tony Mancini for his professional expertise regarding taxation as a non-Chief Pleas member of the Policy and Finance Committee.

70 We offer Mr Mancini our congratulations for being recently elected as a Jurat of the Royal Court in Guernsey. He has consequently been obliged to resign his position as a non-Chief Pleas member of Policy and Finance, but we thank Mr Mancini very much for his contribution over the last couple of years.

STATEMENTS

**Sark Electricity Limited –
Statement by Conseiller Guille**

75 **The Speaker:** Moving on to statements from other Members. I have, please, four requests, starting with a statement from P&F. I would like to ask Conseiller Guille, Chair of P&F, to make a statement about SEL.

Conseiller Guille, thank you.

80 **Conseiller Guille:** Thank you, sir.
It is an update electricity from the Policy and Finance Committee.

We wish to update the House on the progress of the compulsory purchase of Sark Electricity Limited and also on the loan facility for the purchase price and remedial works.

85 Compulsory purchase. On 3rd December 2025, Chief Pleas and Sark Electricity Limited both consented to the appointment of Begbies Traynor, accountants, as the valuer.

We are informed that the Seneschal Court will list a hearing for the purpose of directing Begbies Traynor as to the appropriate methodology and basis of valuation for a date from 23rd February 2026 onwards.

90 The Compulsory Purchase legislation provides mechanisms for challenge. After these are resolved and the valuation sum paid, SEL's assets and interests will transfer to Chief Pleas.

Loan facility. On 25th June 2025, Chief Pleas authorised the Policy and Finance Committee at an Extraordinary Meeting to negotiate a loan facility agreement with the States of Guernsey. Discussions between Sark and Guernsey followed, along with the necessary oversight from the Law Officers of the Crown. The loan facility is now ready to be agreed by Chief Pleas.

95 The loan facility was on the Agenda for this meeting of Chief Pleas, but has been deferred. This was because there was a delay in the required paperwork from third parties, which was received later than expected. While the delay was initially anticipated to be only a few days, it extended further, and the Committee therefore decided to defer the Item and bring it instead to an Extraordinary Meeting of Chief Pleas.

100 With the upcoming by-election scheduled for 25th February, it is envisaged that this will happen after that date, to coincide with the re-population of Committees. A briefing will be

organised for Members of Chief Pleas to ask detailed questions to the relevant officials from Sark and Guernsey in advance of the Extraordinary Meeting.

105 Thank you.

The Speaker: Thank you, Conseiller Guille.

**Stabilisation work at La Coupée –
Statement by Conseiller Locke**

110 **The Speaker:** The next statement is from the Douzaine, and I would like to ask Conseiller Locke, Chair of the Douzaine, to make a statement about the stabilisation work at La Coupée.
Conseiller Locke, thank you.

Conseiller Locke: Thank you, sir.

115 On behalf of the Douzaine, I am pleased to give this update about the planned stabilisation works at La Coupée this year.

The emergency works last February were followed up by improvements to drainage and sections of the roadway this year. This was carried out by a combination of our Public Works Team, local contractors and Geomarine. Thanks to all of them for their work.

120 The next phase of the works was costed at around £150,000 for which there was no budget in 2025. However, this budget was approved last November by Chief Pleas for 2026 and we immediately started operational planning. It is a significant 6% chunk of the Island's entire budget.

There is further work planned for 2027, hopefully not at the same scale, and a regular schedule of inspections, including by drone, will be needed from now on to spot problems developing.

125 The 'wait-until-it-falls-down-then-fix-it' method was used in the past, but this is simply too risky both for public safety and for potential disruption during the season, hence this planned schedule of works.

The original schedule was some eight weeks, but by increasing the labour force for them working seven days and waiting for a better weather window with more daylight hours, we have, with Geomarine, managed to get this down to just three weeks.

130 Some pre-positioning of tools and materials will happen directly after Easter, starting 7th April. The works themselves will start on Monday, 13th April, the first full week after Easter. They should finish – we hope – on Friday, 22nd May, just before the bank holiday weekend and the Beltane Festival.

135 The Coupée will be closed during the works between 6.30 a.m. and 6.30 p.m., seven days a week. There will be scheduled crossing times at around eight o'clock for school traffic, 11.45 to 12.45, and 3.45 p.m. to 4.15 p.m. also for school traffic. This is a similar pattern to last year.

We will be posting notices to inform the general public and to invite local contractors to tender for supply of concrete, wooden shuttering and general labour. This helps as much as possible of the expenditure, including shipping and accommodation, to benefit our local economy.

140 After the works have been inspected and signed off, we will review the speed and weight limits to see if they can be relaxed. However, it is likely that the speed limit will remain.

We apologise in advance for the unavoidable disruption, but it is better to do this job before it becomes necessary. Let's hope the geology stays stable enough until April.

Thank you.

**Storm Goretti –
Statement by Conseiller Locke**

145

The Speaker: Thank you, Conseiller Locke.

I will give you a chance to draw breath and swap pieces of paper. Could I ask you for a second statement from the Douzaine, again from Conseiller Locke, regarding the Storm Goretti.

Conseiller Locke, thank you.

150

Conseiller Locke: Thank you, Mr Speaker, for the opportunity to commend the extraordinary efforts of Sark's Public Services to deal with Storm Goretti. In consultation with Conseiller Plummer, I am happy to give this joint statement on behalf of both the Douzaine and the Medical and Emergency Services Committee.

155

Storm Goretti swept across Sark on the night of 8th and 9th January. Everyone here has remarked on the noise and speed of the winds being somewhat out of the ordinary. There has been some damage. People have lost sheds, fences and the odd roof, as we know, but thankfully nobody was injured or worse.

160

All over the Island there has been a lot of work in fixing the damage and cleaning up by emergency services, public works and Sark contractors and residents. What people may not be aware of is the preparatory work carried out by both emergency services and Public Works. Sark's emergency services come under the Medical and Emergency Services Committee and our emergency planning is led by Kevin Adams.

165

Planning for the storm started both here and with the Bailiwick authorities as soon as the first strong wind warning was received. He liaised with the doctor, the Community First Responders on duty, tree surgeons and of course the fire crew. The Roads gang skimmed all the gullies to deal with the expected rain and our Public Works Team, headed by Shaun Southern, dealt with the tonnes of skimmings, cleared out other gullies and drains, removed as much rubbish as possible, secured public bins and much else besides.

170

After a wild night, Shaun and Kevin were out bright and early to inspect and clear roads with Flynn Martin and his team swinging into action. There was a significant amount of debris from trees on private land which just underlines the importance of landowners looking after their banks as per the Hedges Ordinance.

175

Glenn Williams was called on to check the situation in Little Sark and clear the tree blocking Dos D'Ane. There were something like 20 trees blocking the roads but by 11.15 a.m. all main Island roads were passable. That is an astonishing tribute to the resilience of Sark, our public services and residents, especially compared to some places in the UK which were not helped for days. I know it is normal for Sark, as Sarkees have been dealing with emergencies by themselves for centuries, but we should not let this extraordinary achievement by the community pass without mention.

180

Shaun and his team, Mark Fiebel, Elliot Osbourne and Micky Adams have been inundated, but not overwhelmed by tonnes of road skimmings and tonnes of green waste, and have coped with the disposal safely and efficiently. That is on top of dealing with general debris, clearing up rocks on the Coupée and checking Island infrastructure. Everything was clear at Les Lâches by the end of last week. That is just as well with the Force 10s we have had today and the possibility of another post-storm clean-up coming over the weekend.

185

The Douzaine and the Medical and Emergencies Committee would like to thank all involved for their massive contributions. Not only those mentioned above, but also Richard Knight, Ritvars Prokofjevs, Robert Knight, Jordan Burton, the CFRs, the fire crew, and anyone I do not know about and have not been told about. Sorry I missed you, but thank you anyway.

190

Sark really is a unique community that can, and does, come together to deal with the unexpected. Thanks and congratulations are due to everyone for your sterling work. All Island residents are extremely grateful.

Thank you.

195

The Speaker: Thank you, Conseiller Locke.

That is an excellent report, thank you, and we would all join in thanking everyone that pulled together on that day, or there were a few days after Storm Gorette in putting the Island back together again. It was a sterling effort; it really was. Thank you, one and all, as Conseiller Locke has rightly pointed out.

200

**Sark Civil Service office recruitment–
Statement by Conseiller Guille**

The Speaker: The last statement this evening is from P&F, and Conseiller Guille has requested to make a statement about the Sark Civil Service.

Conseiller Guille, thank you.

205

Conseiller Guille: Thank you, sir.

An update on office recruitment from the Policy and Finance Committee.

We are delighted to formally welcome Mr Rhys Rowlands to Sark as a Senior Operations Officer. Rhys joined us earlier this month and is settling in well to Island life alongside his wife, Claire. Rhys has worked at the Bank of England, the Department for Business, Energy and Industrial Strategy and has most recently been with the Ministry of Defence Civil Service. He has previously been posted to Baghdad with NATO, so hopefully is well prepared for politics in Sark. *(Laughter)*

210

We are also very pleased to announce the appointment of Mr Aidan Mallon who has this week accepted a job offer as our other Senior Operations Officer, and will hopefully be joining us before the end of February. Aidan is also a highly experienced career civil servant and has worked at the Crown Prosecution Service, the Ministry of Justice, and most recently at the Department for Work and Pensions. Outside of his day job Aidan is also a senior Explorer Scouts leader and outdoor activities instructor, and is looking forward to immersing himself in Island life.

215

Rhys and Aidan both join as Senior Operations Officers, with a portfolio split of different committees and priority projects between them reflecting their individual skills and experience.

220

It is critical for Sark to have a suitably resourced and well-functioning Civil Service in order to take forward the Island's strategic priorities. Rhys and Aidan are key to this and are joining the great team we have in the Committee Office, Tax Assessor's Office and Treasury Departments.

A generic whinge about civil services is not uncommon in the newspapers, online or in the pub these days, in the UK, Guernsey and sometimes even here. We can absolutely assure you all that the team we have in the offices upstairs work extremely hard, attending countless evening meetings and regularly putting in extra hours, all in the name of trying to better our Island and preserve the way of life we all enjoy. A strong Civil Service is a necessity in this day and age and we can be very proud of the team we have built here in Sark.

225

230

The rounds of recruitment for Rhys and Aidan were conducted in-house this time using the lessons we learnt while working with Insight Group Jersey in 2024. This has saved Chief Pleas over £10,000 in recruitment costs compared to the previous recruitment exercise. Also the move to two Senior Operations Officers rather than a Senior Executive Officer and a Senior Operations Officer, has achieved a 22% saving in annual salary costs. This flatter structure within the office is also intended to better share the diverse workload that covers tasks from administration to high level policy and should provide for better resilience all round.

235

Finally, we wish to thank our outgoing civil servant, William Spooner, for the high quality of work he has produced for Sark during his time here and for his tremendous dedication to the role and to our community in general. The development of Sark's Civil Service in order to meet the demands of a modern world has been a journey from where it was in 2008 or before. The past

240

year has been quite challenging, especially being short-staffed for much of that time. William, Ali, Sarah and the rest of the office team rose to these challenges though and got us through a difficult year.

245 In his time working in Sark, William has enabled a hugely significant 'step up' in the way that our Civil Service operates and will leave behind a greatly improved system that will benefit Sark for many years to come. William will be departing Sark at the end of next month and a Vin D'Honneur has been organised at the Island Hall at 5 p.m. on 20th February, which is a Friday, to thank him and wish him well in his next endeavours. We hope as many of you as possible will
250 be able to attend.

Thank you.

The Speaker: Thank you, Conseiller Guille.

255 I would just join in supporting that. The support that we get from our civil servants is unseen by a lot of people, but all the Conseillers in this room know exactly how hard they work and offer support to every single Committee. So we are very, very grateful to the whole team. They do work extremely hard. So a big thank you from this part of Chief Pleas.

**Procedural –
Electronic devices**

260 **The Speaker:** In accordance with the rules of procedure, I would remind all present that mobile phones, cameras, recording devices and other electronic equipment must be switched off now, less for those allowed to Chief Pleas Members, in accordance with Rule 19(2).

Business of the Day

1. Matters arising from the Budget Meeting of Chief Pleas held on 19th November 2025

265

The Speaker: Moving on to the Agenda for this evening. We start with Agenda Item 1, which is Matters arising from the Budget Meeting of Chief Pleas held on 19th November 2025. Are there any matters arising that anyone would like to rise to raise as a result of that meeting? Any points or comments? No.

270

Thank you very much.

2. Questions not related to the Business of the Day

The Speaker: Agenda Item 2 is Questions not related to the Business of the Day, and we have one question this evening albeit with 10 separate points from Conseiller Makepeace to the Policy and Finance Committee. Conseiller Makepeace, can I ask you to go through your questions one by one please?

275

Thank you very much.
Conseiller Makepeace.

Conseiller Makepeace: Thank you, Mr Speaker.

280

To Conseillers Guille and Tighe. Following the recent meeting between Conseillers and Guernsey civil servant Jo Reeve, it was suggested that our point of contact with regard to questions relating to our possible participation in the Bailiwick Commission be directly to yourselves.

285

I consider this to be a potential turning point in Sark's history and our ability to self-govern, and I would like to ask the following questions in public so a record is held for future generations.

Question 1: statement of net benefit. Can you provide a clear itemised list of the specific advantages to Sark arising from joining the Bailiwick Commission? For each claimed advantage, please state whether it is financial, administrative, legal, or strategic, whether it is immediate, or long-term, and how it will be measured or evaluated.

290

That is Question 1.

The Speaker: Thank you, Conseiller Makepeace.

P&F, who would like to respond on that? Yes, Conseiller Tighe, thank you.

295

Conseiller Tighe: Thank you, Mr Speaker.

Thank you, Conseiller Makepeace, for your detailed and carefully considered questions. We welcome the opportunity to provide clear responses to each of the issues you raise, and I will address them in turn. As requested, these responses have been written by me with input from other members of Policy and Finance and not by any member of the office staff.

300

In response to Question 1, the Bailiwick Commission's primary benefit for Sark is strategic. It provides a structured forum to discuss matters of shared interest between Sark and Guernsey and between Sark and Alderney. It also enables Sark to advocate in front of external experts on matters that may have been previously overlooked or insufficiently understood, while also hearing the concerns of the other islands.

305

This benefit is both short term through the ability to raise issues publicly once the Commission begins work in 2026 and potentially longer term, should any recommendations be implemented. As the Commission is an inquiry body only, there are no specific performance measures. Any

recommendations will be advisory and would require the agreement of Chief Pleas before any action could be taken.

310 Thank you.

The Speaker: Thank you, Conseiller Tighe.

The second part of your question, Conseiller Makepeace, thank you.

315 **Conseiller Makepeace:** Evidence base. What recent written assessment reports or cost-benefit analysis were used by P&F to conclude that joining the Commission is in Sark's best interests? Please provide copies or references to these documents. If no formal cost-benefit analysis exists, on what objective basis does P&F recommend participation?

320 **The Speaker:** Thank you, Conseiller Makepeace.

Who would like to answer that question? Conseiller Tighe, once again, thank you.

Conseiller Tighe: Thank you.

325 No formal cost-benefit analysis of participation was undertaken by Policy and Finance, although both the benefits of participation and the potential financial implications have been discussed on a number of occasions.

Sark's financial cost is limited to in-kind contributions, including officer and elected ... sorry. Would you like me to start again? No, okay.

330 Sark's financial cost is limited to in-kind contributions, including officer and elected Member time. As the Commission is advisory only, there are no other direct cost implications at this stage, although it is hoped that financial benefits, for example, improved and potentially lower cost medical provision, may arise from the discussions.

335 Participation is considered beneficial because the Commission is mandated to review Bailiwick-wide constitutional, economic and operational relationships, including those between Guernsey and Sark. It would not be in Sark's interests to be absent from a process in which Sark-related matters will be examined in any event.

Participation also enables Sark to guide topics, present evidence, challenge assumptions and advocate its position during the inquiry, rather than responding only to completed recommendations.

340 Thank you.

The Speaker: Thank you, Conseiller Tighe.

Conseiller Makepeace, the next part of your question, please.

345 **Conseiller Makepeace:** Thank you.

Financial implications. What are the total anticipated direct and indirect costs to Sark over the next five to 10 years arising from membership of the Commission? To include staffing implications, legal or compliance costs, and any ongoing financial contributions or liabilities.

Thank you.

350

The Speaker: Thank you, Conseiller Makepeace.

Once again, who from P&F would like to take that question? Conseiller Tighe, thank you.

355 **Conseiller Tighe:** I think there was also another question on the end of Conseiller Makepeace, which was: how does Policy and Finance justify accepting a loan at 6% interest as a benefit to Sark and what alternative funding options were examined? I will continue with the response.

The anticipated financial cost to Sark is small. Sark has decided not to make a direct financial contribution to the Commission's budget. Primary funding is provided by the States of Guernsey with a smaller cash contribution from Alderney. Sark's involvement is limited to in-kind

360 contributions, including existing officer time and unpaid elected Member time, together with
minor hospitality costs if the Commission visits Sark. All other costs, including Commissioners’
fees, legal advice, staffing and ancillary expenses, will be met by Guernsey.

The Commission is time-limited and advisory and creates no ongoing financial liabilities or
compliance obligations. Any future proposals with financial or other implications would require
365 separate approval by Chief Pleas. The benefit of the proposed loan from the States of Guernsey is
to facilitate the purchase of Sark Electricity Limited and enable essential repairs.

Based on known revenue figures presented to the Policy Development Group in spring 2025,
it is considered that the loan can be repaid from electricity revenues without recourse to
additional taxpayer funding.

370 Given the volatility of the compulsory purchase process, a government-to-government loan
was considered preferable. While 6% is slightly higher than some domestic mortgage rates,
currently approximately 4.79% fixed to 7.59% variable in Guernsey, it represents reasonable value
for a commercial-type loan where rates can be 10% or more. The rate is the same as that applied
by Guernsey to its own state enterprises.

375 More complex funding mechanisms, such as bond issue, can be explored once the compulsory
purchase has been completed.

Thank you.

The Speaker: Thank you, Conseiller Tighe.

380 Back to you, Conseiller Makepeace, the next part of your question, please.

Conseiller Makepeace: Taxation and fiscal sovereignty. Can you give a clear assurance that
participation in the Bailiwick Commission will not lead to Sark becoming aligned with or absorbed
into Guernsey’s Income Tax system now or in the future?

385

The Speaker: Thank you.

There was another – one second, Conseiller Tighe. Was there a second part to that question,
Conseiller Makepeace?

390 **Conseiller Makepeace:** Not that I am aware of.

The Speaker: Okay, we will lead off with that.

Thank you very much.

Back to Conseiller Tighe. Is your microphone on, Conseiller Tighe?

395

Conseiller Tighe: Yes. The second part of the question was actually: if such an assurance cannot
be given, what exactly does Policy and Finance understand by the term ‘alignment’ and why
should Sark regard this as advantageous rather than a loss of fiscal independence?

400 **Conseiller Makepeace:** Sorry, it is on the next page.

The Speaker: It forms part of the same question?

Conseiller Makepeace: Yes.

405

The Speaker: Okay, thank you.

Conseiller Tighe, thank you.

410 **Conseiller Tighe:** Participation in the Commission does not commit Sark to tax alignment with
Guernsey or any change in Sark’s taxation arrangements. No such changes are being proposed

and it is incorrect to suggest otherwise. Any recommendation relating to taxation would be advisory only and would require the explicit agreement of Chief Pleas.

415 Separately and independently of the Commission, Policy and Finance and the Taxation Review Special Committee are reviewing Sark's tax system. Proposals arising from the 2024 Midsummer Propositions, including increased charges for derelict and under-construction properties and reduced property transfer tax for local market housing, were due at this 2026 Christmas Meeting and have been deferred until the future sitting of Chief Pleas, subject to law officer drafting.

420 A wider review of the personal capital tax system is also underway. Further public consultation will be undertaken before being brought to a future Policy Development Group before any Propositions are presented to Chief Pleas. It remains the intention to retain a form of capital taxation and not to introduce Income Tax.

Thank you.

The Speaker: Thank you, Conseiller Tighe.
425 Conseiller Makepeace, the next part of your question, please.

Conseiller Makepeace: Yes, that was the second part.

430 Number 5: regulatory or legal impacts. Which areas of Sark law and regulation does P&F expect to become integrated or harmonised through the Commission? How will increased regulatory alignment benefit Sark residents and businesses in practical terms rather than simply increasing compliance burdens?

The Speaker: Thank you, Conseiller Makepeace.
Once again, Conseiller Tighe, thank you.

435 **Conseiller Tighe:** Some Sark laws and systems are already harmonised with Guernsey, including areas of criminal justice, financial services, secondary education, healthcare and travel. The Commission may review regulatory and legal frameworks but has no authority to impose changes to Sark law. Participation ensures that any discussion of co-operation or alignment reflects Sark's scale, capacity and constitutional autonomy and does not create disproportionate burdens. Any recommendations implying regulatory or legal change would require separate approval by Chief Pleas.

Thank you.

445 **The Speaker:** Thank you, Conseiller Tighe.
To part 6 of your question, Conseiller Makepeace, thank you.

450 **Conseiller Makepeace:** Civil Service, growth and governance. What projections has P&F made regarding the growth of Sark's Civil Service as a result of commission-driven obligations?

The Speaker: Thank you for that part of the question.
Conseiller Tighe, back to you, thank you.

455 **Conseiller Tighe:** No growth in Sark Civil Service is expected. Commissioned support staff are funded by Guernsey with a contribution from Alderney, and no new Sark staff will be required. Any recommendation implying additional administrative capacity will require approval by Chief Pleas.

Thank you.

460 **The Speaker:** Thank you, Conseiller Tighe.
Conseiller Makepeace, back to you for part 7 of your question, thank you.

465 **Conseiller Makepeace:** Democratic oversight and representation. Why is it considered acceptable for the Chair and Deputy Chair of P&F alone to represent Sark on most Commission matters rather than maintaining full Chief Pleas oversight? What safeguards exist to prevent P&F becoming a permanent bottleneck through which all Bailiwick-level discussions affecting Sark must pass?

Thank you.

470 **The Speaker:** Thank you, Conseiller Makepeace.
Once again, Conseiller Tighe, back to yourself, thank you.

475 **Conseiller Tighe:** Policy and Finance acts as the lead Committee in accordance with the agreed terms of reference, consistent with Guernsey and Alderney. This does not diminish Chief Pleas's authority, which will remain the ultimate decision-making body for all recommendations.

The Speaker: Very good, thank you very much.
Conseiller Makepeace, back to you, part 8 of your question, thank you.

480 **Conseiller Makepeace:** Appointment of commissioners. Why were the five independent Commissioners selected by Guernsey before Sark had any meaningful input, and how does this serve Sark's interests? On what basis is it democratic or appropriate that only the Chair and Deputy Chair of P&F will vote on these appointments on Sark's behalf?

485 **The Speaker:** Thank you, Conseiller Makepeace.
Conseiller Tighe, back to yourself, thank you.

490 **Conseiller Tighe:** The independent Commissioners have been selected jointly by the full Policy and Finance Committee together with the lead committees of Guernsey and Alderney in accordance with the agreed governance arrangements. Commissioners are independent and do not represent any individual jurisdiction.

495 **The Speaker:** Thank you, Conseiller Tighe.
Conseiller Makepeace, please, back to yourself.

500 **Conseiller Makepeace:** Exit safeguards and reversals. What formal exit mechanisms exist if participation in the Commission proves detrimental to Sark? What legal or constitutional protections are in place to prevent incremental erosion of Sark's autonomy once alignment processes are underway?

The Speaker: Thank you very much.
Conseiller Tighe, back to yourself, thank you.

505 **Conseiller Tighe:** Participation in the Commission does not bind Sark to any outcome. All recommendations are advisory and Sark retains the ability to reject any proposal. Participation alone cannot erode Sark's autonomy.

510 **The Speaker:** Thank you, Conseiller Tighe.
I think the last question from you, Conseiller Makepeace.

Conseiller Makepeace: I just had a follow-up question there. But participation is one of the conditions of the loan. If the loan is a 25-year period loan, will our participation have to be guaranteed for 25 years as long as the loan?

Thank you. That was an extra question, I know.

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The Speaker: I think that is part of your final question, is that correct?

Conseiller Makepeace: Yes, it is. You can accept that as the final question.

520

The Speaker: Okay, in its entirety, or do you want to add to that?

525

Conseiller Makepeace: No, that is it. Just the conditions are that once we are in the Commission, if it is bound by the terms and conditions of the loan, if the loan is not paid for 25 years then we cannot withdraw from the Commission. That is the question. Are we bound to stay in the Commission for 25 years until the loan is paid?

The Speaker: Thank you for clarifying that.
Conseiller Tighe, thank, you.

530

Conseiller Tighe: The Commission is time limited with the final report expected in September 2027.

The Speaker: Thank you.
There we have it. Thank you for those questions, Conseiller Makepeace.

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Conseiller Makepeace: Can I just say, sir, I welcome the opportunity to put the questions like this because I think it would be great if we developed and broadened this part of Chief Pleas because for me it acts as a direct form of scrutiny in a way.

540

I would like to thank the members of Policy and Finance for their excellent answers and informative answers.
Thank you.

The Speaker: Very good. Thank you for making that point, Conseiller Makepeace.
Back to Conseiller Tighe, you had your hand up?

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Conseiller Tighe: I do not think it is over. We have still got Question 10.

Conseiller Makepeace: Question 10 was part of – I will give you that one. (Laughter)

550

Conseiller Tighe: I would like to reply to Question 10, if that is okay.

The Speaker: Maybe read the question.

555

Conseiller Makepeace: Transparency and accountability. Will P&F commit to publishing all correspondence, draft frameworks and agreements related to the Commission's subjects, their subject only to be more confidentiality? If you are unable to clearly articulate evidence and defend concrete advantages to staff from joining the Bailiwick Commission, do you accept that Chief Pleas should reconsider or pause participation until such justification exists?

But I do believe that has been answered.

560

The Speaker: That part probably has, thank you.
Okay, thank you for clarifying that, Conseiller Makepeace.
Conseiller Tighe, back to you, thank you.

565

Conseiller Tighe: Policy and Finance supports transparency subject to the Commission's confidentiality framework. Public statements will be made at appropriate stages to keep the

public informed. Chief Pleas remains the proper forum for consideration of the Commission's findings and any decisions arising from them.

Thank you.

570

The Speaker: Thank you, Conseiller Tighe.

Once again, thank you, Conseiller Makepeace, for your questions. Thank you, P&F, for your answers. Thank you very much indeed.

Conseiller Guille, thank you.

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Conseiller Guille: Thank you, sir.

I, too, welcome questions not related to business of the day. I must make it clear that almost every single one of those questions has already been answered in information that Conseiller Makepeace has previously had, and all Conseillers have previously had. It is a good format to do questions not related to business of the day, but this is hardly going over new ground.

580

Thank you.

The Speaker: Okay. I will give you one response, Conseiller Makepeace.

Thank you.

585

Conseiller Makepeace: Yes, I would be grateful then if Conseiller Guille would take the time to reference the points that I have already made and where they have already – the questions have been asked. If he could do that for the next Chief Pleas.

Thank you very much.

590

The Speaker: Very good. Thank you for that.

From my position, I again welcome questions not related to business today. I think it gives the public gallery and *Hansard* the opportunity to listen to the thinking behind some of the processes that are happening, and I greatly welcome it as part of our scrutiny process going forwards.

595

So thank you for your contributions. Thank you for the questions. Thank you for the answers.

3. Report with Ordinance, Proposition and Timetable from the Policy and Finance Committee entitled 'By-Election' – Proposition carried

To consider a Report with Ordinance, Proposition and Timetable from the Policy and Finance Committee entitled 'By-Election'.

Proposition 1:

That Chief Pleas approves the draft Ordinance entitled 'The Reform (Election of Conseillers) (By-Election) (Sark) Ordinance, 2026'.

The Speaker: We will at that point move on to Agenda Item 3, which is to consider a Report with Ordinance, Proposition and Timetable from the Policy and Finance Committee entitled 'By-election'. I would like to ask Conseiller Guille to introduce the Report. Sorry, Conseiller Rose, thank you.

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Conseiller Rose: Thank you, Mr Speaker.

This report covers the requirements for a by-election to replace the Conseillers who have resigned from Chief Pleas. We have one vacancy, which is now required to be filled following the resignation of Ben Harris last year. Following discussions with the Returning Officer as to a suitable

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date, the Policy and Finance Committee comes to this meeting with an Ordinance already prepared, which is attached to this Report, with the timetable, and for the *Hansard* I will read out the dates.

610 So Thursday, 22nd January, a notice will be given that the election is forthcoming. Nomination forms can be collected from the Speaker's Office, but they cannot be returned until the nominations are open. 6th February, the Electoral Register closes and remains closed until the by-election process is complete. 9th February is when the nominations open at 10 a.m.

615 A list will be received and will be posted in the *Sark Gazette* and St Peter's Church Notice Board each day as the list – and it will be the list in the order that it is received. Nominations will close on 13th February, and they close at 12 noon. 13th February, the notice will go up with the final list of candidates. The election will be on 25th February from 10 a.m. to 6 p.m. at the Toplis Room in the Island Hall. 26th February, the notice will be given for the winner, unless there is a tie, in which case there will be a further by-election on 11th March for only the candidates that were

620 already selected. Notice for that will be given on 12th March.

Thank you.

The Speaker: Thank you, Conseiller Rose. Thank you for that.

625 Does anyone have any other further points or questions you would like to raise relative to the proposed by-election? Any questions, any answers? No? In which case, therefore, you have heard the Report and the timetable, and we will therefore go to Proposition 1, or the one Proposition attached to this Report, which reads as follows: that Chief Pleas approves the draft Ordinance entitled 'The Reform (Election of Conseillers) (By-Election) (Sark) Ordinance, 2026'.

Those in favour? Thank you. Those against? Thank you. That is **carried**.

**4. Report with Ordinance, Propositions and Timetable from the
Policy and Finance Committee entitled 'Deputy Speaker Election' –
Propositions carried**

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To consider a Report with Ordinance, Propositions and Timetable from the Policy and Finance Committee entitled 'Deputy Speaker Election'.

Proposition 1:

That Chief Pleas approve the draft Ordinance entitled 'The Reform (Election of Deputy Speaker) (Sark) Ordinance, 2026'.

Proposition 2:

That Chief Pleas approve the term of office for the Deputy Speaker to be three years, commencing on 25th May 2026.

635 **The Speaker:** Moving to Agenda Item 4. Agenda Item 4 is to consider a Report with Ordinance, Proposition and Timetable from the Policy and Finance Committee entitled 'Deputy Speaker Election'. Once again, I would like to ask Conseiller Baker to introduce this.

Thank you, Conseiller Baker.

Conseiller Baker: I am afraid the time has come around again, the time period for La Trobe-Bateman as Deputy Speaker.

640 The details are on the back of the page telling you when it will be in the *Gazette Officielle*, on 6th March. But this is a closed section, it is an Extraordinary Meeting of Chief Pleas convened for this purpose only and that will be on 8th April.

Two Propositions, sir, if you would like to take one at a time.

645 **The Speaker:** If I may, yes please.

Conseiller Baker: Thank you.

The Speaker: Thank you, Conseiller Baker, that is very good.

650 I would just for the purposes of *Hansard* confirm that reference to the *Gazette Officielle*, it is the Sark *Gazette Officielle* and not the Guernsey *Gazette Officielle*. Minor detail but it is an important detail which has quite correctly been pointed out by the Greffier. So it will appear in the Sark *Gazette Officielle* and in the St. Peter's Church Notice Board.

655 Does anyone have any questions or comments they would like to make regarding what you have heard from Conseiller Baker before we go to the vote on the two Propositions? Any comments? No?

In which case the two Propositions are as follows, one by one. Proposition 1: that Chief Pleas approve the draft Ordinance entitled 'The Reform (Election of Deputy Speaker) (Sark) Ordinance, 2026'. Those in favour? Thank you. Those against? That is **carried**. Thank you.

660 Proposition 2 reads: that Chief Pleas approve the term of office for the Deputy Speaker to be three years, commencing on 25th May 2026. Those in favour? Thank you. Those against? That is **carried**.

5. Report with Ordinance and Proposition from the Medical and Emergency Services Committee entitled 'The Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law (Amendment) Ordinance, 2025' – Proposition carried as amended

To consider a Report with Ordinance and Proposition from the Medical and Emergency Services Committee entitled 'The Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law (Amendment) Ordinance, 2025'.

Proposition 1:

That Chief Pleas approves the draft Ordinance entitled 'The Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law (Amendment) Ordinance, 2025'.

665 **The Speaker:** The next Agenda Item is Agenda Item 5, which is consider a Report with Ordinance and Proposition from the Medical and Emergency Services Committee entitled 'The Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law (Amendment) Ordinance, 2025'. Now that is fairly wordy and I would just point out that that is the correct name of the Ordinance as opposed to what appeared on the Agenda. So what I have just read out is the correct term for
670 what it is that we are voting on.

I would like to hand over to Conseiller Plummer to introduce the Report.

Conseiller Plummer: Thank you, Mr Speaker.

675 I would like to introduce a Report with Proposition titled 'The Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law (Amendment) Ordinance, 2025'. For clarity, the Proposition should read as: that Chief Pleas approves the draft Ordinance entitled 'The Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law (Amendment) Ordinance, 2025'. The wording 'Bailiwick of Guernsey' being omitted from the Proposition as drafted in the Report.

680 We are being asked to agree to the Ordinance which amends section 35 of The Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law, 2008, to which Sark is already a party to. The main purpose of the Ordinance is to transfer responsibility from the States of Deliberation in

Guernsey to the Committee for Health & Social Care in Guernsey to make regulations concerning prescription-only medicines. The Medical Committee recommends Chief Pleas agrees to this Ordinance.

685 Thank you very much.

The Speaker: Thank you, Conseiller Plummer.

Does anyone have any questions for the Medical Emergency Services Committee regarding the proposed Ordinance, the amendment of the Ordinance. Any questions?

690 Conseiller Martin, thank you.

Conseiller Martin: Thank you, Mr Speaker.

Can I just ask, is that correct that the Ordinance was 2008 and not 2009?

695 **The Speaker:** Conseiller Plummer.

Conseiller Plummer: No, I think it was 2008, Conseiller Martin.

Conseiller Martin: Okay thank you.

700

The Speaker: Just for clarity, thank you.

Any other questions or queries regarding this particular report and the piece of legislation attached to it? You are looking puzzled, Conseiller Martin.

705 **Conseiller Martin:** I am. Do not worry, I am just reading it as 2009, it might be a misprint bit.

The Speaker: Can I ask where you are seeing that, please?

Conseiller Martin: It is obviously on the original one it was – yes.

710

The Speaker: Okay, thank you, Conseiller Martin.

Yes thank you very much indeed, Conseiller Cragoe. I beg your pardon. Senior moment there. I do apologise.

Conseiller Cragoe.

715

Conseiller Cragoe: It is alright, do not worry.

I think what Conseiller Martin is referring to is that it refers on the second to last line of the first paragraph to say:

... continuing the Prescription Only Medicines (Human) (Bailiwick of Guernsey) Ordinance, 2009.

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Then it says in the second paragraph that Sark is covered by The Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law, 2008. So I think there is an Ordinance and a law, which is 2008, and an Ordinance was just 2009. It is two separate things, but it is a little bit confusing I think. Being not on Medical, that is my guess.

725

The Speaker: Well done for clarifying that.

Thank you, Conseiller Cragoe. Conseiller Martin, you happy with that?

Conseiller Martin: I am happy with that, thank you.

730

The Speaker: Great. Thank you. So there we have it. You have heard the Report. Any further questions before we go to the Proposition? No? In which case, thank you, the Proposition attached

735 to this Report reads as follows: that Chief Pleas approves the draft Ordinance entitled 'The Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law (Amendment) Ordinance, 2025'. Those in favour? Thank you. Those against? That is **carried**.
Thank you very much indeed.

7. Report with Ordinance and Proposition from the Tourism (incl. Public Health) Committee entitled 'The Tourism (Accommodation Permits) (Fees) (Sark) (Amendment) Ordinance, 2026' – Proposition carried as amended

To consider a Report with Ordinance and Proposition from the Tourism (incl. Public Health) Committee entitled 'The Tourism (Accommodation Permits) (Fees) (Sark) (Amendment) Ordinance, 2026.

Proposition 1:

That Chief Pleas approves the draft Ordinance entitled 'The Tourism (Accommodation Permits) (Fees) (Sark) (Amendment) Ordinance, 2026'.

740 **The Speaker:** Moving on to Agenda Item 7: to consider a Report from the Tourism (incl. Public Health) Committee entitled 'The Tourism (Accommodation Permits) (Fees) (Sark) (Amendment) Ordinance, 2026. I would like to ask Conseiller Rose to introduce the Report.
Thank you.

745 **Conseiller Rose:** Thank you.

At the Budget Meeting of Chief Pleas on 19th November 2025, the Tourism Committee brought a report proposing an increase to the prescribed fee accompanying the application for an accommodation permit. We were instructed to create the Ordinance which we bring to the House today, so we are just asking you to approve the Ordinance.

750 Thank you.

The Speaker: Thank you, Conseiller Rose.

755 Does anyone have any questions of the Tourism Committee regarding the Report and the Ordinance that you have got before you? Any questions, any queries, any points? No? In which case if you are happy we will move on to the Proposition which reads as follows: that Chief Pleas approves the draft Ordinance entitled 'The Tourism (Accommodation Permits) (Fees) (Sark) Ordinance, 2026'.

760 I beg your pardon, there should be an extra word in there, one second please. Yes, so that should read as follows: The Tourism (Accommodation Permits) (Fees) (Sark) (Amendment) Ordinance, 2026. I do apologise. All those in favour? Thank you. Those against? That is **carried**.
Very good. That is Agenda Item 7.

8. Report with Propositions from Conseiller Frank Makepeace and Conseiller Nick Moloney entitled 'Motion to require immediate compliance with the January 2019 resolution establishing a Scrutiny Committee' – Report and Propositions withdrawn

To consider a Report with Propositions from Conseiller Frank Makepeace and Conseiller Nick Moloney entitled 'Motion to require immediate compliance with the January 2019 resolution establishing a Scrutiny Committee'

Proposition 1:

That Chief Pleas reaffirms that its resolution of January 2019 requiring the establishment of an independent Scrutiny Committee remains in full force and effect, and that no committee, officer, or informal body - including the Policy Development Group - has the authority to delay, reinterpret, or otherwise obstruct the implementation of a decision of Chief Pleas.

Proposition 2:

That Chief Pleas directs that the Scrutiny Committee be constituted and populated at the Christmas 2025 meeting of Chief Pleas, strictly in accordance with the framework and membership principles agreed in January 2019, including the exclusion of Policy and Finance Committee members from membership.

Proposition 3:

That Chief Pleas further directs that, once populated, the Scrutiny Committee shall be deemed operational immediately and may commence its work without the need for approval, oversight, or further proposal from the Policy and Finance Committee or any other committee.

Proposition 4:

That Chief Pleas declares that no further discussion in the Policy Development Group or any other informal or advisory setting shall be considered relevant to, or capable of delaying, the implementation of this mandate.

765 **The Speaker:** Moving now to Agenda Item 8 which is: to consider a Report with Propositions from Conseiller Frank Makepeace and Conseiller Nick Moloney entitled 'Motion to require immediate compliance with the January 2019 resolution establishing a Scrutiny Committee'.

I guess because Conseiller Moloney is not here, Conseiller Makepeace, you would like to introduce your report, please.

770 **Conseiller Makepeace:** Yes, sir. I would like to say that tonight I have decided to withdraw the Proposition. I am doing so because I am not prepared to take part in what feels like a performative exercise rather than a genuinely democratic one. Given how this has been handled, the outcome of a vote tonight for this Proposition looks largely predetermined, and I do not see much value in going through the motions simply to create the appearance of debate.

775 I also do not want my participation to be taken as acceptance of a process which, in my view, has been shaped mainly to give retrospective credibility to a counter-proposal from Policy and Finance.

780 Members will be aware that the substance of that counter-proposal closely mirrors scrutiny models used elsewhere, yet it will be presented as an internal initiative without clear acknowledgement of where it comes from or why it has arrived at this point and at this speed. So I withdraw the Proposition.

Thank you, sir.

The Speaker: Thank you, Conseiller Makepeace.

9. Report with Propositions from the Policy and Finance Committee entitled ‘Revised Mandate for the Scrutiny Management Committee’ – Propositions carried

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To consider a Report with Propositions from the Policy and Finance Committee entitled ‘Revised Mandate for the Scrutiny Management Committee’.

Proposition 1:

That Chief Pleas approves the revisions to the mandate of the Scrutiny Management Committee as defined in the attached paper.

Proposition 2:

That Chief Pleas approves the amendment of Section 4 of The Constitution and Operation of Chief Pleas Committees to allow the non-Chief Pleas members of the Scrutiny Management Committee to vote. No non-Chief Pleas members on other Committees shall have voting rights.

The Speaker: In which case, let us move on to Agenda Item 9, which is: to consider a Report with Propositions from the Policy and Finance Committee entitled ‘Revised Mandate for the Scrutiny Management Committee’. I would like to ask Conseiller Cragoe to introduce the Report.

790

Thank you, Conseiller Cragoe.

Conseiller Cragoe: Thank you very much, Mr Speaker.

I would like to say thank you to Conseiller Makepeace, even though he has withdrawn his Proposition, for bringing this issue more into the fore of debate. I think it is very important and I think we all feel that it really is genuinely something that we need to be better at and have a formal process for.

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Item 8 was proposing simply to implement the Mandate of the Scrutiny Management Committee that was adopted in 2019 and subsequently amended slightly. What Item 9 does is to amend that Mandate slightly. It does not get rid of, it is not a new Committee; it amends the Mandate.

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What was adopted in 2019 was in fact word for word from Guernsey’s Scrutiny Management Committee, and literally word for word. It is why it talked about the President of the Scrutiny Management Committee, for instance, and also why it had the non-Chief Pleas or the non-States Members as voting members, which is what they do in Guernsey and not here.

805

I had prepared in terms of thinking about Item 8, but I think to introduce this Proposition, the revised Mandate proposes – which has come about from discussion not only with P&F but with other Conseillers as well – it has two key items really – three key items. One of them is it removes the possibility of direct scrutiny of Conseillers by other Conseillers. The Scrutiny Management Committee will be appointed by Chief Pleas, and then it appoints an independent panel or a pool of people to form independent panels.

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Secondly, it is explicit that the panels are independent of political influence. Thirdly, it proposes a two-year initial pilot period and asks the Scrutiny Management Committee to bring a review paper in two years’ time so that we are not committing ourselves to this system forever. It may be wonderful. It may not be wonderful.

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But I think it is for the Scrutiny Management Committee to have a think about that rather than trying to impose – let’s start somewhere, but if it does not work it gives us an opportunity. It gives the Committee an opportunity to change that.

Other changes, it is set out in the Report, but to clarify that the Scrutiny Management Committee is a Standing Committee of Chief Pleas, not a Special Committee. That was not explicit before. That will ensure that the Scrutiny Management Committee operates under the same rules and receives the same Committee office support as any other Standing Committee.

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825 The Scrutiny Management Committee has been reformatted to the standard format for Standing Committees of Chief Pleas, although rather late in the day I have noticed that it says 'terms of reference' rather than 'mandate' on the third page. It also includes terms of reference for the Scrutiny Panel pool and for the Scrutiny Panels.

That is effectively Proposition 1 is to adopt this revised Mandate, and then we can appoint the Committee itself in the normal committee appointment process. As was the case before, the Committee would be drawn from sitting Members of Chief Pleas who are not on P&F and not the Chairs of other Committees.

830 Then the second Proposition, which would have been necessary and appropriate, had Paper 8 gone ahead, is to introduce voting rights for the non-Chief Pleas members. As I said, this is something that comes from Guernsey; the 2019 is literally word for word from Guernsey, with just Chief Pleas substituted occasionally. This requires a change to section 4 of the Constitution, Operation of Chief Pleas Committees, which does not permit non-Chief Pleas members of any
835 Committee to vote.

Therefore, the second Proposition would amend the constitutional operation of Chief Pleas to allow only the non-Chief Pleas members of the Scrutiny Management Committee to vote. That would give the Committee the same function, in effect, that it had had before but also broadens it out. So I think the importance of this is the way we have organised it.

840 I think that makes it a triple – sorry, it has been suggested that we have a double negative in the second sentence. (*Interjection*) Yes, I think it is correct, that no non-Chief Pleas members of any other Committee shall have voting rights, which is to say – yes, I think that is right. Otherwise, if we have one more 'not' then it becomes a triple negative. (*Interjection and laughter*) It is all right, it is complicated.

845 Yes, so I would commend this Report and these Propositions to Members and, as I say, I think I would like again to thank Conseiller Makepeace and Conseiller Moloney, who is not here, for bringing this and pushing it a little bit harder. It is a hard subject and I think we are going somewhere that is very positive at the moment, so thank you very much.

850 **The Speaker:** Thank you, Conseiller Cragoe. Thank you.

Does anyone have any questions or observations? Conseiller Makepeace, thank you.

Conseiller Makepeace: Yes, thank you.

855 I rise tonight because what is before us is not a minor adjustment to a Committee Mandate, it is a decision about whether scrutiny in Sark will be real or merely symbolic. The idea of a Scrutiny Management Committee was created by the Assembly in January 2019 to guard against the concentration and potential abuse of power in the Policy and Finance Committee following the merger of executive functions.

860 The 2019 Proposition deliberately prevented members of P&F from sitting on Scrutiny bodies precisely so that the Executive could not scrutinise itself. Now we are presented with a counterproposal written by Policy and Finance itself, and we are told that this principle is preserved because P&F members will not sit on the Scrutiny Committee. But that misses the real issue entirely. P&F members no longer need to sit on Scrutiny if it writes the Mandate, defines the scope, sets the constraints and determines the limit within which Scrutiny may operate. It is
865 written by P&F for P&F.

This proposal complies with independence in appearance but removes it, in effect. Scrutiny is not independent because different people sit around the table. Scrutiny is only independent if it is free to decide what it examines, how it examines it and what conclusions it reaches without Committee permission. Under this proposal, scrutiny may exist but only within the boundaries
870 pre-approved by the Committee it exists to scrutinise. That is not scrutiny, it is Executive self-regulation.

Members may be told that this system is safe because independent people from all walks of life will be appointed and will make independent decisions. I do not doubt the integrity,

875 intelligence or independence of anyone who might be appointed. But independence of individuals
is meaningless if independence of authority is removed. You can appoint the most principled,
courageous and capable people on the Island, but only if they are permitted to operate without
rules written by the body they are scrutinising, then their conclusions are constrained before they
even begin. This is not about trusting people, it is about who sets the boundaries of scrutiny. Under
this proposal, P&F sets those boundaries. So regardless of who is appointed to the Scrutiny
880 Committee, the scrutiny can only go as far as P&F has decided it may go.

We are also told that this system is largely copied from Guernsey. But Sark is not Guernsey;
well not yet. Guernsey has multiple political groupings, a large professional Civil Service, extensive
media scrutiny, external legal and regulatory oversight. Sark has none of these safeguards. Let's
be honest about this proposal. P&F may not sit on Scrutiny Panels but it decides what can be
885 examined, what scrutiny must avoid, how far scrutiny can go.

I will be voting against this tonight not because I am opposing scrutiny, but on the basis that
scrutiny should exist to protect Chief Pleas from abuse of power and not to protect P&F from
scrutiny.

Thank you.

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The Speaker: Thank you, Conseiller Makepeace.

Would anyone like to follow on that? We will go to Conseiller Guille first followed by
Conseiller Locke.

Thank you, Conseiller Guille.

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Conseiller Guille: Thank you, sir.

Well, Conseiller Makepeace's Proposition, which was withdrawn, was the 2019 establishment
of the Scrutiny Management Committee, which was written by the Policy and Finance Committee
at the time. It is absolutely incorrect to say the Policy and Finance Committee will be setting the
900 constraints. The constraints are set by Chief Pleas by voting on this Proposition.

Likewise, the boundaries are not pre-approved by P&F, they are pre-approved by Chief Pleas
as a whole. Conversely, if we had used the format of the 2019 Mandate, then the boundaries of
scrutiny would have been set by the small numbers of the members of the Scrutiny Management
Committee alone, not by the whole of Chief Pleas. It was left quite wide open as to how this would
905 be conducted.

I personally feel that having independent members of panels to conduct the scrutiny allows us
to draw on great experience from outside of Chief Pleas and outside of Sark even, hopefully
ensuring a healthy degree of impartiality and drawing on experience, professional or well-earned.
For example, we could have ex-full-time politicians from the States of Guernsey or the States of
910 Jersey, for instance, just to name your neighbouring islands, who have been employed for years
sitting on Scrutiny bodies there. I think having an independent panel can only be a benefit to Sark,
so I will be supporting this Proposition to change the Mandate.

The Speaker: Thank you, Conseiller Guille.

915 Conseiller Locke, do you want to go next? I will come to you in one second,
Conseiller Makepeace.

Conseiller Locke: Thank you, sir.

920 Just for the record, this new Mandate and the pool panel members terms of reference was not
written by Policy and Finance alone, it was done through the Policy Development Group. I had a
very small hand in it myself, and it was open to any members of PDG to contribute to the excellent
work done by the people who worked hardest on it, for which many thanks.

The second point is that had the previous Proposition stood, it still could not have been put
into full operation, because the idea of non-Chief Pleas members being allowed to vote on the

925 Scrutiny Management Committee would not have been passed. I think that is an excellent thing to bring as part of this important Proposition.

Lastly, I do think that this is an improvement to the 2019 Mandate, so I am very glad to see it. Nonetheless, I was assured by the Speaker that the 2019 SMC would have been populated under Item 22 in any case, whether or not either of these Propositions were carried. But that said, I think
930 this Proposition is an improvement to the 2019 one, for the reasons I have stated, and I will be very pleased to support it.

Thank you.

The Speaker: Thank you, Conseiller.
935 Conseiller Makepeace, to you.

Conseiller Makepeace: Yes, I think Conseiller Guille has not understood the point, really, because he references all the experts and potential experts and their input, and no one doubts that. But, as I said in my speech, everything has been pre-decided to what they can actually
940 achieve or what they can scrutinise. Conseiller Guille has actually strengthened my argument that it does not matter who sits on the Committee because they have to follow rules that have been set to protect Policy and Finance.

Thank you.

The Speaker: Thank you, Conseiller Makepeace.
945 Conseiller Cragoe, thank you.

Conseiller Cragoe: Thank you very much.

I think that Conseiller Makepeace might be reading a different report than I have got in front
950 of me. Policy and Finance literally has no further role in scrutiny beyond sitting in Chief Pleas when things are brought to Chief Pleas or perhaps in being scrutinised. If we just look at the responsibilities for the Scrutiny Management Committee, which is made up entirely of non-Chief Pleas members (*Interjection*) – sorry, non-P&F members, excuse me, the Scrutiny Management Committee agrees a programme for scrutiny with Chief Pleas. The Scrutiny Management
955 Committee presents reports on the findings of the Scrutiny Panel to Chief Pleas. It identifies and appoints the Scrutiny Panel. It appoints panels drawn from the pool to take evidence from Conseillers and to draft reports. It will match the skills of panel members to scrutiny topics approved by Chief Pleas.

Nowhere in there does it say ‘unless P&F decides otherwise’. It also is very clear that the
960 Scrutiny Management Committee is preparing the annual scrutiny programme for approval by Chief Pleas, that it is accepting topic proposals from Conseillers, Committees and panel members, maintaining records.

Finally, it is also very clear that in no way are the panels to be under political influence. Their reports are to be brought to Chief Pleas. It is not – sorry, as I say, I just feel slightly frustrated that,
965 yes, this Report comes out under P&F and, yes, members of P&F were involved in drafting it, but that is where it ends. This is all to be given over to the Scrutiny Management Committee.

Thank you very much.

The Speaker: Thank you, Conseiller Cragoe.
970 Conseiller Makepeace, back to you. Thank you.

Conseiller Makepeace: As I said, of course, it ends now because P&F will have written the rules, so they do not really need to participate in it anymore. The correct way to have done this, as I mentioned, would have been, first of all, to independently appoint the Scrutiny Committee.
975 Then, if members of P&F or members of PDG or the public had an idea of the format, that should

have been presented to the Scrutiny Committee to decide what they wish to scrutinise, not the other way round where the limits are set by the very Committee that it is set up to scrutinise.

The Scrutiny Committee should have been formed first and then the ideas put to them for them to come back with a format.

980 Thank you.

The Speaker: Thank you, Conseiller Makepeace.

Are there any further observations? Conseiller Locke, thank you.

985 **Conseiller Locke:** Yes, I would just like to make two more brief observations. One is that the 2019 proposal, which would have been mandated had the previous report Proposition been put through, did not have the SMC as a standing committee of Chief Pleas and therefore any report from the SMC would have had to be brought to Chief Pleas by some other body, perhaps even P&F. In the modified version, P&F have stepped back from this process and made the SMC a
990 standing committee so the SMC can bring these reports directly, untouched by P&F's hand.

Secondly, I note that the SMC is effectively a two-year test, or a pilot programme, to see how it works and then improve it or otherwise as the Chief Pleas desires, which I believe was in an original proposal by Conseiller Makepeace at some time before Christmas. So he has got his two-year pilot programme.

995 Thank you, sir.

The Speaker: Thank you, Conseiller Locke. Thank you.

Does anyone have any further points or comments they would like to raise or questions they would like to ask regarding the Report, regarding what you have heard and regarding the Propositions that we will be getting to in a short while? Any further points or comments or observations.

1000 Conseiller Baker, thank you.

Conseiller Baker MBE: Thank you, sir.

1005 Once the panels are formed, item 7 there, independence, panels act entirely independently of committees, Chief Pleas, the SMC, political inference, or any other external pressure. I think that covers everything, does it not?

The Speaker: Thank you, Conseiller Baker.

1010 Conseiller Makepeace, thank you.

Conseiller Makepeace: Thank you.

1015 Indeed, it does, Conseiller Baker, using the format and the Mandate set by P&F. So, as I said before, it makes no difference. We are not talking about the independence or the integrity of anyone that sits on a panel. We are talking about the way in which the rules have been formatted to be agreed by Chief Pleas tonight. We are talking about that. We are not talking about afterwards, the fairness or the integrity of the panel, we are talking that, in fact, this is written by P&F to protect P&F, not to improve scrutiny.

Thank you.

1020

The Speaker: Thank you, Conseiller Makepeace. Thank you.

I was listening but I was referring to my notes. I apologise.

Conseiller Guille, thank you.

1025 **Conseiller Guille:** Thank you, sir.

Perhaps it would be useful for the House and for the gallery if Conseiller Makepeace could identify exactly which parts of the rules and the format he objects to.

Thank you.

1030 **The Speaker:** Thank you, Conseiller Guille.
Conseiller Makepeace.

Conseiller Makepeace: Yes, certainly.

1035 I object to it all because I do not think it should have been written by the Policy and Finance
Committee. The way this came about was on a Saturday a few weeks ago members of the
Conseiller surgery became aware that I had put in a proposal, my own proposal as a Member of
the House. Within a few hours, Conseiller Tighe claimed it to be her own work but had copied and
pasted from Guernsey documents, presented that three nights later at the Policy Development
Group as a piece of work that she put together. But it was not, it was just a knee-jerk reaction,
1040 I think simply for the fact that I actually pushed this and wanted to do this and get this ahead.

So, as far as I am concerned, this was a knee-jerk reaction copied and pasted at the last minute
to try to maintain control and power over the process.

Thank you.

1045 **The Speaker:** Okay, thank you, Conseiller Makepeace.
Conseiller Guille first, thank you, followed by Conseiller Tighe.

Conseiller Guille: Thank you, sir.

1050 I just wish to do a reply because I am not satisfied with the reply to my question. I asked a very
specific question. If Conseiller Makepeace wants to vote against this Proposition, I think it is useful
for the House and others to understand, please, exactly what part of these rules and guidelines
does Conseiller Makepeace not believe is wise for Chief Pleas to vote on.

Thank you.

1055 **The Speaker:** Okay, thank you.
Conseiller Makepeace, it is a straightforward question, could you answer Conseiller Guille's
question, please?

1060 **Conseiller Makepeace:** Well, I would say, if he wants an answer, I do not think any of it satisfies
myself. He is asking me a question about the procedures. None of it is correct because of the way
in which it has been presented. None of it stands up to what we would call scrutiny. It is not,
because it has been written with a single purpose in mind.

1065 There are certain regulations in place or rules where individual Conseillers cannot be
scrutinised, where there will be a limit on past events. Well, it is too restrictive. If you look at other
jurisdictions, they actually can scrutinise people that are in government who often make mistakes
and are there to be scrutinised. This prevents any individual member, for example, from being
scrutinised.

So there is the first answer.

1070 **The Speaker:** That is one answer. Conseiller Guille, do you want to hear more answers than
that?

Conseiller Guille: No.

1075 **The Speaker:** No, okay, thank you.
Conseiller Tighe, you had your hand up, before we come to Conseiller Cragoe.

Conseiller Tighe: Thank you, Mr Speaker.

1080 I would just like to say that I did actually have a speech about scrutiny, I cannot recall if it was at the Midsummer or Michaelmas. We have also been discussing the amalgamation of the tribunal panels. This is a topic that has been at the fore for some time and, as Conseiller Locke said, this was also brought to PDG as well. So it was wider than – the original work was between myself and Conseiller Cragoe but there was also input from the Policy Development Group as well.

1085 **The Speaker:** Thank you, Conseiller Tighe.
Conseiller Cragoe, thank you.

Conseiller Cragoe: Thank you.

1090 Yes, I think again I might echo Conseiller Guille. I would quite like to know where some of these things that Conseiller Makepeace says are the case, are the case. For instance, that individual Conseillers cannot be scrutinised. What it does say is that Conseiller may not serve in the pool or on the panels. It does not say that an individual might not be scrutinised with the work, whether within a Committee or a whole Committee. I do not see where it says that.

1095 I also do just find it very frustrating that this is derived from the 2019 Mandate and, as I say, it really is important to remember that the 2019 Mandate is actually word for word, and I have brought it with me. I am sure it is worth reading out, but it is literally the first three paragraphs of the 2016 Guernsey Scrutiny Management Committee, word for word, in 2019's proposal. So that things are cut and paste or that we have having – is somehow wrong. You cannot support one that is word for word and not one that perhaps take some elements from other people. Also with scrutiny there is a limited – we are a democracy, there are limited numbers of ways in which democracies can do scrutiny.

1100 I think, as Conseiller Tighe said, we have been talking about this for quite a long time, doing background research on it and, yes, it was perhaps given a bit of impetus to actually finish putting things on paper. But there are really only three ways that you can do scrutiny. One of them is through things like questions not related to business of the day, individual specific questions. The second is parliamentarians scrutinising parliamentarians, which we do not feel is particularly appropriate for Sark. That is the big difference between our Proposition and what was adopted in 2019, because that allowed, as is the case in Guernsey – where it is perhaps not as successful always as it might be – the Conseillers to serve on the Scrutiny Panels.

1105 Then the third option is to have people who are actually genuinely independent, and someone has to appoint them. They are not going to fall out of the sky. We feel that also should not be P&F, which is why P&F members would not serve on the Scrutiny Management Committee and not be involved in the appointments process.

1110 But, yes, I think as Conseiller Guille has said, if Conseiller Makepeace would like to highlight very specific lines in this rather than a general point, that might be helpful.
1115 Thank you.

The Speaker: Thank you, Conseiller Cragoe.
Back to yourself, Conseiller Makepeace.

1120 **Conseiller Makepeace:** Yes, sir.

As is the norm in these situations, I am prepared to go after Chief Pleas tonight into depth into the question which Conseiller Guille wants me to provide and bring a report to the next meeting. I think a process that Conseiller Guille has used many times. So I will bring a full report of the points that I think are incorrect to the next Chief Pleas.

1125 Thank you, sir.

The Speaker: Thank you, Conseiller Makepeace.
Conseiller Locke, thank you.

1130

Conseiller Locke: Yes, sorry to jump up again.

I find it really quite difficult, I do not understand why, when Conseillers Makepeace and Moloney's proposal was to adopt the 2019 Mandate for SMC or to put it into place rather, and here we have a document that is pretty much based on exactly the same Mandate, not in this case
1135 just written by P&F but by involvement through PDG, why this is so bad and the previous one was so good. I do not get that.

The second point that I would make is that all Conseillers were quite able, as I did, to contribute to the drafting process of the terms of reference of the Mandate that are presented here. So nobody whatsoever was excluded from the improvement process that has been carried out so
1140 ably by Conseillers Tighe, Cragoe and others.

Thank you.

The Speaker: Thank you, Conseiller Locke.

Are we moving forward with this? Conseiller Makepeace, are you coming back on that?
1145

Conseiller Makepeace: Yes, I would just like to say that I take this tonight as a victory because whatever happens, at least we have got something happening with scrutiny. Because the Policy and Finance Committee under Conseiller Guille's leadership since 2019 has, in my opinion, deliberately avoided a decision of Chief Pleas that was made in January 2019. I would go so far as
1150 to say if the Scrutiny Panel had been introduced as it was decided by Chief Pleas in 2019, I do not think that we would today be possibly in the situation we are with the electric company or the shipping, because I think the Scrutiny Committees would have looked into what was going on, and I do not think we would be in such a mess that we are in today.

Thank you.

1155

The Speaker: Thank you, Conseiller Makepeace.

Conseiller Tighe, thank you.

Conseiller Tighe: I would just like to add that – I think Conseiller Cragoe and Conseiller Locke might be able to help me on this – there were several attempts at populating the Scrutiny Management Committee post 2019. Unfortunately, there were not enough Conseillers to put themselves forward who were eligible to stand for the Scrutiny Management Committee. I do not think it was actively Conseiller Guille who was trying to swerve that.
1160

The Speaker: Thank you, Conseiller Tighe.

Conseiller Locke, thank you. Just one second, Conseiller Makepeace? Conseiller Locke first, thank you.
1165

Conseiller Locke: Thank you.

Yes, I would confirm that. I should point out that quite a lot of this documentation was uncovered by Conseiller Cragoe, for which many thanks. But, basically, there was an attempt to populate the SMC that failed and, in fact, back in July 2019 a change was mandated by Chief Pleas – so in a sense the previous proposal would not have made any sense, it would have gone backwards in time – to allow Deputy Chairs to be part of the SMC. That too failed and there was
1175 further debate the year after that in 2020 where it is recorded in *Hansard* that Chief Pleas decided that it should be referred back to Policy and Finance for further work to be done.

So I do not detect, even though I was not here at the time, the slightest hint that P&F was delaying or obstructing anything. Yes, it took quite a long time, but I think we all know exactly how hard people had to work during COVID, whether it is here on Sark or elsewhere.

That said, since I have been fortunate enough to be a member of Chief Pleas, scrutiny has been under active proposal in a number of forums and I do not think there has been any hint of any delay by any Conseiller or Committee that I have managed to detect in the past year.
1180

Thank you, sir.

1185 **The Speaker:** Thank you, Conseiller Locke. Thank you.
Conseiller Makepeace, please back to yourself.

1190 **Conseiller Makepeace:** So if there have been no delays then why has it not been introduced and why has it not been taken as a priority item? Because I am sure you would agree that one of the backbones of the democracy is for a government to be able to scrutinise itself. Whether there were any delays or deliberate or whatever, the fact of the matter is that the matter was not taken seriously, it was not pursued and we should ask ourselves why.

1195 **The Speaker:** Thank you, Conseiller Makepeace.
We are going slightly around in circles here. The important thing is, in my opinion, scrutiny is back on the agenda but we have got to fine-tune it and obviously there is where we were in 2019 and where we are now, and that is obviously the document you have before you.

1200 Does anyone have any further points they want to raise in addition to what has already been said regarding this Report before we go to vote on the two Propositions? Any further comments or observations?

Yes, Conseiller Cragoe, thank you.

1205 **Conseiller Cragoe:** Thank you, Mr Speaker.
I think just in regard to that, I would just stress that the proposal also includes a two-year pilot and that the Scrutiny Management Committee, when populated, will be asked as it goes along to think or suggested that it thinks – it may just come back and say, ‘We thought about it, we decided there was nothing to think about’.

1210 But if there are changes to be made then the people who are actually working on that can make changes. I think how it came not to be populated is neither here nor there now, but we need to get it populated.

Thank you very much.

1215 **The Speaker:** Thank you, Conseiller Crago. Thank you.
So there we are, we have heard lots of discussion and points in favour of and against. Before we go to the vote, does anyone want to say anything else before we go to the Propositions?

Conseiller Makepeace: Can we have a named voted?

1220 **The Speaker:** Happily we can have a named vote, Conseiller Makepeace; happily. Thank you.
So let us proceed in that direction whilst we prepare the paperwork here.

So we have got two Propositions before us in this Report. Once again, if you are in favour, it is pour, if you are against, it is contre, or, if you prefer, no vote. They are your three options. Pour in favour, contre against, or no vote as you wish.

1225 Therefore, Proposition 1, which reads: that Chief Pleas approves the revisions to the Mandate of the Scrutiny Management Committee as defined in the attached paper.

There was a named vote.

Carried – Pour 12, Contre 1, No Vote 1

POUR	CONTRE	NO VOTE
Conseiller Jolie Rose	Conseiller Frank Makepeace	Conseiller Samuel Keyte
Conseiller John Guille		
Conseiller Helen Plummer		
Conseiller Carol Cragoe		
Conseiller Michael Locke		
Conseiller Natalie Tighe		
Conseiller Christopher Bateson		
Conseiller David Curtis		
Conseiller Edric Baker MBE		
Conseiller James Martin		
Conseiller Patrick Dewe		
Conseiller Karl Rang		

The Speaker: Thank you, Greffier.

So the results of Proposition 1 are as follows: 12 in favour, 1 against and 1 no vote. So Proposition 1 is **carried**.

1230 So we come to Proposition 2 now. Proposition 2 reads as follows: that Chief Pleas approves the amendment of Section 4 of The Constitution and Operation of Chief Pleas Committees to allow the non-Chief Pleas members of the Scrutiny Management Committee to vote. No non-Chief Pleas members on other Committees shall have voting rights.

Greffier, thank you.

There was a named vote.

Carried – Pour 12, Contre 1, No Vote 1

POUR	CONTRE	NO VOTE
Conseiller Jolie Rose	Conseiller Frank Makepeace	Conseiller Samuel Keyte
Conseiller John Guille		
Conseiller Helen Plummer		
Conseiller Carol Cragoe		
Conseiller Michael Locke		
Conseiller Natalie Tighe		
Conseiller Christopher Bateson		
Conseiller David Curtis		
Conseiller Edric Baker MBE		
Conseiller James Martin		
Conseiller Patrick Dewe		
Conseiller Karl Rang		

1235 **The Speaker:** Thank you, Greffier.

The results of Proposition 2 are as follows: there are 12 in favour, 1 against and 1 no vote. So I therefore declare that Proposition 2 is **carried**.

1240 Thank you very much indeed. When we get to Agenda Item 22, we will populate the SMC appropriately. Thank you for that.

How are we doing on time? Half past 6. I think we will crack on. I think we will persevere.

11. Report with Propositions from the Policy and Finance Committee entitled ‘Code of Conduct and Declaration of Interests for Members of Chief Pleas’ – Propositions carried

CHRISTMAS MEETING OF CHIEF PLEAS, WEDNESDAY, 21st JANUARY 2026

To consider a Report with Propositions from the Policy and Finance Committee entitled 'Code of Conduct and Declaration of Interests for Members of Chief Pleas'.

Proposition 1:

That Chief Pleas adopts the 'Members of Chief Pleas Code of Conduct', as attached.

Proposition 2:

That Chief Pleas amends the Rules of Procedure to replace the reference to the Conseillers Code of Conduct to Members of Chief Pleas Code of Conduct.

Proposition 3:

That Chief Pleas amends the Rules of Procedure so that Declaration of Interests apply to all Members of Chief Pleas.

1245 **The Speaker:** Next up we have Agenda Item 11, which is to consider a Report with Propositions from the Policy and Finance Committee entitled 'Code of Conduct and Declaration of Interests for Members of Chief Pleas'. I would like to ask Conseiller Cragoe to introduce the Report.

Thank you.

Conseiller Cragoe: Thank you very much, Mr Speaker.

1250 It seems to be the Carol show again. This paper comes from – it has a bit of a history, so at Midsummer we agreed amendments to the Reform Law to allow for the appointment of the Commissioner and we also agreed a Members of Chief Pleas Code of Conduct, and I want to stress that that said 'Members'.

1255 Then Members subsequently sought clarity on some of the arrangements once the Commissioner decided an outcome and that was brought back to Michaelmas, but unfortunately almost immediately, so the day before the meeting, some drafting errors were noticed, including misnumbered paragraphs, which could not be corrected. These amendments here have corrected that draft, but they do not alter what was originally proposed and withdrawn at Michaelmas. Should there be a case to answer, whether the outcome is remedial action, caution, or a formal report with sanction, they will send a report to the Greffier, who in turn forwards to the Policy and Finance Committee, who then either presents the Report to Chief Pleas for information or refers it to the Speaker of Chief Pleas for inclusion in the meeting agenda for debate.

1260 If the statutory meeting is six or more weeks away, there will be a request for an extraordinary meeting so that it does not languish. Policy and Finance is not doing anything to the Report, it is simply acting as a post box because somebody has to.

1265 The other thing that it does is that there were a couple of instances where it said 'Conseiller' and it should have said 'Members of Chief Pleas', and those have all been changed to make it consistent, so it now says 'Members', which includes all Members, including the Speaker, the Seigneur, and their Deputies.

1270 Also as part of this, we wish to amend the declarations of interest. At the moment, only Members of Chief Pleas – only Conseillers, sorry, looking and speaking at the same time is not working. At the moment, only Conseillers are required to complete declarations of interest and to align with the Members of Chief Pleas Code of Conduct, which applies more widely to the Seigneur, the Speaker and their Deputies and Conseillers, it is proposed that declarations will be completed by all Members of Chief Pleas. Therefore, we need to amend the Chief Pleas of Sark Rules of Procedure by replacing certain sections with references to Conseiller to references to Members of Chief Pleas. So I hope that we will all find that acceptable.

1275 There is one point which has been made, which is that the – it is actually not in my printed version. I do not have the printed version. In the version on the website, certainly, the Commissioner's statement is presented twice, it is in appendix 2 of the actual Item 11 and it is also at the back. That is for information not for approval, and somehow it got into the papers

twice. It is simply laid before the House. That is exactly unchanged from the summer, that is the same as it was.

Thank you very much.

1285

The Speaker: Thank you, Conseiller Cragoe.

So there we have it. There is the introduction to this Report. Does anyone have any questions for Policy and Finance regarding what you have heard or what you have seen or appears in either of the appendices that you will have seen? Any comments, any observations?

1290

Conseiller Locke, thank you.

Conseiller Locke: Thank you, sir.

Just very briefly, as the pedantic nitpicker after 30 years of proofreading stuff that spotted some of the drafting errors back when it was previously presented, in conjunction with other

1295 Conseillers. I have been through it a number of times, as far as I can see they have managed to nail every single drafting error on the head, which of course means that somebody will find one tomorrow. But I think absolutely everything that was spotted by everybody concerned has been corrected and I have no further comment on that, just for information.

1295

The Speaker: That is real praise coming from Conseiller Locke, knowing his background.

So there we have it. Item 11 on the Agenda, does anyone have any comments any observations before we go to the three Propositions contained in the Report? Any points, comments, observations? Right, okay. Do you want to sum up Conseiller Cragoe or shall we just go to the Propositions?

1300

1305

Conseiller Cragoe: No, I think that is fine, just go to the Propositions, thank you.

The Speaker: Very good, okay.

So the three Propositions are individually as follows. Proposition 1: that Chief Pleas adopts the Members of Chief Pleas Code of Conduct as attached to this Report. Those in favour? Thank you. Those against? That is **carried**.

1310

Proposition 2 reads as follows: that Chief Pleas amends the Rules of Procedure to replace the reference to the Conseillers Code of Conduct to Members of Chief Pleas Code of Conduct. Those in favour? Thank you. Those against? Thank you. That is **carried**.

1315

The third Proposition reads as follows: that Chief Pleas amends the Rules of Procedure so declaration of interests apply to all Members of Chief Pleas. Those in favour? Thank you. Those against? That is **carried**.

Thank you very much indeed. That was Agenda Item 11. Lots of bits of paper here.

12. Annual Information Report – Agriculture, Environment and Sea Fisheries Committee Report considered

To consider an Information Report from the Agriculture, Environment and Sea Fisheries Committee entitled 'Annual Information Report'.

1320

The Speaker: Agenda Item 12 is to consider an information report from the Agriculture, Environment and Sea Fisheries Committee entitled 'Annual Information Report'. A substantial report, which I am sure you have all seen.

I would like to ask Conseiller Plummer to introduce the Report.

Thank you, Conseiller Plummer.

1325

Conseiller Plummer: Thank you very much, sir.

1330 This Annual Information Report, I would like to thank everybody that has contributed towards it. The sea fisheries, we have had trouble this year with, as you all know, octopus, etc. So the total dives were 75 for scallops. Total scallops were 7,643, much less than the normal. The Habitat Survey Report has been completed and that is in appendix 2. The survey updated the previous assessment to the Island's habitats in 2013 and established a new baseline using the UK Habitat Clarification System.

1335 Turning to the Asian Hornet Control, our thanks go to the Guernsey Asian Hornet team of Francis Russell, Damian Harris, and Nik Carre. Our very best wishes to Francis in his retirement and Damian in his new role of heading up Bailiwick Plant Health. Thanks also go to Ringo Brown, Andrew Prevel, Andy Cook, Nick Dew, Owen Godwin, Flynn Martin, Kevin Adams, the HSBC and finally the people of Sark without those stunning green trapping results in the spring this year would have been disastrous.

1340 I would also like to thank Mr Dave Cocksedge and Ms Jo Birch, they were absolutely invaluable in attending the meetings, and they are very good to be on the Committee. I would like to thank Peter Cunneen as well for all his help with the Asian Hornets. I would like to say thank you to them all.

Thank you.

1345 **The Speaker:** Thank you, Conseiller Plummer. Thank you.

Obviously a very comprehensive report summed up by Conseiller Plummer. Does anyone have any comments or observations?

Conseiller Cragoe, thank you.

1350 **Conseiller Cragoe:** Thank you very much.

1355 I would just like to add to Conseiller Plummer's thanks; thanks to our illustrious Deputy Treasurer in her role on the Société Sercquaise for her role in the Habitat Survey, pulling the Habitat Survey together with Julia Henney from Guernsey. It is in the papers online and I would commend it to people to read. It is actually really interesting. Some of it is quite technical, but it is fascinating.

So thank you very much to Linda and to the Société Sercquaise for help with that.

The Speaker: Thank you, Conseiller Cragoe.

1360 Does anyone have any further comments, questions or queries that you would like to either ask the Committee or make comment about? There are no Propositions attached to the Report, it is an information report. Anyone have any further comments that they would like to make in relation to the Report? No, in which case, thank you very much.

**13. Report with Propositions from the Agriculture, Environment and Sea Fisheries Committee
entitled 'Sea Fisheries Report' –
Report and Propositions Withdrawn**

To consider a Report with Propositions from the Agriculture, Environment and Sea Fisheries Committee entitled 'Sea Fisheries Report'.

Proposition 1:

That Chief Pleas directs the Agriculture, Environment & Sea Fisheries Committee to instruct the Law Officers of the Crown to prepare legislation for a closed season from 20th March to 20th September for netting in the bays.

Proposition 2:

That Chief Pleas directs the Agriculture, Environment & Sea Fisheries Committee to instruct the Law Officers of the Crown to prepare legislation for net restrictions for monofilament nets with maximum length of 100m and maximum height of 2m.

1365

The Speaker: We will therefore move on to Agenda Item 13, which is to consider a Report with Proposition from the Agriculture, Environment and Sea Fisheries Committee entitled 'Sea Fisheries Report'.

Once again, I would like to ask Conseiller Plummer to introduce the Report.

1370

Thank you.

Conseiller Plummer: Thank you, sir.

The Committee wish to withdraw this Report and Proposition until we have had a discussion with the fishermen.

1375

Thank you.

The Speaker: Thank you, Conseiller Plummer.

I presume therefore it will be brought back to a future meeting.

1380

Conseiller Plummer: Yes, certainly.

14. Report with Proposition from the Agriculture, Environment and Sea Fisheries Committee entitled 'Marine Protected Area' – Proposition carried

To consider a Report with Propositions from the Agriculture, Environment and Sea Fisheries Committed entitled 'Marine Protected Area'.

Proposition:

That Chief Pleas agrees to the vision document entitled 'Celebrating Sark's Sea: A proposal to secure our marine life and a unique way of life at sea', and directs the Agriculture, Environment & Sea Fisheries Committee to action the further necessary consultation in line with the vision document.

The Speaker: Thank you. There we are. That was Agenda Item 13.

Next up we have Agenda Item 14, which is a Report with Proposition from the Agriculture, Environment and Sea Fisheries Committee entitled 'Marine Protected Area'.

1385

You are busy lady, Conseiller Plummer, once again, could you introduce the Report, please?

Conseiller Plummer: Thank you, sir.

I wish to hand this over to Conseiller Carol Cragoe, please.

1390

The Speaker: Conseiller Cragoe, thank you very much indeed.

Conseiller Cragoe, would you like to present the Report, please?

Conseiller Cragoe: Thank you very much.

1395

I am afraid you have got me again. I really must learn to say no to presenting things. So, thank you very much for this. I think this is a really, really, really exciting opportunity. This is a project which the Agriculture, Environment and Sea Fisheries Committee has been working on with the

support of the Société Sercquaise and the Blue Marine Foundation, which is based out of Jersey but works internationally.

1400 Most of the work has been done by them and entirely funded by them under their own charitable grants system. So the Committee, with their help, is proposing to bring a Proposition to a future meeting of Chief Pleas for a formal marine protected area for Sark.

1405 Sark's waters, I think as we all know, are amazing, absolutely amazing. A huge range of biodiversity, whether it is under the sea, eelgrass, reefs, marine creatures, birds, marine mammals, just all sorts of things. Our waters are actually already managed under very strict regulations that ban dredging, they restrict trawling, they enforce closed seasons and they protect key species. We are looking at controls on netting, but those are in discussion with the fishermen at the moment. For the moment, it seems sensible to withdraw those.

1410 A proposed marine protected area, which would be likely classified on an international scale of highly protected, would recognise these current sustainable practices and promote low-impact fishing, recreation and tourism. Really, it is a way of simply drawing a line around the regulations that we already have and emphasising that Sark really is a global leader in marine stewardship in much the same way that we have the Dark Skies Island designation.

1415 There is more paperwork in the online papers, including a much more detailed report from the Blue Marine Foundation. The Proposition here asks Chief Pleas to agree the vision document, which provides a road map for the designation process and also for us to go forward with additional consultation. So, in some ways, it is approving more work.

1420 I would absolutely commend this to you. I think this could be a really exciting opportunity and something that would put Sark on the map and be very good for tourism as well, something that we can really sell. We are already doing it and it is a way of selling ourselves to a greater extent.

Thank you.

The Speaker: Thank you, Conseiller Cragoe.

Does anyone have any points, comments, observations before we go to the Proposition?
Conseiller Bateson, thank you.

1425 **Conseiller Bateson:** Thank you, Mr Speaker.

1430 Can I ask what we achieve that we cannot do already by becoming a marine protection area? We already have the legislation to look after it. From a point of view of the environment and the sea fisheries side of things, what will change that we cannot do at the moment? Can you answer that, please?

The Speaker: Thank you, Conseiller Bateson.

Conseiller Cragoe, would you like to come back on that?

1435 **Conseiller Cragoe:** Thank you very much.

This is a two-part question; working backwards, what will change? Potentially nothing in terms of regulation, what can be done at the moment. As I say, we already have some very strict policies. I think Blue Marine would like us to perhaps look at trawling, perhaps look at netting, but that is something that is for a future consultation.

1440 In terms of why do it, it is the ability to have an international recognition and to participate, among other things, in the 30 by 30 climate change initiative where instead of protecting 30% of marine and 30% of land resources, we would protect 100% of our marine area. It is so small that we might as well do the whole thing. That is the thing that gets Sark in the news and it is the thing that when people are looking for, say, sustainable tourism, that we can use it to promote what we are already doing.

1445 I think no one would know if you did not look at the legislation. I did not even realise in detail how much legislation there actually is. So, yes, it is both a lot and not very much. I have to say, this was developed with some quite considerable consultation in the end of last year, within

1450 October – I think it was October – with lots and lots and lots of marine users. There were targeted consultations with the Committee Chairs in this room, Blue Marine gave a presentation and they also did a consultation with a much larger group of water users of all sorts, boating, fishing, recreational, commercial, all sorts of things, in the hall. So it is not coming from nowhere.

As I said, the Report really sets that out, the Blue Marine report. Thank you.

1455 **The Speaker:** Thank you, Conseiller Cragoe.

I will come back to Conseiller Bateson next and then Conseiller Makepeace. Thank you. Conseiller Bateson, thank you.

Conseiller Bateson: Thank you, Conseiller.

1460

Conseiller Makepeace: That is a lame –

The Speaker: I am sorry, Conseiller Makepeace, you are next. Conseiller Bateson, thank you.

1465

Conseiller Bateson: Thank you to Conseiller Cragoe.

1470 It appears to me then that the main thing that would come from this is actually possible eco-tourism, which really is the pigeon of the Tourism Committee, and I am talking about the environment and the sea fisheries. Obviously this is not going to change that, we have already got that under control. So this is essentially a tourism thing by the looks of it, with the hope that it will attract large numbers of eco-tourists.

The Speaker: Thank you, Conseiller Bateson.

Before I come to Conseiller Makepeace, would you like to respond on that, Conseiller Cragoe?

1475

Conseiller Cragoe: Yes, and there is certainly a tourism element to it. I think it sits logically in sea fisheries; I think the clue is in the name, I suppose. That is how it has come through this Committee rather than other Committees. We certainly had a consultation with the other Committee Chairs.

1480 There is a possibility, if we did more legislation around more controls or around adopting a management plan, I think that would also logically come out of sea fisheries rather than specifically out of tourism, just for the general water responsibilities.

Thank you.

1485 **The Speaker:** Thank you, Conseiller Cragoe.

Conseiller Bateson, are you happy with that?

Conseiller Bateson: Yes, thank you.

1490 **The Speaker:** Thank you.

Conseiller Makepeace, you have been waiting patiently, thank you.

Conseiller Makepeace: I would just like to ask a question as a layman. It says to create a Marine Protected Area. What size is this Marine Protected Area or what are the boundaries for that?

1495 Thank you.

The Speaker: Thank you, Conseiller Makepeace. Conseiller Cragoe, thank you.

1500 **Conseiller Cragoe:** Thank you very much.

Yes, I think this is a bit of a casualty of the rather abbreviated form of the printed papers. There is a very extensive report in the online papers. I think the suggestion at the moment – but again, this is open for consultation. This is what we are going to be going forward with, what we want to go forward with next, would be to define the Marine Protected Area out to Sark’s three-mile limit.

1505 So, basically, there is already a line on the map and a lot of our legislation already works within that, so that is the logical place to start. There is a 6 and a 12 mile, but that then begins to get more complicated. Actually it is also rather bitty because of other people’s 6 and 12 miles.

The Speaker: Thank you, Conseiller.

1510 Conseiller Makepeace followed by Conseiller Rose. Conseiller Makepeace first, thank you.

Conseiller Makepeace: So, am I correct in thinking that the whole of the three-mile area would be out of bounds? How does that affect local fishermen? I am only asking the question, I do not know; does that mean that the whole of the three miles around Sark is out of bounds? I am just thinking of the fishermen because they also have a livelihood and perhaps, although I am not a fisherman, rely on those waters to fish in.

1515

Thank you.

The Speaker: Thank you, Conseiller Makepeace.

1520 Conseiller Cragoe, would you like to answer that, please?

Conseiller Cragoe: No, that is not what it means. To have waters out of bounds, you would have to change the legislation and we are not proposing to have extensive legislation change. This is literally drawing a line around what we already have.

1525 I would refer Conseiller Makepeace to the Report and the tables in the Report that show what is already protected. There really is not any suggestion that we need very extensive legislation change. It would not be – I cannot remember what it is called, it is not totally protected, but that is the implication of it. It is not a no-take zone.

No, the intention is not to have a no-take zone. We do have some no-take regulations already, for instance ormers is a perfect example. We have restrictions on you can only take ormers on certain days, you can only take crustaceans in certain months, so that is preserved but not adding anything new to that particularly.

1530

The Speaker: Thank you, Conseiller Cragoe.

1535 Conseiller Rose, you have been waiting patiently, thank you.

Conseiller Rose: Thank you.

I think this is a great idea and it is going to be brilliant for tourism. There are three things that I wanted to just check or flag up, and are possibly in the Report online which I have not seen. First of all, have all the local fishermen been consulted and were part of the consultation process? The second is, as part of the consultation, have you spoken to any jurisdictions that have already had this happen themselves and what the implications were? The third one is, how powerful are they as an entity? Everything still has to go through the Chief Plea with regulations so what is their regulatory power?

1540

1545

The Speaker: Thank you, Conseiller Rose.

Do you understand the question?

Conseiller Cragoe: Not the last one, but I will come to that.

1550 In terms of local fishers; yes, all the local fishers, also all the local boaters. I think the consultation list was – I am just going to turn around for a second.

1555 I think the consultation list was something like, for the larger public consultation, 85 people. So whether they came or not is up to them but they were certainly invited to come. As I say, we are proposing to do additional consultation. This is not adopt a Marine Protected Area, this is to enable the Sea Fisheries Committee to go forward and do more consultation and then bring it back.

1560 In terms of other jurisdictions, Blue Marine has had some consultation and discussion with Guernsey. Also Blue Marine works all over the world, so this is not new to them in any way. They have done all sorts of things all over the world, also with Jersey. Yes, I am having a note given to me that they have also talked to Jersey. But, yes, so there was initial consultation, and how this works elsewhere is also quite well-established.

1565 I do not quite understand what the last question was, but we would certainly bring any Propositions for a formal adoption back to Chief Pleas. This is the first step to the green paper or the white paper, whatever the first one is, before we go forwards. Does that answer your question?

The Speaker: Conseiller Rose, if you would like to comment.

1570 **Conseiller Rose:** It is just like, say, with UNESCO or someone like that, they have a lot of power, I was just wondering where the power lies with such a relationship.

The Speaker: Thank you.
Okay, Conseiller Cragoe, thank you.

1575 **Conseiller Cragoe:** It lies with us, with Chief Pleas. We make the rules. It is not about somebody else imposing rules. It is really about getting our existing designations on an international map. It is not about somebody else telling us what we could do. It is not like World Heritage status where they will feel they have the right to comment, although even there they do not actually have any power. They just feel they have the right to come and comment on your planning applications or whatever it is.

1580 But, no, everything rests, any decisions rest, entirely in Chief Pleas.

The Speaker: Conseiller Rose.

1585 **Conseiller Rose:** Thank you.

The Speaker: Thank you.

Does anyone else have any points, comments, observations or suggestions based on what you have heard?

1590 Conseiller Bateson, thank you.

Conseiller Bateson: Thank you.

1595 Just carrying on Conseiller Rose. Can you confirm that if we do declare a Marine Protected Area, it will not interfere with future decision-making by Chief Pleas, regarding sea fisheries and the marine environment?

Thank you.

The Speaker: Thank you, Conseiller Bateson.
Conseiller Cragoe, would you like to answer that, please?

1600 **Conseiller Cragoe:** One word answer. Yes, absolutely, I confirm that. Everything rests with us. It is up to us. We could designate it, we could undesignate it, we can make rules within it. Not

rules, it is entirely up to us. This is not something being imposed from outside. This is entirely a decision for us.

1605

The Speaker: Thank you.

Very good. Excellent. Does anyone else have any comments or questions that you would like to ask the Committee before we move on to vote on the Proposition attached to the Report? Any further points, questions, observations? No.

1610

In which case, let's go to the Proposition attached to this Report, which reads: that Chief Pleas agrees to the vision document entitled 'Celebrating Sark's Sea: A proposal to secure our marine life and a unique way of life at sea', and directs the Agriculture, Environment & Sea Fisheries Committee to action the further necessary consultation in line with the vision document.

Those in favour? Thank you. Those against? Okay, and that is **carried**. Thank you.

1615

So, it is now five to seven, and I think it is probably appropriate that we take a short comfort break. We have got a few more Agenda items to work through, so I propose that we will take an eight-minute break, come back at about three minutes past seven, if that gives you enough time. As long as you run.

*Chief Pleas adjourned at 6.58 p.m.
and resumed its sitting at 7.06 p.m.*

1620

The Speaker: Thank you very much.

I was rather cruel there and did not give people enough time so I do apologise but we all want to crack on. Thank you for coming back so promptly.

15. Report with Propositions from the Douzaine entitled 'Amendments to Motor Vehicles (Sark) Regulations 2014 – Propositions carried

To consider a Report with Propositions from the Douzaine entitled 'Amendments to Motor Vehicles (Sark) Regulations 2014'.

Proposition 1:

That Chief Pleas approves the amendment to the Motor Vehicles (Sark) Regulations, 2014 to specify how tractors are measured.

Proposition 2:

That Chief Pleas approves the amendment to the Motor Vehicles (Sark) Regulations, 2014 to update the driving licence and import application forms in the Motor Vehicle (Sark) Regulations, 2014, including updated tractor licencing codes.

1625

The Speaker: So we move on next to Agenda Item 15, which is to consider a Report with Propositions from the Douzaine entitled 'Amendments to the Motor Vehicles (Sark) Regulations 2014'.

I will turn to Conseiller Locke and ask him to introduce the Report.

1630

Thank you.

Conseiller Locke: Thank you, sir.

1635 Rather amusingly, for too long in my life I was in marketing, and sales and marketing was always given the graveyard slot, which is the first one after a break, while people are still trying to get their heads together, so I am well used to it.

This report is around the amendments we would like to make to the Motor Vehicles (Sark) Regulations 2014. At the moment, those regulations provide for the maximum size of tractors that may be licensed under the Motor Vehicles (Sark) Law 2013, but does not currently state how those measurements are to be taken.

1640 We had a couple of cases during the year about where there was some discussion about the regulations say so many metres, but how is that measured? So what we thought was a lot better, let's just agree what it is, find out from the tractor measurer, discuss in Committee and then have it put in the law so there can be no issues further on.

1645 We propose that the length of 3.6 metres, as in the law, is measured from the rear of the back tyre to the front of the front tyre or bonnet, whichever is longer. For the width, it is to be measured at its widest part, and for the height it is from the ground to the highest part. These are the things that we actually measure at the moment, or rather the tractor inspector does, but to make the interpretation clearer we thought it best to write it down and put it in the law.

1650 For future reference, the law also allows the Douzaine to restrict the power of a tractor that may be licensed and also the weight. We are considering those things during the course of this year. The 2014 regulations include forms to be completed for applying for various driving licences and/or for importing vehicles, we would like to update those forms, hence the regulations as per appendix 1. I will not go through it, it is just updating every single form that we used for doing this.

1655 Lastly, we have taken the first step towards simplifying the tractor licensing codes from, I think it is something nearly 30 different licensing codes down to a very simple set of eight, possibly some further discussions on further simplifications during the course of the year.

If Chief Pleas approves these Propositions, the Douzaine will draft and sign a regulation to bring it into effect, and the regulation will be laid at Chief Pleas at the next meeting.

Thank you, sir.

1660

The Speaker: Thank you, Conseiller Locke.

Does anyone have any questions of the Douzaine regarding the Report, what you have just heard and what is proposed? There are two Propositions coming up shortly. Does anyone have any observations or comments that they would like to make at this stage of the Douzaine?

1665 Yes, Conseiller Guille, thank you.

1670 **Conseiller Guille:** I think Conseiller Locke explained it quite clearly, but maybe just to head off any rumour mills or anything. As I understand Conseiller Locke's explanation, this is how the tractor measurer measures tractors at the moment. No tractors currently licensed on Sark will be prohibited by this change in the law.

The Speaker: Thank you, Conseiller Guille.
Conseiller Locke?

1675 **Conseiller Locke:** Thank you, sir.

Indeed, that is exactly the case. This merely codifies the existing practice done both on import and every time the tractor is inspected.

The Speaker: Thank you for that clarity. Thank you.

1680 Okay, in which case, not much enthusiasm to ask any additional questions, so let's therefore go to the two Propositions one at a time. Proposition 1 attached to this Report reads: that Chief Pleas approves the amendment to the Motor Vehicles (Sark) Regulations 2014 to specify how tractors are measured. Those in favour? Thank you. Those against? That is **carried**.

1685 Thank you very much indeed. Proposition 2 in this Report reads as follows: that Chief Pleas approves the amendment to the Motor Vehicles (Sark) Regulations 2014 to update the driving licence and import application forms in Motor Vehicles (Sark) Regulations 2014 including updated tractor licensing codes. Those in favour? Thank you. Those against? And that is also **carried**.

Thank you very much indeed.

16. Report with Propositions from the Douzaine entitled 'Amendment to the Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) Regulations, 2014 – Propositions carried

To consider a Report with Propositions from the Douzaine entitled 'Amendments to the Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) Regulations, 2014'.

Proposition 1:

That Chief Pleas approves the addition of La Coupée to the list of public roads where it is an offence to drive at a speed exceeding five miles an hour.

Proposition 2:

That Chief Pleas approves an amendment to the Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) Regulations, 2014 to restrict the speed of all motor vehicles as defined under the Motor Vehicles (Sark) Law, 2013, rather than just tractors, on the specified public roads.

1690 **The Speaker:** The Douzaine are busy at this point so we are moving on to Agenda Item 16, which is to consider a Report with Propositions from the Douzaine entitled 'Amendments to the Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) Regulations, 2014'. Who has the pleasure of introducing this? Conseiller Locke.

Thank you.

1695

Conseiller Locke: I am afraid it is me again. Thank you, sir.

At the moment, there are three roads where under the Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) Regulations, 2014 it is an offence to drive a tractor at any speed exceeding five miles an hour. That is between the Visitor Centre and the Mill, between the Visitor Centre and Clos a Jaon junction, and the Visitor Centre and the power station via the Avenue.

1700

Now, without reading this Report in full, although I will happily do so if you have the stamina, when we were looking at repairs and the work needed and the inspections at La Coupée it became obvious that tractor speeds within the speed limit over La Coupée were causing the roadway to move and causing fractures and further erosion through rain damage. We sought advice on this and the advice from the experts was, 'Please could you introduce a speed limit on La Coupée to hopefully walking pace but certainly no more than five miles an hour?'

1705

After discussions both with tractor drivers and within the Douzaine, we have decided to ask you please to bring in that five-mile-an-hour speed limit on La Coupée to further protect the roadway and hopefully keep it standing for a bit longer.

1710

Thank you, sir.

The Speaker: Thank you, Conseiller Locke, for that explanation. Does anybody have any questions or comments based on what you have heard or what you have read in the Report?

Conseiller Guille, thank you.

1715

Conseiller Guille: Thank you.

1720 Yes, I would just like to support this, having been involved with Conseiller Locke in talking with the engineers from Geomarine. This really was their biggest point in terms of what we can do to mitigate damage from the tractors. In engineering, the relationship between the force a tractor puts on the road and its speed is squared. So if you are twice the speed, it is four times the force. They said really almost more important than the weight is just to keep the speed down and you will really do yourself a service in that. So I think it is a very sensible Proposition.

The Speaker: Thank you, Conseiller Guille. Thank you.
1725 Does anyone else have any points or observations or comments they would like to make?
Conseiller Locke, thank you.

Conseiller Locke: Apologies, I missed off Proposition 2, trying to simplify things here. At the moment those speed restrictions are only defined against tractors. What we would like to do is to
1730 make that applicable to all motor vehicles as defined under the law. So it is construction vehicles or anything else that is defined under the law as a motor vehicle.
Thank you, sir.

The Speaker: Thank you, Conseiller Locke. Thank you.
1735 Once again, any particular observations or comments based on that element?
Conseiller Makepeace, thank you.

Conseiller Makepeace: Are electric bicycles defined under motor vehicles or not?
Thank you.

1740 **The Speaker:** Thank you.
Conseiller Locke.

Conseiller Locke: No.

1745 **The Speaker:** They are not, okay. Quick answer, thank you.
Conseiller Guille, thank you.

Conseiller Guille: Just for clarity, it is already impermissible to cycle across La Coupée.
1750 *(Laughter)*

The Speaker: It is, of course, yes.

Conseiller Guille: Apparently. *(Laughter)*

1755 **The Speaker:** Allegedly. *(Laughter)*
Anyway, there we are. We have two Propositions attached to this Report. Do we have any further questions or observations that anyone would like to make before we go to the Propositions?

1760 Okay, let's therefore go to Proposition 1, which reads: that Chief Pleas approves the addition of La Coupée to the list of public roads where it is an offence to drive at a speed exceeding five miles an hour. Those in favour? Thank you. Those against? That is **carried**. Thank you.

1765 Secondly, Proposition 2, which reads: that Chief Pleas approves an amendment to the Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) Regulations, 2014 to restrict the speed of all motor vehicles as defined under the Motor Vehicles (Sark) Law, 2013 rather than just tractors on the specified public roads. Those in favour? Thank you. Those against? That is also **carried**.

Thank you very much indeed. That was Agenda Item 16.

**17. Open Burning of Rubbish –
Douzaine Report considered**

To consider an Information Report from the Douzaine entitled 'Open Burning of Rubbish'.

1770 **The Speaker:** Let's move to Agenda Item 17, which is to consider an Information Report from the Douzaine entitled 'Open Burning of Rubbish'. I understand that Conseiller Rang has been delegated for this. Conseiller Rang, thank you. Would you like to introduce the Report?

Conseiller Rang: Thank you, sir.

1775 The Douzaine would like to update Chief Pleas about open burning of rubbish. You have all had a chance to read the detail in the Report, so I will just summarise.

1780 Previously, the Douzaine said that open burning would have to be moved temporarily to Les Laches, firstly for safety reasons and secondly until a better incinerator process was in place. The plan was to move it back to the harbour quarry in 2026. However, the budget for the safety works and the new incinerator have been pushed back to 2027. We have reviewed the open burning at Les Laches with our Public Works team and for a number of reasons as in the Report it is both practical and safe to continue open burning at Les Laches for 2026. After further study we hope to be able to make the quarry safe for burning and install a better incinerator similar to the one in use on Alderney for 2027.

Thank you.

1785

The Speaker: Thank you, Conseiller Rang. That is your first presentation of a Report. Congratulations. Thank you.

It is an Information Report for Members. Does anyone have any comments or observations you would like to make of the Douzaine?

1790

Thank you, Conseiller Locke.

Conseiller Locke: Thank you, sir.

Just for the record, Conseiller Rang was not delegated; Conseiller Rang very kindly volunteered to help the Douzaine.

1795

The Speaker: I stand corrected. Well volunteered, Conseiller Rang. Well done. Excellent. Right. Any other points, observations? There are no Propositions attached to this. It is an Information Report.

Yes, Conseiller Plummer, thank you.

1800

Conseiller Plummer: May I just ask a question to the Douzaine, please? Have there been as many complaints about the smoke on Les Laches as there was down at the harbour, please?

Thank you.

1805

The Speaker: Conseiller Locke, thank you.

Conseiller Locke: If I may, thank you, Conseiller Plummer.

1810 No. There have been one or two complaints up at Les Laches and our Public Works team have learnt from this and are very careful only to do the burning when the weather conditions and the wind direction permit, although, of course, as we all know, it can move quite quickly.

Given, too, the representations we had from harbour users, from business people down at the harbour and from people concerned with visitors coming up and down there, we think that this year burning at Les Laches is the least worst option of the two sites, quite apart from the safety work.

1815

The Speaker: Thank you, Conseiller Locke. Thank you, Conseiller Plummer, for the question. Any additional questions or observations based on the Report from the Douzaine? No. In which case, thank you for that.

**18. Report with Proposition from the Douzaine entitled Change to Mandate' –
Proposition carried**

To consider a Report with Proposition from the Douzaine entitled 'Change to Mandate'.

Proposition 1:

That Chief Pleas approves the amended Mandate, as attached.

1820 **The Speaker:** We will therefore move on to Agenda Item 18, which is to consider a Report with Proposition from the Douzaine entitled 'Change to Mandate'. Whose responsibility is that going to be, Conseiller Locke?

Conseiller Locke: Thank you, sir.

1825 I am very grateful to Conseiller Cragoe for taking this one on as well.

The Speaker: Thank you very much indeed.
Conseiller Cragoe, would you like to introduce the Report?

1830 **Conseiller Cragoe:** Thank you very much.

Yes, this is mostly really a bit of housekeeping, actually. The responsibility of the budget and responsibility for maintaining signs and signposts was passed to the Tourism Committee, I believe, in 2024, which is wonderful and we are very grateful to them, but it is still in the Douzaine's Mandate. So we would like to take that out of the Mandate.

1835 We also need to update our Mandate to include some legislation which is not included for some reason, and that includes the Transfrontier Shipment of Waste (Sark) Ordinance, 2019, Motor Vehicles (Sark) Law, 2013 (Amendment) Ordinance, 2020, Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment) Regulations, 2021, and the Electric Bicycles (Sark) Ordinance, 2019.

1840 Also there is just a typo that at some point when things were changed for the Rotterdam Convention, prior informed consent, although it does belong in Douzaine also the actual P&F is the lead and not P&P. Again, in the printed papers the Mandate is not attached but it is in the electronic papers. It is just a quite straightforward change.

Thank you very much.

1845 **The Speaker:** Thank you, Conseiller Cragoe.

Does anyone have any questions of the Douzaine regarding what you have just heard, what you have read regarding the change of Mandate for the Douzaine, any observations, comments? No. In which case let us go to Proposition 1, or the only Proposition attached, which reads as follows: that Chief Pleas approves the amended Mandate as attached, albeit electronically. Those in favour? Thank you. Those against? And that is **carried**.

1850 Thank you for that.

19. Report with Propositions from the Policy & Finance Committee entitled ‘Appointment of the Tax Assessor and the Deputy Tax Assessor’ – Propositions carried

To consider a Report with Propositions from the Policy & Finance Committee entitled ‘Appointment of the Tax Assessor and the Deputy Tax Assessor’.

Proposition 1:

That Chief Pleas approves the appointment of Angela Lewis to the position of Tax Assessor for the Island of Sark.

Proposition 2:

That Chief Pleas approves the appointment of Gemma Knight to the position of Deputy Tax Assessor for the Island of Sark.

1855 **The Speaker:** We come next to Agenda Item 19, which is to consider a Report with Propositions from the Policy and Finance Committee entitled ‘Appointment of Tax Assessor and Deputy Tax Assessor’. I would like to introduce Conseiller Baker to introduce this.

Thank you.

Conseiller Baker MBE: Thank you very much.

1860 I would like to start by expressing my sincere thanks to Mr Simon de Carteret. I know we have that in the Report, but I would like to add to it. He served 13 years as Tax Assessor. I know from experience how the Tax Office can be an extremely hard and lonely place, and Mr de Carteret has served this Island well.

1865 I would also like to thank Mrs Angela Lewis for her considerable help in these last few years before the retirement of Mr de Carteret.

The Office of Tax Assessor was established under the Direct Taxes (Sark) Law 2002. He or she is appointed by Chief Pleas under the nomination of the Committee. The assessor is a holder of public office and is under a duty to discharge those functions of that office with complete fairness, impartiality and independence.

1870 May I go to the Propositions now, sir? If you would like to – Proposition 1?

The Speaker: Yes, just first of all, Conseiller Baker, does anyone have any observations before we move to Proposition 1 and then followed by Proposition 2? Any comments or questions of the Policy and Finance Committee regarding this Report? No. Okay. In which case we will go to Proposition 1, which I will read if you are happy, Conseiller Baker.

Conseiller Baker MBE: Yes, please.

The Speaker: Thank you.

1880 So Proposition 1 reads: that Chief Pleas approves the appointment of Angela Lewis to the position of Tax Assessor for the Island of Sark. Those in favour? Thank you. Those against? And that is **carried**. Thank you very much.

1885 And Proposition 2, which reads: that Chief Pleas approves the appointment of Gemma Knight to the position of Deputy Tax Assessor for the Island of Sark. Those in favour? Thank you. Those against? And that is also **carried**. Thank you very much indeed.

**20. Annual Report –
Tourism (Incl. Public Health) Committee Report considered**

To consider an Information Report from the Tourism (Incl. Public Health) Committee entitled 'Annual Report'.

The Speaker: Next we have Agenda Item 20, which is to consider an Information Report from the Tourism (Incl. Public Health) Committee entitled 'Annual Report'. Conseiller Tighe, is this your baby? No. Conseiller Rose, thank you.

1890 **Conseiller Rose:** Thank you, Mr Speaker.

So yes, we present this Annual Report to the House. We inherited the budget from the previous Tourism Committee so we were a little restricted on what we were able to achieve this year. However, it has been an amazing Committee to serve on. Conseiller Tighe is an amazing Chair and works tirelessly. The whole Committee has been incredible, and I do not know if there were burnt bridges but it feels like rejuvenated relationships with other people who work in the sector.

1895 For example, Visit Guernsey, who work really well with us and are supporting us in many ways, going through the budget that we had inherited and highlighting all of the places where they were already advertising Sark and so we were doubling up. It made huge savings for us, which was amazing.

1900 The Tourism Office, we want to say a huge thank you to the ladies who work so well. We also have George Timpson, who has joined the group and is doing our social media. That has completely lifted our social media presence, which is free so that is an amazing achievement.

We had a wonderful Liberation Day. We were even on the Christmas card of the Princess afterwards. Then also our first stamp collection came out this year. We are just really excited about the future. Sark Shipping as well, we have built much more positive relationships with Sark Shipping than I think had happened previously with tourism.

1905 Yes, we are just looking forward to the future. We actually have been set our own budget this year. It is a difficult climate. Numbers are down across the board, but someone mentioned in England that they thought that something had changed in Sark because they were hearing about us all the time.

1910 So yes, thank you.

The Speaker: Thank you, Conseiller Rose, a very positive Report there.

1915 Does anyone have any comments or observations? It is an Information Report. Does anyone have any comments or observations they would like to make?

Conseiller Makepeace, thank you.

Conseiller Makepeace: Yes. I would just like to ask, if it is possible, what impact did the loss of the Corsaire for most of last year or most of last season have on tourist numbers?

1920 **The Speaker:** Thank you, Conseiller Makepeace.
That question is for Conseiller Tighe, thank you.

Conseiller Tighe: Thank you very much.

1925 Just within the Report itself, detailed passenger numbers will be provided by Sark Shipping when they provide a full report to Harbours, Shipping and Pilotage Committee. We are yet to receive the final numbers.

The Speaker: Thank you, Conseiller Tighe.

1930 Does anyone else have any comments or observations? Conseiller Rose, thank you.

Conseiller Rose: I was just going to say the drop in tourist numbers is in keeping with that of Guernsey and across the sector, so it is not noticeable across the sector in terms of tourism but obviously we have yet to get the final numbers from Sark Shipping.

1935

The Speaker: Thank you, Conseiller Rose.
Conseiller Tighe, thank you.

1940

Conseiller Tighe: I would just like to add that there has been a slight increase from Jersey-originating passengers through Manche Iles, which I believe is now Manche Iles' most profitable route, Jersey to Sark. So that is a great thing to celebrate and President Morin of the Department of La Manche has been incredibly supportive. We have a good number of crossings scheduled for this coming year as well.

1945

The Speaker: Thank you, Conseiller Tighe. Thank you, Conseiller Rose.
Any further comments or observations? Conseiller Baker, thank you.

1950

Conseiller Baker MBE: Yes, sir.
I find this an excellent Report, very well written, and it is encouraging to see how the new Committee have acted.
Thank you.

1955

The Speaker: Thank you, Conseiller Baker. Thank you.
Any further observations or comments based on the Report or what you have heard? No. There is nothing to vote on, but thank you once again for the Report from the Tourism Committee.

21. Annual Report – Development Control Committee Report considered

To consider an Information Report from the Development Control Committee entitled 'Annual Report'.

1960

The Speaker: Next up we have Agenda Item 21, which is to consider an Information Report from the Development Control Committee entitled 'Annual Report'. Sadly, Conseiller Nicolle cannot be with us this evening, so who will be presenting this? Conseiller Bateson, thank you.

1965

Conseiller Bateson: Thank you, Mr Speaker.
Well, it is an Information Report. I am sure we have all read it. It is very short and very factual. The Development Control Committee does not do anything other than development control. If you have a look at the Committee Mandates, we probably have the shortest Mandate of them all. I cannot add anything else to this.
Thank you.

1970

The Speaker: Thank you very much indeed, Conseiller Bateson.
There we have the Annual Report from the DCC. Does anyone else have any questions or comments or observations they would like to make or ask of the Development Control Committee? No. It is, as I say, just an Information Report, nothing to vote on, no Propositions. So, thank you to DCC for preparing the Report and presenting it to us.

22. Committee Elections – Scrutiny Management Committee: Conseillers C Bateson, D Curtis and P Dewe elected

To elect Conseillers to Committees, as required.

1975 **The Speaker:** Next up we have Agenda Item 22, which is Committee elections to elect
Conseillers to Committees, as required.

Conseiller Cragoe, could you turn your microphone off, please?

Conseiller Cragoe: I apologise, sir.

1980 **The Speaker:** We are picking it up with background noise. Thank you.

1985 Yes, so Agenda Item 22 is Committee elections, which is to elect Conseillers to Committees, as
required. Now, according to my schedule, which is always slightly controversial, I do not note any
vacancies other than to populate the new Scrutiny Management Committee, as discussed under
Agenda Item 10 earlier on. Therefore, this is first and foremost the job, I think, for us to do now
and I would just if in doubt state the obvious, that those people who are eligible to join this
Committee – the exclusions were discussed earlier on, but we have eligibility from the following
Conseillers: Conseiller Curtis, Conseiller Dewe, Conseiller Bateson, Conseiller Rang,
Conseiller Moloney, Conseiller Keyte and Conseiller Makepeace are all eligible to join this
Committee. We are looking for three Members to get the Committee going and then obviously to
report back in due course with non-Chief Pleas members.

1990 So there we have it. Do we have any nominations from the floor for people who would like to
be considered to join the first ever Scrutiny Management Committee? Any nominations from the
floor based on the eligibility of those people that I have just specified? Conseiller Locke, thank
you.

1995 **Conseiller Locke:** Thank you, sir.
I would like to nominate Conseiller Makepeace.

2000 **The Speaker:** Conseiller Makepeace, thank you.
Conseiller Makepeace, you have been nominated to join the Committee.

Conseiller Makepeace: I do not wish to stand for that, sorry.

2005 **The Speaker:** You do not want to join the Committee?

Conseiller Makepeace: No.

The Speaker: No, in any shape or form?

2010 **Conseiller Makepeace:** No. *[Technical interference]*

The Speaker: You do not want to have a voice on it? No. Okay. I hear that.
Conseiller Bateson, thank you.

2015 **Conseiller Bateson:** I would like to nominate myself. Thank you.

The Speaker: Okay. We have a nomination for Conseiller Bateson. Thank you very much
indeed.

2020 Let's do them one by one. No, let's do all three. Okay, so we have Conseiller Bateson, one
nomination. Any further nominations from the floor? Thank you, Conseiller Curtis.

Conseiller Curtis: I would like to nominate myself.

2025 **The Speaker:** Thank you, Conseiller Curtis. So we have Conseiller Bateson and we have
Conseiller Curtis. Any other nominations from the floor? Conseiller Tighe, thank you.

Conseiller Tighe: I would like to ask Conseiller Dewe to consider standing for this Committee.

2030 **The Speaker:** Okay. Conseiller Dewe, the ball is in your court. Would you like to be nominated
to join the new Scrutiny Management Committee?

Conseiller Dewe: Yes, I will, yes.

2035 **The Speaker:** Well done, well volunteered. So we have three volunteers, therefore, to join the
Scrutiny Management Committee. They are Conseiller Bateson, Conseiller Curtis and
Conseiller Dewe. Do we have any other nominations from the floor? No.

2040 So I am going to take that as a bulk vote based on the fact that we have three nominations. I
would like a show of hands. Those in favour of Conseillers Bateson, Curtis and Dewe populating
the Scrutiny Management Committee, please raise your hands? Thank you. Those against? That
is **carried**. So therefore Conseiller Bateson, Conseiller Curtis and Conseiller Dewe, welcome to
Sark's first ever Scrutiny Management Committee.

There we have it. That, as far as I am aware, are the only vacancies that we have currently.

**23. Committee and Panel Elections –
Policy and Finance Committee: Mr Simon Elmont elected to the Committee as a Non-Chief
Pleas Member**

To elect Non-Chief Pleas Members and Panel Members to Committees and Panels, as required.

2045 **The Speaker:** Let us move to Agenda Item 23. Agenda Item 23 is Committee and Panel Elections
to elect non-Chief Pleas members and panel members to Committees and Panels, as required.
I believe we have a Statement from Policy and Finance to start the ball rolling. Thank you.
Conseiller Tighe, thank you.

2050 **Conseiller Tighe:** Thank you, Mr Speaker.

It is actually a nomination. The Policy and Finance Committee proposes the nomination of
Simon Elmont as a non-Chief Pleas member for a limited term. His role will be to assist in assessing
the cost of establishing an approved entry port on Sark in order to enable a direct ferry connection
with France, which has been suggested as a potential economic driver for the Island.

2055 Approved port status for Sark has been regularly referenced by Islanders as a possible means
of stimulating economic growth. To progress or not progress this initiative, Policy and Finance
seeks to determine the financial implications and infrastructure requirements at the harbour.
Resident Simon Elmont has volunteered to undertake this assessment and is willing to contribute
his expertise for the benefit of Sark. His membership would be limited until the matter is
concluded.

2060 Policy and Finance also asked Simon Elmont to write a nominee biography and he wrote:

As a Global Technical Operations Manager for a large international non-government organisation working in mainly
non-permissive environments, a part of my role is to come up with innovative operational and financial planning to
enable projects to be implemented. This often includes negotiation with government entities, security mechanisms,
the UN and NGOs so as to create a safe and secure working environment. Within my sector, I have a reputation as
an effective project and programme manager, drawing on many years of experience from different industries,
utilising out of the box thinking whilst co-ordinating with often difficult actors.

2065 The Policy and Finance Committee recommends that Simon Elmont be appointed as a non-Chief Pleas member for the duration of the project.

Thank you.

The Speaker: Thank you, Conseiller Tighe.

2070 So we have a nomination from Policy and Finance for Mr Simon Elmont to join as a non-Chief Pleas member to Policy and Finance. Do we have any other nominations from the floor from anyone, any other nominations who would like to join Policy and Finance as a non-Chief Pleas member? No. In which case let's do the right thing. Let's go to the vote. Those in favour of Mr Simon Elmont joining the Policy and Finance Committee as a non-Chief Pleas member, please raise your hand? Thank you. Those against? Thank you, Conseiller Makepeace. Thank you. So that is **carried**.

2075

Mr Simon Elmont has therefore been elected to join the Policy and Finance Committee as a non-Chief Pleas member, in which case I think that completes that particular section.

**24. Laid Before–
The Motor Vehicles (Amendment) (Sark) Regulations, 2025
Commissioner for Standards – Statement for Sark–
Items approved**

Under the provisions of Rule 13 of the Rules of Procedure of the Chief Pleas of Sark, the Speaker of Chief Pleas has received the following items to be added to the agenda.

2080 **The Speaker:** Coming finally, thank you, we have Laid Before. Just to bring to your attention, under the provisions of Rule 13 of the Rules of Procedure the Speaker received the following two items to be added to the Agenda. Number one was the Motor Vehicles (Amendment) (Sark) Regulations, 2025, as previously discussed, and number two, the Commissioner for Standards – Statement for Sark.

2085 I have received no motion to annul either of these Items, so these two Items are laid before and therefore approved.

**Easter Meeting deadline –
Statement by the Speaker**

2090 **The Speaker:** That, ladies and gentlemen, brings us to the conclusion of tonight's Agenda. I would just remind you that the Easter Meeting of Chief Pleas is to be on Wednesday, 15th April 2026. Committees, please ensure that you submit your reports and supporting papers in good time and no later than 12 noon on Tuesday, 17th March. Please note that this time is necessary for proper administration.

Thank you for that. At 25 minutes to eight, thank you for your time and your concentration and I would like to ask the Greffier to close the Meeting.

2095 Thank you.

PRAYER
The Greffier

Chief Pleas closed at 7.37 p.m.