



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Thursday, 14th December 2017

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Present:

Sir Richard J. Collas, Kt, Bailiff and Presiding Officer

Law Officers

Miss M. M. E. Pullum, Q.C. (H.M. Procureur),

People's Deputies

St Peter Port South

Deputies P. T. R. Ferbrache, J. Kuttelwascher, D. A. Tindall,
B. L. Brehaut, R. H. Tooley

St Peter Port North

Deputies J. A. B. Gollop, C. N. K. Parkinson, L. C. Queripel, M. K. Le Clerc,
M. P. Leadbeater, J. I. Mooney

St Sampson

Deputies L. S. Trott, P. R. Le Pelley, J. S. Merrett, G. A. St Pier,
T. J. Stephens, C. P. Meerveld

The Vale

Deputies N. R. Inder, M. M. Lowe, L. B. Queripel,
J. C. S. F. Smithies, S. T. Hansmann Rouxel

The Castel

Deputies R. Graham L.V.O, M. B. E, C. J. Green, B. J. E. Paint,
M. H. Dorey

The West

Deputies A. H. Brouard, A. C. Dudley-Owen, E. A. Yerby,
D. de G. De Lisle, S. L. Langlois

The South-East

Deputies H. J. R. Soulsby, H. L. de Sausmarez, P. J. Roffey,
R. G. Prow, V. S. Oliver

Representatives of the Island of Alderney

Alderney Representatives L. E. Jean and S. D. G. McKinley, O. B. E.

The Clerk to the States of Deliberation

J. Torode, Esq. (H.M. Greffier)

Absent at the Evocation

R. M. Titterington, Q.C. (H.M. Comptroller)
Deputy M. J. Fallaize (*indisposé*); Deputy J. P. Le Tocq (*relevé à 9h 58*)

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States of Deliberation

The States met at 9.30 a.m.

[THE BAILIFF *in the Chair*]

PRAYERS

The Greffier

EVOCAATION

Billet d'État XXIV

STATES' TRADING SUPERVISORY BOARD AND COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

XIII. Waste Strategy Implementation: Household Charging Mechanisms – Debate Commenced

Article XIII.

The States are asked to decide:

Whether, after consideration of the joint Policy Letter of the Committee for the Environment & Infrastructure and the States' Trading Supervisory Board entitled 'Waste Strategy Implementation - Household Charging Mechanisms', dated 10th November 2017, they are of the opinion:

1. To rescind Resolution 2a) of 10th December 2014 on Article X of Billet d'État XXVI of 2014, to the extent that it directs the preparation of legislation necessary to give effect to proposals:

a) that relate to the period from which the Parish Waste Rate will apply and within which it is payable and the calculation of any penalty of late payment as set out in paragraphs 3.17, 3.20 and 3.21; and

b) for the calculation and levying of the Waste Disposal Authority waste charges, as set out in paragraphs 3.32 to 3.61, of the report dated 22nd September, 2014 of the former Public Services Department.

2. To approve that in relation to the Parish Waste Rate:

a) the rate may be levied on and from the first day of the year to which it relates or the date of the granting of the Royal Court Order authorising the levying of the rate, whichever is later and that once the Order is granted the rate may be levied in respect of any period of the year;

b) a fixed penalty charge of £25 per month or interest at 10% per annum (whichever is higher) can be levied in the event of late payment;

c) payment must be made within 30 days of an invoice and unpaid debts, including interest, will be recoverable by the Parish Douzaine as a civil debt; and

d) such transitional arrangements shall be made as are appropriate in relation to the transition from the current refuse rate.

3. To agree that the Waste Disposal Authority charge for households will comprise:

a) a charge per residual waste bag to be levied on the sale of official States of Guernsey tags or bags and with a zero rated charge initially for bags or other receptacles used for recyclables; and
b) an annual fixed charge per household and per business, the premises of which is admitted into the parish waste collection and transfer service, and to agree that such annual fixed charge is to be:

i) calculated for the year in question to recover the projected total costs to the Waste Disposal Authority and the States of providing waste management services, minus projected income derived from the 'per bag' charge on residual waste, as set out in paragraph 6.14 of the Policy Letter; and

ii) divided equally between all persons liable to pay the charge.

4. To approve that in relation to Waste Disposal Authority charges for households:

a) the Waste Disposal Authority will have the option of collecting the fixed charge annually, twice yearly or quarterly as it prefers;

b) a fixed penalty charge of £25 per month or interest at 10% per annum (whichever is higher) can be levied in the event of late payment; and

c) payment must be made within 30 days of an invoice and unpaid debts, including interest, will be recoverable by the Waste Disposal Authority as a civil debt.

5. To agree that the owner(s) of:

a) a dwelling or a lodging house; and

b) any business, the premises of which is admitted into the parish waste collection and transfer service, will be the person liable to pay the fixed element of the Waste Disposal Authority charges and the Parish Waste Rate for households, but with a right for the owner of a dwelling house, lodging house or business to recover the WDA waste charge or Parish Waste Rate levied from the current occupier as a civil debt as set out in paragraphs 6.5 and 6.15 of the Policy Letter.

6. To direct the preparation of such legislation as is necessary to give effect to their above decisions.

The Greffier: Billet d'État XXIV, Article XIII, States' Trading Supervisory Board and Committee for the Environment & Infrastructure: Waste Strategy Implementation – Household Charging Mechanisms.

5 **The Bailiff:** This is a joint report, but I believe it is the President of the States' Trading Supervisory Board who will open the debate.
Deputy Parkinson.

Deputy Parkinson: Thank you, sir.

10 In February this year the Assembly considered a joint policy letter from the States' Trading Supervisory Board and the Committee for the Environment & Infrastructure, to enable us to progress the implementation of the Waste Strategy, previously approved by the States.

15 That Strategy is, in effect, an holistic approach to managing our waste which, in its capacity as the Island's Waste Disposal Authority, the States' Trading Supervisory Board has been tasked with delivering.

That includes new facilities, which are now being built at Longue Hougue; and new services, such as kerbside recycling, which is already in place and working well; and separate collection and treatment of food waste, which is operating successfully elsewhere, and which we plan to introduce in 2018.

20 As well as these new facilities and services another fundamental element of the Strategy revolves around changing the way that households pay for waste so as to encourage and reduce waste production. The waste hierarchy of reduction, re-use and recycling underpins the entire Strategy.

25 The February policy letter set out new charging arrangements that were agreed by the States in 2014; they comprise an annual flat charge per household from their parish, and a combination

of a flat rate charge and a pay-as-you-throw bag charge from the Waste Disposal Authority. The parish charge will cover the cost of all the waste and recycling collections, which every household received, while the Waste Disposal Authority charges will recover all the subsequent processing and treatment costs.

30 It is not the intention of this policy letter to discuss what the levels of these different elements should be. Before the new charging mechanism is introduced an ordinance will be presented to the Assembly in 2018, setting out the proposed initial levels for the WDA fixed charge and bag charge.

35 Suffice to say that when this Assembly considered the Waste Strategy Implementation in February of this year a total cost equivalent to around £7 per household per week was estimated, and that is still the total cost that we anticipate once all the facilities and services are in place. That is inclusive of all the collection costs, and all the subsequent treatment and processing for both recycling and disposal. That includes the capital costs associated with the new facilities and services, as well as the operational costs for the various contracts. Nevertheless, to enable an
40 informed debate, we provide some indication in the policy letter of the likely levels that a bag charge and fixed charge would have to be set at in order to recover the full cost of all the processing and treatment. This is illustrated in the chart in paragraph 4.8.

The purpose of this policy letter is not to set those charges but to seek this Assembly's approval of what has broadly been agreed previously. That is necessary because in the course of
45 the Strategy implementation there have been some changes in matters of detail to the proposals that were presented to the States in 2014.

One of these changes is the quantum of costs, which in 2014 was estimated to be between £4 and £6 per week per household. That estimate was made prior to any tendering of the new facilities and services, which has now been carried out, and on which this Assembly was updated
50 in February.

Secondly, when the charging arrangements were originally considered by the States there was a clear indication that the pay-as-you-throw element would be levied through sale of official bags. As Members will be aware, we now want to have the option of levying that charge through the use of pre-paid stickers, which will be securely affixed to refuse bags. That may appear to be a
55 minor detail in itself, but it is a departure from what was considered by the previous Assembly in making their decision, and we have therefore been advised to seek this clarification.

Thirdly, when the States first debated the charges in 2014, the then Public Services Department indicated its intention that a similar per-bag charge would apply to bags for recycling. While the Department proposed the inclusion of an annual Waste Disposal Authority fixed charge in the
60 new charging mechanism it indicated that it wished that to be set at zero initially. Nevertheless, it was persuaded to include such a mechanism, whether or not it favoured using it, and the States was similarly persuaded.

As was set out in our joint policy letter in February this year, the States' Trading Supervisory Board and the Committee for the Environment & Infrastructure are not now proposing to apply
65 the pay-as-you-throw element to recycling. Nor did we propose that all other Waste Disposal Authority costs should be recovered solely through bag charges for refuse. Instead my board and the Committee, at least by a majority, favour a combination of a per-bag charge plus a fixed annual charge, in much the same way as households pay a standing charge for most other utility services. Waste services, in our view, should not be any different.

70 The majority of costs associated with the strategy, such as the capital investment in infrastructure and some of the operating costs of those facilities are fixed, in the sense that they will not vary depending on how much waste and recycling we put through them. It is proposed that fixed charges will recover some, but not all, of these costs, as well as contributing towards key services such as recycling contracts. The remainder would be covered by the bag charges for
75 refuse.

These departures from what the Public Services Department presented to the States in 2014 do not, in themselves, require the previously agreed charging mechanisms to change. The parish

charge is required so the Douzaines can recover the costs they incur in the provision of collections of waste and recycling materials. As for the costs incurred by the States for the subsequent processing and treatment elements, it is entirely sensible to provide a range of options at the outset for what is a 20-year strategy. The charging mechanisms must provide the flexibility to adjust elements according to what works well, and to ensure we provide the right incentives and rewards for the types of behaviour the Waste Strategy aims to encourage. It is also important in terms of avoiding unintended consequences. We do not want to have to rely on too narrow a range of options for setting charges, in case the charges encourage perverse behaviour. We would want, for instance, to avoid a scenario where an achievement in reducing the amount of waste that households produce meant that the cost of the pay-as-you-throw element for refuse would become so high as to encourage fly tipping and other anti-social behaviour. Such a scenario is far less likely, provided some discretion and flexibility can be exercised in setting charges.

The legislation that has already been agreed allows for this, and for any of the individual elements to be set at zero. For that reason, we do not propose removing altogether the ability to introduce a pay-as-you-throw charge for recycling, even though it is our stated intention not to use this provision.

Under the proposed arrangement, the Waste Disposal Authority will set charges each year by regulation, which will be put before the States for approval. As I have said, the purpose of this policy letter is not to decide on where the balance between the fixed charge and per-bag charge should be, or whether the fixed element should initially be set at zero, as the Public Services Department previously suggested. However, I am conscious that some amendments have been laid which will seek to do just that, and I will address those when we come to debate them.

Finally, in terms of the proposals before you, there are some relatively minor details in terms of the charging provisions for parishes. These relate to penalties for late payment, which if implemented on the basis outlined in the 2014 policy letter, would be inconsistent with existing provisions for other elements of the annual parish bill. This policy letter looks to correct that so that all parish charges are payable on the same basis, and any penalties for late payment are consistent.

The Propositions before you have been structured in such a way as to enable the Assembly to rescind the relevant provisions agreed in 2014, insofar as they relate to the changes that I have explained, and to approve the detailed provisions for the new charges. These do not differ substantively from the system that has previously been agreed, and for which primary legislation has already been approved. That legislation is awaiting commencement.

However, the opportunity for this Assembly to reaffirm these new charging mechanisms will address the matters of detail that I have outlined and enable us to continue with the final implementation of the Strategy.

I am hopeful that we will not need to spend too much going back again over the history of the strategy, and can confine ourselves to the matters dealt with in the policy letter.

Thank you, sir.

The Bailiff: Right. There are two amendments that I am aware of. I propose we take first the one proposed by Deputy Roffey and seconded by Deputy Soulsby.

Deputy Roffey.

Amendment:

To delete Proposition 3 b) and to replace Propositions 4 and 5 with the following Propositions:

'4. To direct the Committee for the Environment & Infrastructure and the States' Trading Supervisory Board to consult with the Policy & Resources Committee and return to the States as soon as possible with proposals for financing all or part of the capital elements of the waste strategy from the Capital Reserve and to repay all or part of any borrowing incurred so far in this respect.

5. To agree that the owner(s) of:

a) a dwelling or a lodging house; and

b) any business, the premises of which is admitted into the parish waste collection and transfer service, will be the person liable to pay the Parish Waste Rate for households, but with a right for the owner of a dwelling house, lodging house or business to recover the Parish Waste Rate levied from the current occupier as a civil debt as set out in paragraphs 6.5 and 6.15 of the Policy Letter.'

Deputy Roffey: Thank you, sir.

Deputy Parkinson says this is not the time to talk about charges; we should wait until the ordinance comes forward setting the rates. Well, when you are presented with a policy letter giving indicative charges, when the way you are going to levy those charges, to me, is so patently
125 and widely wrong, then it is perverse to expect us not to react to that. The costs of the strategy – the total cost – I do not think is an issue today; or whether it is the right strategy – that has been settled. We have to raise the cost to finance the strategy. The only question is how we do that, and how the balance of charges are arrived at.

I make no apology for saying that the indicative way forward outlined in this policy letter, to
130 me, is wholly wrong, and I will go on to explain that in a minute.

But, first of all, let me say that I have no real desire, no desire at all, indeed, to take any cash out of the Capital Reserve for this sort of purpose. I far prefer to leave it for schools, hospitals, and other infrastructure projects which generate no sort of income. Unfortunately, this dreadful set of proposals has left me with little choice but to consider any possible alternative.

Why are these proposals are so dreadful? Well, to my mind, there are only two fair ways to
135 charge for rubbish disposal: one is by the amount of waste that each household produces and the other is by charging according to people's ability to pay. Ideally, in my mind, it should be a mixture of both, but these proposals only have a very tenuous link to the former, i.e. the amount of waste you produce, and none at all to the latter. Indeed, the two household poll taxes which
140 are being proposed, one by the parish, one by the States, amounting in total to about £200 a year for every single home, however big and however small, are actually a huge step backwards in terms of fairness from what we do now.

Our current system, the current way we pay for our waste, I admit, is far from perfect, partly because it does not reward waste minimisation or recycling, and partly because charging by TRP is
145 a pretty crude way of assessing Islanders' ability to pay. For example, it does recognise the situation of the elderly on low incomes living in former family homes; I think I have mentioned them before. Whereas highly paid young professionals may well live in a posh but relatively lowly rated apartment.

But at least it makes some attempt – *some* attempt – to relate to ability to pay. The correlation
150 may be far from perfect, but by and large rich people tend to live in bigger properties than poor people. But this wretched household poll tax will mean that the person living in a huge mansion, in a household of six people, will be paying exactly the same amount as the single pensioner living in very modest accommodation indeed. (**A Member:** Hear, hear.)

Let's drill down a bit. Islanders are going to be charged in three different ways to get rid of
155 their waste. Now, that in itself is surely a complete nonsense. Who came up with that? Three different billing systems for the same service as far as the Islander is concerned.

But let's look at each element in turn. Firstly, there is a new household charge to be levied by the Douzaines. It will obviously be much lower, because now it will only cover collection costs, rather than gate charges as well. Personally, I would have preferred it to be still linked to TRP
160 rather than a flat charge per household, but sadly I just could not see how to do anything about that today, given the decision of the last Assembly and the legislation that has been drafted on the back of that decision.

Then we have the charge per bag. Now, I welcome that, to an extent, but my goodness it was completely miss-sold at the time, wasn't it? The States of the day said it would create a system of
165 user pays, and that would mean that Islanders would have control of the size of their own bills.

They could change their behaviour and as a result really change the amount that they had to pay. Well, stuff and nonsense. The control is going to be minimal, at best, and actually the smaller the household, or the better you already are today at minimising or recycling, the less that control will really be.

170 Take a single pensioner, or a very environmental family, putting out one bag a fortnight – and there are lots of them out there that do that – under the new regime, under the indicative charge – and I know it is only indicative – of £2.50 a bag, they will be paying about £60 a year in bag charges. Now if they seek to minimise that element of their bills by putting out even less waste, I suppose they could shave £10 off that bill – £10 off their annual bill. Peanuts compared to the
175 £200 that they are going to be hit with through the two household poll taxes.

Then we have the third element, the States' levied flat charge. Now, as Deputy Parkinson has said, when this was flagged up it was just going to be a possibility, kept in reserve, just in case the new bag charges were so successful in encouraging Islanders to produce less waste that the income from that source did not cover fixed costs. Instead, what happens is not only is it brought
180 in from day one, or at least that is the proposal, but it actually represents the biggest element of the basket of charges for most typical households. How did that happen?

Sir, I believe that we are being asked to bring in one of the least fair charging mechanisms that I have ever seen suggested in this Assembly, and I just cannot go along with it.

Now, some Members may say, so what, every household will start off paying a flat rate of £200
185 before they could have a single bag. But that is only £4 a week isn't it? Well, if you prefer to translate that into Luxon speak, it is only three litres of milk a week. Such opinion is really out of touch with the real world. (**A Member:** Hear, hear.) The States' old age pension is just over £200 a week, not much, but we have been loading more and more charges on those who survive on such a paltry income. TRP is going up and up. No maybe the majority can cope quite easily with that,
190 but an ordinary house, it is now £100 a year. That is one week's pension gone. Waste water services used to be paid for out of general revenue, now it is levied per household and £200 a year is far from atypical, so that is another week's pension. Today we are being asked to sanction £200 a year in flat charges per household for waste disposal, even for the smallest and poorest households. That is another week's pension gone. When is it going to stop?

I hope we do not hear today, 'Do not worry about people on low incomes because the benefits
195 system will take care of that.' I am fed up of hearing that argument, whatever policy you bring forward. (**A Member:** Hear, hear.) It is callous and it is just not true. I looked on that States' web sitey thing this morning – (*Laughter*) what the requirement rates were going to be under support, the new system of Income Support for year. For a single householder it is £170 a week. So for a
200 single householder who owns their own home – and many of them do, because they grew up in a time when home ownership was the norm in Guernsey – there is no option for them to get support from the benefits system. But this £200 poll tax on their household when they are living in very modest circumstances and putting out very little waste it is still going to hit them. It is time we got away from this, 'Do not worry about those struggling in Guernsey. Benefits will take care of
205 that and we can do what we want.' Not just in relation to rubbish, but all of our policies.

It is all very wrong and unfair, but I suppose the killer question is what can we do to avoid it, given the high cost of this strategy? I go back to my original point. There are only two fair ways to fund waste disposal: either from charging for volume, and I know we are going to get a chance to discuss that later on, and I welcome that ... I would like to see a bit more of the charge put on the
210 user charge side of the equation, but also I think there ought to be for the rest of it, some relation to people's ability to pay.

Really, there is only one funding source in Guernsey that really relates to people's ability to pay, and that is general revenue. Therefore, ideally I would like to have an amendment bringing part of the costs of our waste disposal onto general revenue, but I am sure Members will see the
215 problem with that.

Anyhow before I go on to the problems let's talk about general revenue. There has been a change in attitude over the last 30, 40 years about use of general revenue. Today's view – and I

220 know it is engendered partly because we have trouble balancing the books, but today's view – is actually general revenue should pay for as little as possible, we should find an alternative charging mechanism for anything that can conceivably have an income stream. That leaves aside the fact that those alternative mechanisms have no redistributive element. Income Tax, which is the bulk of general revenue, does have a redistributive element, and I support income redistribution, and if that sounds like it is Pinko Pete [inaudible] I have to say that 30 years ago when there was nothing but businessmen, crusty old businessmen, that served in this Assembly, most of them supported that, they could see the fairness of that. Now, today, we seem to think that there is something wrong with it.

225 So I would argue we would like to take some money out of general revenue, and that is where I think we should be heading in future. But I am sure Members see the short term problem with that. Already we are having to prune vital spending on public services to the bone, to balance the books. So if we take more money next year out of our current account to help pay for waste we are only going to exacerbate that problem. However, in the Capital Reserve we do have a pot of money, which has been built up from exactly that source, from general revenue, and which therefore does relate to Islanders' ability to pay. What is more, it happens to be very large at the moment. In fact, it is far larger than I would wish, as I would have preferred that we had cracked on with some big infrastructure projects over the last five years, but there we are, we have built very little indeed, as the construction industry will no doubt tell you, so the fund is actually much larger than we ever had any right to expect.

230 That said, I confess if we raid it to pay all or some of the capital costs of our new Waste Strategy then at some time down the road, because we are going to need a catch up programme in infrastructure spending, it will mean we cannot afford another desirable project. Probably one that could not be funded any other way. That day is likely to be many years away. I hope we would be able to put the cash back into the reserve before that time arrived, but nevertheless, it is a real fault with my amendment. Hands up, it is not something I would ideally like to do, but the simple fact is I can see no win win solution here. What I am promoting, I think, is a lesser of two evils. Because, to my mind, what is before us is simply unsupportable, it absolutely hammers the single person household, and what is the data – just a few weeks ago – coming out, who are the most likely to be in poverty in Guernsey? Single people and, in particular, single pensioners. That is the official data coming from the centre, here we are being asked to propose something that hammers that most vulnerable group.

235 It also actually hammers the average recycler. Well, it actually cuts – at the same time it will be cutting to below what they pay now – the bills for rubbish for the very biggest households, the real mansions in Guernsey. Can Members live with that? If they can, fine, on their conscience be it; I cannot.

240 Now, taking even £10 million out of the Capital Reserve to part fund the capital element only of the Strategy will soften that impact considerably. Then we could perhaps increase through another amendment what we fund through bag charges alone rewarding responsible behaviour.

245 But I will understand if depleting our Capital Reserve in any way is deemed unacceptable. What I am asking though is a report back on those options. There is nothing definitive in this amendment, and I hope that if it decided that we cannot do that, all or part of it, then at least we will look at changing the emphasis onto the polluter pays, rather than the way it is at the moment.

250 So, yes, sir, I accept there are flaws in my amendment. To be honest, I was sitting here in another debate discussing when we were going to meet this month and being told that the deadline for amendments was three o'clock on that afternoon. I knew that what was in the Billet was, for me, totally unconscionable, so I went home and found anyway that I could to try and address it. We are being told today, 'Do not discuss this, only discuss the contents of the Billet.' The Billet sets ... I have got enough experience in this Assembly, once you have nodded through indicative prices, if you start saying at the ordinance stage, 'No, this is totally out of order. I want to change it,' you get told what, 'You nodded it through, we gave you the indicative prices in our

270 policy letter, that policy letter was approved.' This is not on. It will be a shameful day if we accept
it as it is. Either support my amendment, or the amendments to come – hopefully a bit of both.

The Bailiff: Deputy Soulsby, do you formally second the amendment?

275 **Deputy Soulsby:** Yes, I do, sir.

The Bailiff: Before I call any speakers, Deputy le Tocq has entered the Chamber. Do you wish
to be relevé?

280 **Deputy Le Tocq:** Yes, please, sir.

The Bailiff: Right.

Deputy Parkinson, do you wish to speak at this stage or reserve your right to speak later?

Does anyone else wish to follow Deputy Roffey?

285 Deputy Paint.

Deputy Paint: Thank you, sir.

Sir, the Waste Strategy has been going on for many years, and I am sure a lot of people who
have been in the States for a while will be suffering from waste fatigue. (*Laughter*) This
290 amendment can be described as robbing Peter to pay Paul, to use a pun, or perhaps Oliver Twist,
always asking for more, not realising that to ask for more is taking something from somebody
else.

As I understand it, the money that will be needed to pay for this will come from Capital
Reserve. That, in turn, will diminish the amount of money needed for deserving Committees. We
have a Disability Strategy to go forward with. Will it then be another delay on this strategy and
295 many others? I am sorry, but I will not be supporting Deputy Roffey's amendment.

We do not have the money to do what we want to do, and that is the fact. There are many,
many things that have to be spent on, that we just will not be able to afford to do it. I am never of
the attitude that you live today and let somebody else pay tomorrow. That is the problem I have
got with it.

300 Will the taxpayer have to pay for it by rising taxes? Well, I do not think that would be fair
either. I am sorry, it is not. We have seen in this and previous Assemblies the waste of resources
and money on things that are not necessary to do. If we had not done these things, or had not
started doing these things, perhaps we would have the money to do what Deputy Roffey
proposes. We are living beyond our means and if this does not stop it will continue for a lot
305 longer to live beyond our means. We must stop spending on things that are not necessary.

Thank you, sir.

The Bailiff: Deputy Ferbrache.

310 **Deputy Ferbrache:** Sir, it is rare that I disagree with the wise words of Deputy Paint – very rare
indeed – when he speaks to this Assembly. I agree in part with some of the things that he has just
said, about the States over the years have wasted so much money, they have passed so many
strategies that they have not got a clue how they are going to finance because they beat their
breast and they feel wonderful. This States is just as bad as its predecessors in the 18 months or
315 so I have been in it.

But where I disagree with him – and I think with considerable respect to Deputy Paint, who I
respect as one of the most sensible people in the States of Guernsey, and common sense oozes
from every pore in his body – is that here as a fair person, he should realise that it is the poll tax
that Deputy Roffey has referred to.

320 Now, Deputy Parkinson yesterday puffed out his chest both figuratively and literally, it seemed to me, about the accounts for the Electricity Company and the Post Office for 31st March 2017 and said, 'Look how well they have done.' I appreciate it has very little to do with him, but they have still done very well over those periods of time. They did extremely well.

325 Now, if we were to say to the public of Guernsey that we are going to triple your electricity costs from £125 per whatever it is to £360 there would be, and rightly so, public disapprobation, people would be complaining in the streets, we would be criticised severely for allowing that to happen. Perhaps even to a lesser extent if you tripled the price of a stamp, or tripled the price of posting a parcel. Yet here we are tripling the cost, because we are told, 'You have had it too cheap in the past, you have had it too cheap.' Paragraph 4.5 or whatever it is. 'So we are going to put the cost up because we have got this grand scheme.'

330 There is a phrase that came into my mind. A phrase that I saw from David Walsh who is the Chief Sports Writer of the *Sunday Times*, 'premediocrity', and that is what this whole policy is. The whole policy is premediocrity. He was talking about: there was a footballer called Alex Oxlade-Chamberlain who played for Arsenal, sold for £30 million or £35 million to Liverpool, and a good player, played for England, occasionally scores a great goal, occasionally puts in a killer pass, occasionally gets a great assist, but he does not do it often enough. But he was good enough, better than his father. His father, Mark, played for England a few times, Alex has played for England a lot more times, but the point of it all is that we seem to be happy with mediocrity. Semi-mediocrity.

340 And here to say we are going to take it away from the big houses – and I have a very big house – take it away from the big houses and charge smaller houses, charge the people who cannot afford to pay – the people with three or four kids who are going to put out more rubbish than anybody else. The old people who live in a modest house, that Deputy Roffey has referred to, because we encourage, and we should still encourage home ownership. We have encouraged it over the last 50 years, we should encourage it over the next 50 years. Those people are going to have to pay more. Where is the logic of that? Where is the fairness of that? How can that be justified in the 21st century? Two hundred pounds is probably nothing to anybody in this room; £200 to a lot of our population is a heck of a lot. To an old age pensioner who is getting £200 a week, if they have paid full contributions, and their husband has paid full contributions, and because our pension scheme only goes back x number of years, a lot of people are on a lot less than £200 a week. It is a lot of money, because it is not just this bill, it is that bill, and it is the other bill.

355 This is the whole strategy we are stuck with. I regret that we are stuck with it, because it is a nonsense. Previous States have made appalling decisions. This States made an appalling decision, this is an appalling way of raising money.

I accept the point that the Deputy Roffey amendment is far from perfect. I accept Deputy Paint's point that we are continuing to live beyond our means. We are continuing to live beyond our means because this States is incapable of making a harsh decision.

360 **The Bailiff:** Deputy Gollop.

Deputy Gollop: Sir, I find myself in agreement with really everything Deputy Ferbrache and Deputy Paint have said, even though they said different things! (*Laughter*)

365 Deputy Paint, of course is right to point out that the view from, increasingly, if you like, middle Guernsey, is that we are spending too much money. The States are not necessarily spending too much money, but are spending too much money on the wrong things, which means there will not be money available for the right things further down the line.

370 Actually, £200 for some of us is a bit of a burden, despite what Deputy Ferbrache says, and I would argue, it is a form of poll tax, this. We saw what happened to the Conservatives when they moved away at one point from the rates system to the poll tax. They tried it out in Scotland and lost all their seats, which they have only just won back – 30 years later. Then they tried it in

England and it led to the downfall of, arguably, one of the country's most brilliant Prime Ministers, and so it is a dangerous path to follow.

375 Just as a little side line, Deputy Ferbrache pointed out how significantly increased costs for energy would not go down well in Guernsey at all – like a lead balloon, in fact – but looking across the water to the place where our colleagues in Alderney live, they actually pay a significantly higher price for both electricity and for energy in motoring, and we sometimes forget that, when we have a universal pricing mechanism.

380 I think, in a way, the parochial system, although it has many benefits, has very careful oversight of spending of community participation and, in a way, a form of direct democracy we lack in this Chamber. One of the downsides of the thinking there is you do tend to get a slight congregation of right-of-centre people, who attend certain parish ratepayers' meetings, and so on. One of the issues here is that I have heard, I must admit, from a lot of people over the last few years, a kind of
385 popular, or populist, outrage from ratepayers who live in the larger houses – not necessarily very large houses or manor houses or mansions, as somebody said – but who have felt a degree of pique, that whilst they are broadly pro-moderate green policies and they are no doubt very busy at recycling everything from composting to going to the bring bank, that other more feckless people are using their waste liberally – I mean junk everything, junk food everything, and getting away with not paying the full bill. I suppose, in their minds, they were quite happy to go along for
390 a while with the more environmentally orientated waste strategy, because this might sound like me just meandering speculatively, but if one looks at page 11 of our text from Deputy Parkinson's Committee, it says 4.19:

The per bag charge for general refuse *could* have a higher impact on larger households who, generally, are more likely to create more waste. Larger households are distributed across the income range and there are some large low income families in Guernsey. Those in receipt of welfare benefits are assumed to be protected from the fixed charges by the benefit system, but may still face an above average increase in costs. Similarly, higher income households, who are more likely to own large properties, are expected to see a slightly lower increase in the amount they pay than middle income households.

395 Actually, that returns to a phrase, a concept that Deputy Roffey has already developed, but in previous States, particularly, Deputy le Clerc is now in a different role, but ... argued that it was middle Guernsey, middle income Guernsey that is really being squeezed – the younger parents, the people who struggle to buy their own homes; not even necessarily the older generation who own their own houses, but those who are still in the mortgage market or intermediate housing.

400 Frankly, we have admitted, honestly, here, that it will be middle and lower middle that will pay the biggest price, because people who live in collective housing will be partially protected, we know. I know this, sitting on Employment & Social Security, that there are relatively robust mechanisms in place to protect the ultra-poor from further devastation, but we are introducing what we know is an unfair scheme; it has been constructed that way partly out of necessity, because the old pattern of dumping it in the ground is not acceptable any more, but partly because – I am a member the UK Green Party – but a kind of a green thinking that puts into the
405 environmental incentives.

The problem, though, with environmental incentives – whether it be on paid parking or fuel tax or energy consumption, or you could apply the same thing to sugar pot tax or cigarette tax, or any of these things – they are all in different ways, fundamentally, to be candid, regressive. They are designed to incentivise people, but they have slightly less incentive on the wealthy person
410 who speeds his car along the road, than the person who can only just afford a motor vehicle in the first place, and this is exactly the thinking here. So my philosophy is to rebalance the costs to a fairer way.

I am going to give greater consideration to Deputy de Sausmarez' amendment, because I do not think the arguments are straightforward there, when we come to it. But as far as Deputy
415 Roffey's amendment goes, I think he offers, particularly in the context of the scrutiny avoiding poverty report, a way forward, as a temporary fix. We will in the long term, as Deputy Paint says, have to work out where we are going with our capital allocation, but I think treating some of this

as capital and reducing the amount that we need to raise from the general public is a wise way forward.

420 We have ended up with a policy that we would not have started with. I think if we looked at it again we might have gone through a different selection of arguments, perhaps gone down the route of energy efficient incinerator, or worked with Jersey on a much smaller scale, and really pushed recycling for both corporates as well as families. But we are where we are, and we cannot keep on U-turning. But I think to make the charging mechanism more fair is essential, because, 425 however we may criticise the old rates that were part of parish life, supporting churches or anything else, they did at least tax, up to a point, wealth, as Deputy Roffey has pointed out. Income Tax is, in theory, based on the ability to pay, although some elements of general revenue are indeed mixed.

But I remember Deputy Trott, shortly after Zero-10 was successfully implemented and he 430 actually – to my surprise, because he is not somebody who would automatically use the word – talked about redistribution of wealth being an essential component part of the structure of our fiscal economy post-Zero-10. I think here we need a pragmatic way forward of a greater attempt at fairness and redistribution, so I will support the Roffey amendment.

435 **The Bailiff:** Deputy de Lisle.

Deputy de Lisle: Sir, I am not sure that this is going to cost householders a lot more, because one of the things that Deputy Roffey has not wanted to share with us, exactly, is that we are already paying tip charges. Those tip charges have been going up and up, way above inflation, 440 and when I look at my bills, at the current time, I find that two thirds, about two thirds, of the parish waste bill at the moment is the tip charge. The other is the collection charge.

The only problem with it – with the fixed charge, the WDA fixed charge – is that it is not allowing for discrimination by householders with regard to the amount of waste they put out. It is fixed; that particular WDA charge is fixed.

445 The other point that I would like to make is that, of course, low income households, those on Income Support, are already being protected. One question I would like Deputy Parkinson to discuss at the end is to what extent, in reality, is this fixed charge going to be more than the tip charges we are paying now in our parish rates; because, to be quite honest, that is a very important issue, because we are paying a lot now in tip charges. Instead of the tip charges, we are 450 going to be paying this WDA fixed charge. That is what it is all about. To be quite honest, those tip charges are becoming very onerous to many, in terms of the total bill, and I would like to know exactly what the difference there is, because I do not think it is going to be that much.

Thank you, sir.

455 **The Bailiff:** Deputy Dorey.

Deputy Dorey: Thank you, Mr Bailiff.

The Waste Strategy was always going to cost significantly more than the current strategy. That has been absolutely clear from the very start, that whatever mechanism we change to, whether it 460 was an incinerator, whether it is export, as we are, somebody was going to have to pay that extra bit.

Obviously, we have had a number of debates on this subject, and in particular, with this export of waste, we have debated in 2012, 2014, and 2017, within this Assembly, and each time we have resolved that it will be a loan. The exact place we have loaned it from has changed because of, 465 obviously, the bond is now there. So originally it was going to be a loan from Treasury, then in 2014 it was general investment pool, or the external market was the resolution, and finally in 2017 it was from the bond. So Members have had a number of opportunities in this Assembly and the previous Assembly, and they have made that decision at each point.

470 So who is going to pay for this? How are we going to pay for it? We have decided that the capital is coming from a loan. The other course, yes, Deputy Roffey said that it could be TRP, but that is a crude way and that was rejected by the Assembly. The Assembly had a previous opportunity to decide if it was going to be TRP, but they rejected that.

475 We currently have utilities which charge fixed charges. I think I worked out that for water and waste water it works out at £146 a year, for electricity it is about £72 a year. That is obviously there to mean that there are fixed costs involved – and I will come back to that.

Going back to the point that somebody has to pay, so these proposals are based that those who are least able are helped from Supplementary Benefit, and there is money being calculated in relation to help those people out.

480 The alternative is Income Tax. Yes, we could do that, but we have had a medium term financial policy – it is not there; we have had a Budget – it is not there; Members had an opportunity if they believe that it should be through Income Tax we could have done that, but there is no doubt this is significant and we will have to adjust taxes, if we are going to collect it from Income Tax.

485 So we have then come down to the fact that there are a number of charges and, as Deputy Roffey said, possible ways of collecting the charges. In 2014 they looked at charging for recycling bags. But when you looked at it in more detail, if you are collecting a relatively small amount and charging for it, a lot of the cost is in the collection of that amount; is it economic to do that? Currently there will be glass; there will be the blue bag; there will be the clear bag; there will be food. There is also the use of the household waste recycling centre, the civic amenity site, where you can take things to. Those all cost. There is a bring bank. So all those items cost, and somebody has to pay for them. It is not coming out of general revenue; somebody has to pay for them. But obviously one of the biggest charge costs is the transfer station, and a lot of those costs are fixed. Whether there is x number of bags going through it, or x plus, it does not matter, those costs will have to be met.

495 So how are we going to collect all those charges? In my view, within the decisions that the States have made, it is fairer that it is not the person who puts out the black bag that pays those charges, it is the users of the other services. Now, you could collect it per use of those services, but as I said, I do not think it would be economic. So I think what is proposed is the fairest way in relation to the decisions that the Assembly has made.

500 Yes, you could do it from general revenue, but we will have to change taxes, nobody brought those proposals in the Budget. These charges were spoken about in previous debates, earlier this year, it was quite clear there were going to be these charges, and I would have thought that would have been the right time to have brought proposals.

Deputy Roffey also said that we could come on to –

505 **The Bailiff:** Giving way to Deputy Inder.

Deputy Inder: I thank Deputy Dorey for giving way.

510 Through his speech is he suggesting that we should follow previous policies and not necessarily go back and change anything? You can see where I am going with this.

Deputy Dorey: What I am saying is that the States have had a number of opportunities. Obviously, these policies were developed over a period of time, and have made those decisions (**Deputy Inder:** That is right.) and yes, the States can change them now, but this is at the final moment, and if you do change those – I am not going to give way again – if you do change those charges then they are going to have an effect on something else.

515 We are going to raid the general revenue if we did it through Income Tax, or as these proposals, here we are going to raid the Capital Reserve. But we will still have to charge a variable charge, if this amendment goes through, per bag and that charge will be a lot more. It will mean that the person who uses all those other services that I have spoken about will not be charged for them, it will be all on the person who puts out the black bag, and is that fair? Because there is the

cost of glass, blue bag, clear bag, the household waste recycling centre, food. So why should the user of the black bag pay all those costs, and not the user of those services?

525 The simplest way and the cheapest way of collecting money for use of those services is by a fixed charge, and that is the point I come back to – because this amendment deletes 3(b), which effectively removes the ability to do a fixed charge. Deputy Roffey referred to the fact that there is another amendment, but if his amendment is successful we would not have the ability to do the fixed charge, because he would have deleted that.

530 **Deputy Roffey:** Sir, I thank Deputy Dorey for giving way.

The Bailiff: Are you giving way to Deputy Roffey?

Deputy Roffey: I thought he had.

535 My amendment deletes the reference to using a fixed charge in here, but I have wilfully not sought to rescind it in the legislation, so that, as Deputy Parkinson says, something can be zero rated and may not actually be used, but it does not remove the tool, the ability to do that at a later stage.

540 **Deputy Dorey:** ... [Inaudible]

The Bailiff: Your microphone is not on.

Deputy Dorey: I will perhaps refer to the Law Officers, whether that is the situation, because as I understood, 3(b) says:

an annual fixed charge per household and per business, the premises of which is admitted into the parish waste collection and transfer service ...

545 So I cannot see that if we delete that there is a States' Resolution, clear Resolution, which says that we are not to do the WDA charge, and I think that if we were then to bring back proposals to have a WDA charge I do not think that would be consistent with the States' Resolution, if this amendment is passed.

550 So, for those reasons, I urge you to reject this, and if you are unhappy with the level of WDA charge, there is, as I said, another amendment and perhaps that is the time to discuss it; but I do not think that we should just be raiding the Capital Reserve to fund part of this, when the States clearly made decisions before to borrow the money to fund this capital required for this waste structure.

Thank you.

555

The Bailiff: Deputy Inder.

Deputy Inder: Thank you, sir.

560 We all claim that we recycle, but I do not think we all recycle to our maximum capacity, if the truth be told. So I did a bit of an Inder waste challenge in March of this year. The wife had control of the recycling bins and the shopping, actually, in week one, and I had control – and it was a miserable second week – I had control in the second week. The second week, I got to the point where I was losing the will to live, to be perfectly frank with you. We went out, I had control of all the shopping and I planned my week. Monday through to Friday, through to Saturday, Sunday, I knew exactly what food we were going to have, and I bought to my way, that second week cost me £120.

565

Now, what is interesting is that I have always collected food waste, because I am a licenced pig keeper and some of the kitchen waste – because it is actually illegal to put all of your food waste to the pigs, but some of the kitchen waste – gets separated and goes to the pigs. Our family tend

570 to cook kind of off the top of the stove and most of our ingredients are tins of tomatoes and that
kind of thing, but just purely out of interest, and it may help some of you, we are a family of four,
our food waste in boring week two, which was my week, was actually, food by weight, 4lbs in
weight. Our paper was 9lb, our metal tins and cartons was 4lbs, the black bag, by weight, was 7lbs,
and the glass was 2lb. Now as a percentage of everything our actual food waste was 15% of our
575 weekly use, paper was, weirdly, 35%, metal tins and cartons 15%, so the black bag itself equated
to 27% by weight of our waste. Which, actually, interestingly enough, and what actually did
surprise me is that we actually ended up with one half bag for a family of four. Once we had done
this properly, and I had gone completely over the top, to be honest with you. It was a miserable
week for everyone! *(Laughter)* They hated me even more than they normally do, but I had actually
580 got, as a family of four down to half a bag of household waste, which actually surprised me,
because I expected it to be a lot more than that.

Now, I do not know if this helps at all, but it was fairly interesting, the first week that she did,
did not end well, and by the way I have told Ava that she is paying for the stickers from now on,
because I am not.

585 But Deputy Parkinson says that – and, sir, that was mildly amusing and might help some
people – this is not the time to re-debate the Waste Strategy, and he is probably right, but I
cannot let this pass without comment, and I think I reflect a substantial voice out there in the
public, and the truth is, sir, I do not believe for a minute that the current policy, will be £7.50 for a
particularly long time, the £7.50 average will stay for a long time. I will be surprised if it survives
590 much past 2020.

I do not believe our waste will be growing pixies and stardust out of a chimney in Sweden any
time soon. I think once it leaves these shores the waste will end up in the cheapest landfill, or
possibly incinerator in England. What is likely to happen is exactly what happened when we
plugged into the EDF grid, with our electricity – you remember rightly what Government does
595 these large suppliers and what they tend to do to get, policies through Government – they do
front end deals. Exactly the same happened with EDF. EDF gave us a five-year deal on our
electricity when we plugged into the grid back in – remind me – was that 1981 – when we laid our
cables into Guernsey they gave us a deal, and we were told no more power cuts, the power
station was never going to be used, it was going to be electricity from windmills in France. I know
600 a substantial part of our electricity does come from renewable energies, but we were told that we
were basically going to not quite have almost free electricity for ever –

I will give way.

The Bailiff: Deputy Tindall.

605

Deputy Tindall: Thank you, sir.

I am just curious how Deputy Inder is talking with regard to the amendment and not on the
general waste strategy.

Thank you.

610

Deputy Inder: I am in general debate. *(Interjection)*

A Member: You are not supposed to be in general debate.

615 **Deputy Inder:** Sorry. What I –

The Bailiff: If you speak in general debate you will not be able to speak in general debate
later.

620 **Deputy Inder:** That is fine. Through you, sir, yes, that is fine, I am happy with that.

625 I think this is probably similar, we have got a three year deal, and this is what governments do, they get into, I will not say bed in any sort of negative way, but to get things through, to get large policies through governments like ourselves, they have got to make it look cheaper. I know exactly what is going to happen here, we are going to have a deal up unto probably around 2000 and sometime after 20, and what is going to happen, the prices are going to shoot through the roof, and we are going to come back and we are going to blame a previous Assembly. That is what happened with the EDF and it is likely to happen here as well.

630 Do I support the Deputy Roffey amendment? I do not really know. I just wish, and it seems almost pointless, the decision has been made, as Deputy Dorey has said, and I just wish we had gone for the incinerator, or done some modern landfill. (**A Member:** hear, hear.) It is going to be an expensive disaster for all of us.

Thank you, sir.

635 **The Bailiff:** Deputy Tindall.

Deputy Tindall: Thank you, sir.

Whilst I enjoyed Deputy Inder's speech, and I did not intend in any way to derogate from the importance of what he was saying, I will be speaking to the amendment.

640 I am persuaded by the arguments of Deputy Roffey, but have a few queries. Are there any reasons why Capital Reserve cannot be so used? We have heard Deputy Dorey's arguments, but I would like more. If not, why was this not considered in the first place? It appears to have been, but not contained in detail in the policy letter.

645 Is there time to consider a report under the amended Proposition 4? Why does the report include proposals for financing or part of the capital elements of the waste strategy from the Capital Reserve, and to repay all or part of any borrowing incurred so far in this respect? Does this mean that the part, could be merely a £1? Will this amendment result in a reduction in expenditure from general revenue, described by Deputy Gollop and set out in section 5 in respect of the expenditure and Supplementary Benefit?

650 I note this is a new cost put to this Assembly. How much would be saved in administration costs, considering probably separate bills for the parish waste rate, and the parish disposal authority flat charge? What will be the effect of approving this amendment, on the ability to raise the bag price, and reduce the cost to Capital Reserve, and so the underlying funding of this reserve? This may be possible according to Deputy Roffey. Why should we not consider this amendment afresh, despite the previous decisions made by this Assembly, when we are given further information on their effect?

655 Lastly, can we vote on 3(b), 4 and 5 separately of this amendment? Unfortunately, I think not. Thank you, sir.

660 **The Bailiff:** Deputy Langlois.

Deputy Langlois: Thank you, sir.

665 I thought Deputy Roffey started out very well, his opening speech. He did identify a specific problem which is the unfairness of the distribution, if you have a large standing charge, and it was so far so good, but I think his solution to that particular problem was where I think he started going wrong.

As he mentioned, there is a second amendment, which has been lodged, and which may well be laid which addresses the problem of distribution by emphasising the pay-as-you-go element of the costs, and minimising the standing charge, which everybody acknowledges, I think, is certainly not progressive, and is rather regressive.

670 His solution, which was to reduce the overall costs by raiding the Reserve, a time honoured States of Guernsey tactic when faced with a problem, is where he is going seriously wrong, I think.

I do not think there is any justification for raising the Capital Reserve at this late stage of our Waste Strategy. Literally on the 11th hour, as I think Deputy Dorey pointed out.

675 The other aspect of that is the fact that over a 20-year time span of the Waste Strategy repaying the capex and financing that capex, the interest, only amounts to just over about 20% of the overall costs, so he is not really addressing the problem, he is seeking to solve. It would be far better to actually either come clean and say we should be subsidising the standing charge, whatever we decide that might be, through general revenues; but again we have already decided what our Budget is, and what our Medium Term Financial Plan is, and that again, as Deputy Dorey
680 said, would have been the time to bring innovations such as that. But, as we all know there simply is not the money to pay for that.

So I think far better to stick with what we have agreed over the years, which is that we do have a user pays system, there is a justification for standing charge, in the same way as there is a justification for standing charge on your electricity bill, there are some fixed costs. It is just the
685 quantum of that standing charge, which should be the key point of this debate we are having today.

There is no end result from raiding the Capital Reserve which will do anything other than damage us in the future. There is a lack of logic to it, and that is why, as I said, Deputy Roffey started well, but he ... it is probably because, as he said, he had to write the amendment at very
690 short period of time, and I am sure if he had had a chance to consider it further, he would have realised there are some fundamental flaws in his solution to the problem he identified.

Far better we actually vote against this amendment, we get on to a better thought out amendment which is the de Sausmarez/Hansmann Rouxel amendment, where we can address the problems far more clearly, and possibly come up with a suitable solution to the fair distribution of
695 the costs of our Waste Strategy.

Thank you, sir.

The Bailiff: Deputy St Pier.

700 **Deputy St Pier:** Sir, I thought Deputy Langlois' speech, just then, was an excellent analysis of the problem, and the reasons why this amendment should be rejected; as he said, it only addresses really 20% of the problem.

Just to recap some of the numbers – and I am sure Deputy de Sausmarez will go through these in more detail should she get to lay her amendment – the proposal in the policy letter is based on
705 an average of 1.47 general refuse black bags per household per week. That would then produce a fixed charge of £116 a year, and £2.50 per bag, plus £85 a year fixed charge from the parishes.

Now, if there was no fixed charge from the States then the price per bag would increase to £4.28, which I think has been rounded to £4.30 in the next amendment, assuming no change in behaviour of course in the number of bags, and of course the £85 parish fixed charge would
710 remain.

Now, if the capital was entirely funded from the Capital Reserve instead of a loan, then the States' fixed charge would reduce from £116 to £55. In other words, it would pretty well half. If we were to retain £2.50 a bag or £3.34, so go from £4.30 to £3.34, if there was no fixed charge and, of course, again emphasising there is still a fixed charge of £85 from the parishes.
715

As Deputy Dorey said in his speech the reality is that somebody does have to pay, and what this amendment does is it seeks to shift from the user pays for the cost of the capital, to the taxpayer, paying for it, and capital is not free, and we delude ourselves, and do a great disservice to the public if we seek to perpetuate the myth, with this amendment, that the cost of capital is free. It is a myth which I think is better left in the Chavismo economics of Venezuela than in
720 Guernsey.

One of the projects for which the Bond was taken out in 2014 was this one, and as Deputy Dorey again referred to, in his speech. Now, to be fair, Deputy Roffey probably, had he been in the Assembly at the time, would almost certainly have opposed the taking out of the bond, but he

725 was not and the bond was taken out, and it was taken out with this project in mind. So the flaws
in the amendment which Deputy Roffey referred to himself are of course the potential loss of
future capital projects, and it is worth emphasising that no costs have been provided at all so far
in the capital portfolio, our assumptions around the capital portfolio in respect of, for example,
the St Peter Port Harbour Action Area development or enhancement. No costs have been
730 provided for that at all. Now, that project, of course, will fall into the growth category of capital
projects, for which we have far too few, unlike this one. It is also currently assumed that the inert
waste project, which we will go on to later during this meeting, will be funded from the bond as
well. Therefore, that project too has not been included within our assumptions around the use of
the Capital Reserve.

735 Now, should Deputy Roffey's amendment be successful, of course, it would be very logical
precedent that the inert waste project too should be funded from Capital Reserve. The reality is, if
we are to fund this project from the Capital Reserve, there is no other conclusion than it will have
an adverse effect on our ability to fund future capital projects of which we know there are many.

740 So, for those who do not like the fixed charge, there is an alternative which is the next
amendment, and as Deputy Langlois said in his speech, what we should do is reject this
amendment and support the next one in order that we can then consider the right balance
between the fixed charge and the per-bag charge.

The Bailiff: Deputy Smithies.

745 **Deputy Smithies:** Thank you, sir.

I just wanted to look at this from the Waste Disposal Authority point of view. The Waste
Disposal Authority has been instructed to follow a particular policy for handling domestic rubbish.
In order to fulfil its instructions, there is a well-rehearsed cost to be incurred. What we are
debating is how to meet the cost, and the WDA is effectively blind to how that cost will be met.
750 The suggested method agreed by the Committee for Environment & Infrastructure and the STSB,
after a great deal of discussion, is in this policy letter. The States of Deliberation today being given
the opportunity to change the method. Now, I do not like to see increased household bills, and I
do not particularly like the suggested method, but I like less the proposed method in the
amendment. I do believe after a long involvement with this strategy, and after many long
755 discussions in committee, the method we have devised is the least worst. Which is no great praise,
but that is where we are.

I do urge Members to reject this amendment, and would remind them there will always be a
future opportunity to revise the charges, but the principle should not be altered.

Thank you.

760

The Bailiff: Yes. Deputy Brehaut.

Deputy Brehaut: Thank you, sir.

765 As Members are well aware, this is a joint report. E&I did our bit, if you like, earlier on in the
year, where we have control over the strategy element of the policy, and this Assembly resolved to
export the waste. So that is our input, if you like, into how we have got here today.

770 Deputy de Lisle said earlier, I think he made an observation which was a valid observation: the
average family throws out about half a tonne of waste a year. A tonne of waste at the gate is
£220. So before the TRP effect, families were paying about £110 a year to dispose of half a tonne
of waste. But there is another way to collect waste that could realise the savings that some people
want. When I met with the Douzaines, along with Deputy Parkinson and others, the Douzaines are
not all in the same place with regard to this issue. Some very much covet, as bizarre as it may
sound, they covet the waste collection, the refuse collection; they see it as the role for the
Douzaines. Some of them believe that in losing the Douzaine reps, if we are frank, what is their

775 role in the community, what can they do to assist their parish, and they believe a lot of that sits
with refuse collection, others do not.

Some of the larger parishes would like to see one bill arrive on your mat which covers
absolutely everything. I think if we are looking for savings ultimately in the long term we have to
move away, in the years ahead from, as in my case where a refuse lorry drives past our house to
780 collect the next parish's waste and drives past the house and the very next evening the St Peter
Port truck arrives to collect our waste. It simply does not make any sense. Of course, still in St
Peter Port, and there are two collections, two refuse collections, and a lot of families leave out two
bags, twice a week, which goes to show, because as Deputy Ferbrache has said, because it is so
cheap, and people really do not understand how it is treated, it only went into a hole in the
785 ground and still does, then why should you let it worry you.

I thought Deputy Roffey laid his amendment very well, if I can say that, through you, sir. But I
do take issue with the manner in which we present the issue of families who are struggling and
families that do need assistance. I know his point is, of course, that some families are not entitled
to that assistance; I do understand that, but Deputy Le Clerc made it clear when she met with E&I
790 that the ESS will cover the WDA charge, the parish charge and one bag per week. So that is for
those people that have an entitlement. But some of the language that we use in this Assembly at
times does not assist people in getting that entitlement. I think some of the language we use, by
association, people do not want to be in that category. A benefit is an entitlement, and we should
view it that way, rather than using the expression we do, 'Which is why should families have to go
795 cap in hand?' that type of language does not help. As I found in my role as a Procureur, people
were always very reluctant to step forward, once they did they realised that there was assistance
for them.

I just wince a bit when Deputy Roffey uses the word 'poll tax'. Simply in numbers terms I can
understand the poll sense might be accurate, but numbers used in the UK were families, as were
800 my in-laws, paying probably £1,600 a year in community charge, is not £116 or £2.52 a week or
36p a day. I think that comparison does not sit too well with me, but I do appreciate the point that
this is a disproportionate increase, for some families.

The infrastructure that Deputy Dorey referred to has to be paid for, and there is no alchemy
here, I have used that expression before, but we take money from people that we know as
805 taxpayers, and then when it comes to this Assembly there is some alchemy that takes place where
it becomes revenue, it becomes capital, but money is money and it comes from the same people.
If you look at the gas company, they have a standing charge, as has been pointed out; the
electricity company do, and we know that phone companies seem to positively thrive now on a
landline charge, as usage slowly falls away. People can pay these charges quarterly, so for people
810 who would find them disproportionately more of their expenditure then there is assistance in
helping people pay this quarterly.

I think, in essence, and I understand the time frame in which Deputy Roffey placed his
amendment was tight, but in essence I sense what Deputy Roffey is saying explicitly, probably in
what he has said, is that it is unfair, and I get that too. I think it is unfair in structure. Now, it must
815 have crossed your minds knowing that Deputy de Sausmarez sits on E&I and so does Sarah
Hansmann Rouxel, that this fairness issue has been identified, and they will be placing an
amendment which seeks to deal with that fairness element of these proposals. I would ask you
that if you reject the Roffey amendment then you have another opportunity to, I think, address
the issue that is bothering some of you in these proposals.

820

The Bailiff: Deputy Oliver.

Deputy Oliver: Thank you, sir.

825 With this amendment there are some parts I like and others I do not. I joined the States to say
that we need to be more like a business. However, even businesses have their times when they
will invest in infrastructure and right it off over the time, because they know over time it will

benefit the company overall. We keep taking, taking from the public, but do we ever stop and think what are we actually giving back. I cannot think of many services that we do not pay for this way. If this was the right strategy surely the States would think that a capital start-up was okay, and the running costs could be charged.

830 Where I feel slightly uncomfortable is that Deputy Roffey said that bigger households produce more waste. So many households that are larger do not, and the smaller ones produce more. If I had my bin paid for I might not be as careful recycling because I will just think it is being paid for, I can just put it out in the black bin.

835 Thank you.

The Bailiff: Deputy Lester Queripel.

Deputy Lester Queripel: Thank you, sir.

840 I cannot support the amendments and I cannot support the Propositions.

User pays should not mean that Supplementary Benefit pays, and it should not mean that the money comes from Capital Reserve. It should mean exactly what it says. If we are to encourage Islanders to reduce the amount of waste they produce and support the waste hierarchy. It should mean that Islanders take the issue of reducing the amount of waste they produce seriously, and produce as little as possible in the first place.

845 I do not agree with the approach the States has taken to waste anyway, I never have done. I have always believed we should have gone down the route of building our own energy from waste plant and also –

850 **The Bailiff:** Are you speaking in general debate?

Deputy Lester Queripel: – doing things like manufacturing various articles and products that could be used by the community from our waste, and I have said that several times in debate. I have made it perfectly clear where I stand on the whole issue of waste. I am not at all comfortable with sending our waste to someone else to deal with and they actually benefit from that, when we could be doing that; and I am not comfortable with relying on other jurisdictions to do what we ourselves could, and should, be doing.

The Bailiff: Are you straying into general debate?

860

Deputy Lester Queripel: I am, sir.

The Bailiff: So, you will not be able to speak again.

865 **Deputy Lester Queripel:** I understand that, sir, thank you.

We rely far too much on other jurisdictions to provide us with services and we really do need to stop doing that. We need to look long term, and get to grips with dealing with our own problems and not take what appears to be the easy option: pass those problems on to somebody else to deal with.

870 A lot of things we are doing now regarding dealing with waste are being done because we are in crisis. We are in crisis because previous States have not been looking long term. This whole waste issue should have been resolved 10 years ago. If it had been we would not be here today debating amendments which have been laid with the best of intentions, I do not doubt that, but are very much sticking plasters, temporary solutions, until we come up with a long term solution. But my great fear is that the States will not ever come up with a long-term solution whilst there is always an opportunity, and a possibility, of amendments being laid that offer on-going short term solutions that are attractive to the majority of the Assembly.

875

880 Now, sir, I might be completely wrong in everything I have said; I look forward to Deputy Roffey's response, but that is my sincere and genuine view. Even our exporting waste is a short-term solution because we only signed up to that for a few short years – I think it is three or five years – but the idea is we look at dealing with it ourselves in that time. That is what I was told anyway, I hear Deputy Kuttelwascher mumbling, but I am not quite sure what he is mumbling about.

885 **Deputy Kuttelwascher:** Point of order, sir. It was my colleague that was mumbling, not me.

Deputy Lester Queripel: I apologise to Deputy Kuttelwascher, sir, it is the new back of the head I can see in front of me here. *(Laughter)* I am pleased to be able to see the back of him, sir, I really am. *(Laughter)* That is meant in the nicest way, sir.

890 I do not want to say a great deal, sir, more. I will just wait for Deputy Roffey to respond. Perhaps he could put me right if he thinks I am wrong. But, as I said, at the moment I intend voting against all the amendments and all the Propositions.

Thank you, sir.

895 **The Bailiff:** Deputy Soulsby.

Deputy Soulsby: Sir, firstly, I would just like to pick up on something Deputy Brehaut said earlier, where he spoke about how his Committee had had their input earlier this year. So I am not actually quite sure why this is a joint report from Environment & Infrastructure and STSB. It is a shame Deputy Fallaize is not here because I am sure he might be able to explain it better than some of us. But I find it odd that it is a joint report, for me, as they say, we are meant to have agreed everything, surely this is where STSB should be out standing there and promoting a policy letter by themselves, but perhaps somebody better than me can explain why it is specifically a joint report.

905 When I read the policy letter, I was actually quite shocked, and I spent about two weeks thinking, 'Well, how do I put it right? What sort of amendment?' and other things clearly took precedence. I was really pleased when Deputy Roffey, on the last day, when we ... thanks to, I believe it was, Deputy St Pier who told us what the deadline was, so we all got into a [10:58:23](#) huddle and tried to come up with something, so that is why, yes it might be a bit rough round the edges, but we thought it was really important, we just could not let this lie, and that was the whole basis around this amendment.

915 There are two particular areas that really bother me with this letter, and the first is the WDA fixed charge. Now, we were always told this was possible, there might be the possibility of this fixed charge sometime in the future. Then all of a sudden we now find it is actually there from day one, and that is not what I signed up to. I thought this was something for the future. There is nothing in this policy letter to actually explain why it is needed now. What are the forecasts, and are they the actual costs, or is this some front loading going on here and it is to bank a load of money up front. I do not know, because there is not that information. That was my first concern. I think the goal posts have been changed somewhat.

920 The second one, which many have spoken about here, and Deputy Roffey, in particular, and that is the whole inequity of this. I referenced page 26 of the policy letter which sets out the TRP profile and on there it is clear how people will lose and will benefit from this new regime. Clearly, those people with a TRP under £150 will be paying over £250 more than they are at the moment, generally speaking, but those with a TRP of over £500 will be gaining to some degree; the largest TRP will be saving £700 a year. Well, that is not what we were told. We were told waste charges are going to be more expensive now, it has been so cheap before, we just put rubbish in the ground so we have all got to pay more because that is not what we need to do for the future. But now we are finding people are going to be paying less, and the people who are paying less are those people who can the most afford it. **(A Member:** Hear, hear.) So I really struggle with that.

930 Even in the policy letter it says, in general terms there is a link between income and property size. So generally people with the biggest houses who earn more will be paying less.

As I say that is not what I signed up to, and that really gives me huge concerns, which is why we need to put more, and focus more, on the bag charge, and not have people paying more on a fixed charge. This is all meant to be about user pays, we have got more and more of a fixed
935 charge. So that has been diluted. Also I understand that the majority, I think it is about eight, of the parishes are not supportive of collecting the WDA charge anyway, and are currently refusing to do it. That is the latest information I have. So I would like to hear from Deputy Parkinson on what the actual latest is.

I guess it is no surprise P&R would not be happy with this amendment, it does take it out of
940 Capital, and I must admit I was uneasy, and we did have a few emails ping-pong on whether we should take it out of Capital. But then, yes, it is the taxpayer, that under our current system, at the moment, although we are seeing more and more fixed charges coming along, that is generally more linked to ability to pay than the whole fixed charge across every household.

Now, I think if this amendment loses, and if the second amendment loses, if it comes to
945 debating that one, I think Policy & Resources need to review the TRP rates to rebalance those increases, so we can rebalance that inequity in charging, because it is really disproportionately affecting loads of middle income earners. Whether there could be a banding system or whatever, but I want to see that in the next Budget, and if not, I will seriously be considering an amendment.

950 **The Bailiff:** Are you wanting to speak now or are your rising?

Deputy Parkinson: I am happy to speak now.

The Bailiff: This is probably the penultimate speech. Shall we just see if anybody else wishes to
955 speak? No. In that case, Deputy Parkinson will be the penultimate speaker.

Deputy Parkinson: Thank you, sir.

Now, the debate has strayed well beyond the policy letter in front of the Assembly and, sir, I
960 crave your indulgence, if I respond to all the points that have been raised in debate, will you permit me to speak in general debate afterwards, or am I –

The Bailiff: Well, having said to others that they cannot, I think I would have to be the same
965 with you, and say if you speak generally now then your ... so I think you should confine yourself to speaking on the amendment at this point.

Deputy Parkinson: Well, okay then, there are quite a number of points that have been raised
by Members that I cannot respond to, because ...

The Bailiff: You can respond later when you reply to general debate.
970

Deputy Parkinson: All right, then I will respond to Members' points later when I reply in
general debate, and confine myself strictly to what actually this amendment is all about.

I have to reiterate that Members are not now being asked to set the charges for the new
975 strategy, they are being asked to make some minor technical amendments to the charging mechanism, like permitting us to sell stickers to stick on bags rather than selling bags for people to throw away their black bag rubbish. There were hardly any speeches which actually focused on the amendment, the substance of what we are doing here.

I will address Deputy Roffey's speech because clearly that was on the amendment. He says that
980 he admits that his policy is flawed, and clearly it is. One of the central issues which came out in an exchange between Deputy Roffey and Deputy Dorey is whether, by removing Proposition 3(b), he actually removes the possibility of raising fixed charges. Now, I share Deputy Dorey's view that it

would be very difficult for the States to levy any fixed charge at all if Proposition 3(b) was removed. Deputy Dorey did suggest that perhaps the Law Officers might be able to provide some guidance on that, and I would ask them if they have had time to reflect on that point and can perhaps assist.

The Bailiff: Madam Procureur.

The Procureur: Sir, yes, it is my view that there would be no clear authority to provide for a fixed charge in the WDA charging ordinance if the amendment is passed. That is not to say it would be impossible, but there would be no clear authority, because 3(b) clearly does make it apparent that there would need to be an annual fixed charge per household. So I agree with that view.

Deputy Parkinson: So there we are. Members are being asked to eliminate the possibility of levying a fixed charge as part of the overall scheme. I think that is simply unsupportable.

Clearly, this, like other utilities, there are substantial fixed costs in the waste processing proposal, the system that is being proposed, and is now being implemented. Just as there are fixed charges for electricity, water and gas, there has to be a charge that bears part of the fixed cost of the operation, and if all the charges were variable but some of the costs were fixed, the operation would be considerably jeopardised. Essentially, we do not know how people are going to respond to having to pay to throw away their black bags. Estimates, obviously, have been made as to how behaviour will change, but we really do not know. At least, theoretically, people could recycle everything, all the waste they produce, and pay nothing for the bags and leave the system with no income. So I really think this amendment, Deputy Roffey has admitted was drafted in haste, at the 11th hour, I am sure if he had had more time he would have come up with a more refined Proposition, one that we might have been seriously able to debate, but honestly this proposal, as it stands, cannot be passed. It would completely jeopardise the system.

Now, several Members have – and I will not stray into general debate – expressed a preference for rebalancing the fixed and variable charges and that, of course, is the subject of the second amendment, which will be laid in due course, I have no doubt. I think that is the time when Members who have a concern about that should be raising that issue and debating whether the Propositions are correct in terms of the mix of fixed and variable costs. But to eliminate the possibility of charging fixed costs at this stage would simply be irresponsible.

I ask Members to reject the amendment.

The Bailiff: Deputy Roffey.

Deputy Roffey: Thank you, sir.

I think I have been partly successful and partly struggling. I think I have been successful in convincing quite a number of States' Members that what is before us today, indicative though it is, and having to come back as an ordinance later, is just completely unacceptable, and unfair.

But in some Members' minds this amendment is not necessary because there is another amendment coming that it is not fit to wash the feet of. To some extent I agree with that, but I am going to try and convince Members, actually we need a bit of what this amendment proposes and a bit of what the next amendment proposes.

I am going to go through some of the individual contributions in a minute, but just a couple of general observations. Yes, most utilities traditionally have charged a fixed element in their bills. But we have been hearing today weird commercial logic that if an operation has fixed costs then clearly part of their billing mechanism must be a fixed charge. Well, I go to the barbers a couple of times a year. The barbers have got fixed costs. I am not told, 'Because you only come a couple of times a year and somebody else comes a couple of times a month, to make it fair we are going to levy a fixed charge to make sure that you all contribute towards the fixed costs.' *(Laughter)* When I

1035 go to my supermarket they do not say, 'Well, we are not going to charge you according to how
much food you have taken off the shelves because that would not really be fair. We have got fixed
costs of operating, so there is a £10 starting point above that ...' From the commerce point of view
that might be quite a nice thing to be able to do, (*Laughter*) but I think we would not have any
customers fairly soon. We can do it because we are the States and we operate monopolies. Even
1040 then, when we fly through the Airport, there is a fixed cost to providing the facilities at the Airport,
but by and large you get charged by the number of times you go through it, you do not get told,
'Well, it has got to be there for the whole community so here is a fixed cost element that
everybody in the Island will pay towards the Airport, and then you will pay a bit extra depending
on the times that you use it.' So it is not true that just because an operation has fixed costs you
1045 have to levy charges between variable and fixed charges. There are any number of ways that you
can do that.

The second general thing is that a number of people have talked about me wanting to raid the
Capital Reserve. What is this raiding business? I want to use part of the Capital Reserve to
contribute towards an absolutely essential capital infrastructure project that this States have
decided to embark on. How is that raiding? In fact go back a few years and I think the last time
1050 you succeeded in doing it, that has been reversed, was something like the Belle Greve Outfall. It
was regarded as quite normal to pay for this sort of infrastructure out of the Capital Reserve. I am
not suggesting anything revolutionary at all. Those are the two general points.

I want to go through a few of the specifics. Deputy Paint: I could not understand his reference
to slowing down the Disability Strategy. Well, I completely agree with those that say the costs of
1055 the strategy are the costs, and they have to be met somehow. By the same token, nothing I am
doing is putting off those costs. What we are talking about is simply how those costs are raised
and what is the most fair way of doing that.

Deputy Ferbrache thought people like him in big houses should even pay more. I agree
Deputy Ferbrache should pay more. (*Laughter*) I think both Deputy Gollop and Deputy Oliver
1060 made the point that TRP – and I am not suggesting going back to TRP was slightly unfair, because
there were some people in large houses that were actually very environmental and did not put
out much rubbish. Fine, absolutely, I would like to see more going on the user charge. I think we
will get on to that later, but I also think that some money coming out of general revenue in some
way or the other is also a fair part of that package.

1065 He says it is a temporary solution. Yes, I suppose so, but I mean the capital infrastructure we
pay for like the transfer station, this is going to be there for quite a while, and we are not going to
have to be doing this again in two or three years' time, as I understand it, and in fact the whole
way that we get rid of rubbish when we come to a 20-year life, I guess, for a facility like that. I
think we will be revisiting, we will be in a different universe come then. So it is temporary but what
1070 I am looking at is a one-off start-up cost, as Deputy Oliver said, for a brand new way of doing
things.

Deputy de Lisle said low income households are already being protected. Through you, sir, I
would like him to read my lips: no they are not. People who qualify for Income Support, as it will
be for next year, will be. They are going to have people fully protected and I am not trying to
1075 stigmatise anybody, as has been suggested. I absolutely defend the fact that it is a right if you
qualify for assistance to get assistance –

I give way to Deputy de Lisle.

The Bailiff: Deputy de Lisle.

1080

Deputy de Lisle: Sir, I did say – correction – I did say that those on Income Support –

Deputy Roffey: The point is that there is a huge tranche of people who are not on Income
Support, not because of pride and whatever, just because they do not qualify. They just do not
1085 qualify, that does not mean they are not finding life one heck of a struggle.

1090 Deputy Dorey: yes, the cost is the cost, I agree with that. We could, if we wanted to avoid having a loan for all of the capital costs, have decided that some time ago, but as Deputy Soulsby has said, all that way through this, we have been peddled the line that initially, at least, unless there was a change of behaviour, we would be able to pay for these costs, including repaying the loan, out of bag charges alone, and now we are seeing, suddenly from day one, a really hefty fixed charge, indiscriminately applied. So I am sorry, when the facts change I change my mind.

I give way to Deputy Dorey.

1095 **The Bailiff:** Deputy Dorey.

Deputy Dorey: As I said, I think it was made – thank you for giving way – clear in February that there would be a WDA charge. I do not think that has been dropped in at this last minute, it has been there for quite a long time.

1100 **Deputy Roffey:** I think I am far from alone amongst Members who only saw the indicative charging mechanism now – were particularly taken aback – gobsmacked in fact, by the difference from what had been ... the impression that had been given earlier.

1105 Deputy Dorey said this question of the charges should have been addressed earlier, but in his opening Deputy Parkinson thinks we should be waiting for the ordinance to come forward, so I think I am somewhere between those two extremes.

1110 Deputy Tindall said why all or part. Well, I do not want the fixed charge to be levied. I think that some of that can be done through increasing the bag charge. I do not know how much appetite this Assembly has for moving to increasing the bag charge from the amount indicated in this report. We might find out later today what their appetite is. But the reason for being flexible in the amount that I suggested was in order to make sure that the two added up to the costs that were required in order to avoid the poll tax, the Government poll tax, even though, as others have said, the Douzaine one will remain.

1115 Deputy Langlois, likewise, said it will only cover 20% of the costs, yes, absolutely, 20% of the costs will reduce the amount that we would then need to put on the bag charge in order to fully cover the costs for that standing charge. My understanding is that without this amendment it would have to go up to £4.30, is it? If the amendment was passed and we covered the capital costs out of the Capital Reserve then the amount it would have to go up to was from £2.50 to £3.35, I think was quoted by Deputy St Pier. So I think the two dovetail together particularly well.

1120 Deputy St Pier said it is shifting costs from the user to the taxpayer. They are exactly the same people. You cannot get out of this standing charge, because even if you never, ever, ever put out a bag and do not want to use the system, it is 'if you are admitted to the system' is the wording in there, which means that every household, basically, would be doing it. So we are raising it from the same people. The question is what is the fairer way of doing that. He says my logic is then to fund the inert waste strategy from this way. Absolutely not. Because I am suggesting this, in order to avoid the poll tax per household. There is no suggestion for inert waste that it will be anything other than gate charges that pay for that. Unless it is yet to come as a bomb shell later on down the road, I do not think we are going to have a poll tax per household to cover the £30-odd million needed for inert waste, so there is no logical connection at all.

1130 What I would really like him to do, and his Committee, sir, is to raise enough money at Budget time, in order to make sure that we could make out of our revenue a fair contribution towards this. Before Deputy Paint says, oh, that is just hammering the Guernsey person again, no it is not, it will not cost more, it will cost the same amount, but raised in a fairer way than is in this policy letter.

1135 Deputy Brehaut wished I would not call it a poll tax because he thinks it is a bit like the UK one. Well actually, with respect to Mrs Thatcher, her poll tax was per person. That actually would be a bit fairer than what is being proposed here. I know the amounts were higher, but at least it would mean that that house with six people more likely produced a bit more waste would be paying six

times what the single pensioner next door is paying, so actually Mrs Thatcher's poll tax was a paragon of fairness compared with what is actually being proposed here.

1140 Deputy Lester Queripel says this is just a sticking plaster. It is. It is. What is being proposed in this policy letter is an open wound. Why would he not take a sticking plaster and put it on that, Deputy Queripel. Well, through you, sir, why would Deputy Queripel not want to do that? It may not be as good as having a proper tourniquet but I am sorry I did not have the time and resources to draw that up.

1145 Deputy Parkinson: it does not remove for all time the ability to actually levy a standing charge, but it will take a fresh approach to this Assembly with the right proposals to actually do that, and actually that is what I want. I want to say to not bring this in until you can actually make a better case than you have made so far.

1150 But I get the real killer of Deputy Parkinson was he said we need this charge because we do not know what behavioural change is going to be induced. Maybe people will minimise their waste a heck of a lot more, maybe they will recycle a lot more, maybe the amount of waste being put out will be a lot lower. If that happens then this unfair poll tax that you are being asked today at an indicative cost of £116, the States' one, might double, treble, quadruple, because that is the logic of the argument he was making.

1155 If there is a real sea change in behaviour, then this unfairness is going to be multiplied. I do not think we should be doing that, sir. It is down to Members' conscience absolutely, but I think what we should be doing is a combination of two things. As Deputy Oliver says, capitalising this to some extent to make it fairer out of a Capital Reserve that we put aside for capital projects on the basis out of general revenue which is raised fairly from our community, but also doing a bit more of the user charges than has been proposed in this policy letter, by increasing the bag charge.

1160 I think that combination is the right way to go.

The Bailiff: Deputy Merrett.

1165 **Deputy Merrett:** Thank you, sir.

For transparency, sir, Andrew Merrett is a director of Lovell Ozanne Architecture who have an association with the waste transfer station at the Longue Hougue site, and therefore I declare a tenuous and potential interest.

Thank you, sir.

1170

The Bailiff: We vote then on the amendment proposed by Deputy Roffey, seconded by Deputy Soulsby. Those in favour; those against.

Some Member voted Pour, others voted Contre.

1175

The Bailiff: I am going to call for a recorded vote.

There was a recorded vote.

Carried – Pour 21, Contre 18, Ne vote pas 0, Absent 1

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Inder	Deputy Lowe	None	Deputy Fallaize
Deputy Laurie Queripel	Deputy Smithies		
Deputy Green	Deputy Hansmann Rouxel		
Deputy Yerby	Deputy Graham		
Deputy Soulsby	Deputy Paint		
Deputy de Sausmarez	Deputy Dorey		
Deputy Roffey	Deputy Le Tocq		
Deputy Prow	Deputy Brouard		
Deputy Oliver	Deputy Dudley-Owen		

Alderney Rep. Jean	Deputy De Lisle
Alderney Rep. McKinley	Deputy Langlois
Deputy Ferbrache	Deputy Brehaut
Deputy Kuttelwascher	Deputy Parkinson
Deputy Tindall	Deputy Lester Queripel
Deputy Tooley	Deputy Le Clerc
Deputy Gollop	Deputy Trott
Deputy Leadbeater	Deputy St Pier
Deputy Mooney	Deputy Stephens
Deputy Le Pelley	
Deputy Merrett	
Deputy Meerveld	

The Bailiff: Well, the voting on the Deputy Roffey/Deputy Soulsby amendment was 21 in favour, with 18 against. I declare it carried.

We move to Deputy de Sausmarez.

1180

Deputy de Sausmarez: Sir. The fact that the previous amendment was carried has a material impact on the subsequent amendment. Is it possible to request a recess please?

The Bailiff: Yes. How long do you wish?

1185

Deputy de Sausmarez: I think I might need about 15 minutes, because the figures are going to need adjusting.

The Bailiff: I will put that to the Assembly.

1190

Deputy Dorey: I do not think the amendment can go ahead because we have knocked out –

The Bailiff: I will put it to the Assembly. I will put it to the Assembly. I am putting to you the Proposition that there be a recess of 15 minutes. Those in favour; those against.

Members voted Pour.

1195

The Bailiff: We will resume at 11.40 a.m.

*The Assembly adjourned at 11.25 a.m.
and resumed its sitting at 11.45 a.m.*

Waste Strategy Implementation: Household Charging Mechanisms – Debate Continued

The Bailiff: Madam Procureur.

The Procureur: Sir, Yes.

1200

Deputies Hansmann Rouxel and De Sausmarez are just finalising the wording on the amendment now. I estimate to be no more than 10 or 15 minutes, and they have said that is all they need. Then it will be final, but they are literally just typing up some agreed amended wording. It was a little bit complicated because of the amendment having been carried before, but we think we have agreed wording, but we will need another 10 – 15 minutes just to get it printed and final.

1205

The Bailiff: Well, that will take us to 12 o'clock.

1210 I think Deputy Le Pelley is on his feet. I think he is going to suggest that we really come back at two o'clock rather than resume at 12 p.m. without giving people the opportunity to consider the amendment. I think his suggestion is going to be that we circulate the amendment as soon as it is available, give people a chance to consider it over the lunch hour and come back early this afternoon at two o'clock.

Is that exactly what you were going to say?

1215 **Deputy Le Pelley:** Exactly, sir.

Deputy Lowe: I agree, sir.

The Bailiff: Deputy Lowe seconds that.

1220 So what I am going to put to you is the motion that we rise now, and resume at 2 p.m. Those in favour; those against.

Members voted Pour.

The Bailiff: That is what we will do then.
Thank you.

*The Assembly adjourned at 11.48 a.m.
and resumed its sitting at 2 p.m.*

**Waste Strategy Implementation: Household Charging Mechanisms –
Debate Continued –
Propositions carried as amended**

1225 **The Greffier:** Article XIII, continuation of debate on the Waste Strategy Implementation – Household Charging Mechanisms.

The Bailiff: A further amendment has been circulated, marked amendment 3, to be proposed by Deputy de Sausmarez and Deputy Hansmann Rouxel. I assume that is the amendment you would wish to lay as this stage is it, Deputy de Sausmarez?

Amendment 3:

1. To insert new Proposition 3 (b) as follows:

'(b) an annual fixed charge per household and per business, the premises of which is admitted into the parish waste collection and transfer service, to be -

*(i) calculated for the year in question to recover the projected total costs to the Waste Disposal Authority and the States of providing waste management services, minus the projected income derived from the per bag charge on residual waste and any financing under Proposition 4, and
(ii) divided equally between all persons liable to pay the charge.'*

2. To insert new Proposition 7 as follows:

'7. To direct the States' Trading Supervisory Board and the Committee for the Environment & Infrastructure, when returning to the States as directed by Proposition 4, to provide a range of options relating to the per bag charge on residual waste, including an option that zero-rates the annual fixed charge.'

1230 **Deputy de Sausmarez:** Yes, please, sir.

The Bailiff: Would you like the Greffier to read it, for the benefit of anybody trying to follow the debate?

Deputy de Sausmarez: Yes, please sir, I think that would be sensible.

1235

The Bailiff: Greffier, amendment 3.

The Greffier read out the amendment.

1240

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

1245

It is a slightly surreal position because, in a way, it almost does the opposite of what my original amendment intended to do. It achieves the same effect. The consequence of the Roffey amendment passing, I think, inadvertently removed the clarity around the issue of whether a fixed charge could ever be levied. So what the first part of this amendment does, in Proposition 3 – well the first part of the amendment which says to insert new Proposition 3(b) – is to reinstate the provision to levy a WDA fixed annual charge, if needs be. So it is a sort of technicality, if you see what I mean, more than anything else. In the event that that would be levied it would be levied in the same way as previously.

1250

However, because I think there is an appetite to debate the balance of charges, if there is to be a balance of charges, so there are three potential options, largely ... Sorry, it is very hard without the numbers. In the original amendment I intended to set out a range of options which was a sliding scale, effectively, of the balance between the fixed charge and the bag charges. We cannot replicate that in this amendment, because of the wording of the Roffey amendment, we do not know what those parameters are, so we cannot give any clarity around the numbers in this amendment. However, I do think it is important that that is debated.

1255

So what this amendment would do is simply reintroduce the provision to levy a fixed charge, if a fixed charge is desired by this Assembly, and then it directs the two Committees, when returning to the States, to bring back, in a similar way that the original amendment would, a range of options pertaining to that. So one of the options would have to be a zero-rated fixed charge, so that is very clearly an option that people would have to vote for.

1260

Now, assuming that all of the capital costs were funded from the Capital Reserve as per the intention of the Roffey amendment, I can give some indicative costs if that is in any way helpful. The bag charges in that circumstance would be up to £3.50. The range I have got ... we heard earlier £3.35, but adding an element of contingency, an indicative cost might be £3.50. If the bag charges were to come down to £3 then the fixed charge, the fixed annual charge, if the Assembly deemed that a fixed annual charge needed to be levied at all, would be in the region of £22. If bag charges were to come down to £2.50 then the fixed annual charge would be in the region of £55. Now, I cannot stress enough that these are only indicative figures, and it does depend on the action that results from the Roffey amendment.

1265

1270

But what this amendment would do is it would still allow for Members of the Assembly who are perhaps nervous about a bag cost being as high as £3.50, ultimately, then it does provide a little bit of ... well it does provide the opportunity to debate where to draw that line; and what it also does is it means if there is a fixed charge levied by the WDA, on top of the parish charge, then that would be of a much smaller magnitude than it would originally have been.

1275

So this really provides the same opportunity to the Assembly, because I do think it is important to have this discussion, but the order of magnitude has changed, and the parameters within which we need to operate have changed because of the Roffey amendment.

1280

So I am sorry it does not provide the same clarity that the original amendment did; I appreciate that it does not give the Assembly as much to work with now, but what it does do, is it

facilitates that same debate to happen when we do have clarity on the figures, when the two Committees come back to the States, which will be as soon as possible.

1285 So I hope that explains. What this amendment would be doing, of course, is to insert those two Propositions. So, as I say, the first part, Proposition 3, would just be the provision to have a fixed charge, whether it is zero rated or not; and the second part, the new Proposition 7 would be to instruct the two Committees to come back with a range of options; and as I say, if we work on the assumption that all the capital costs are financed as set out in the Roffey amendment then we would be looking at bag charges of, in the region of, £3.35 to £3.50, and then we would also bring
1290 back, I would imagine, bag charges in the region of £3 and £2.50 as well.

I cannot be any more specific than that at this stage, but I think the important thing to understand about this amendment is it simply gives us those options to debate it at a later stage.

I hope that helps.

1295 **The Bailiff:** Deputy Hansmann Rouxel, do you second the amendment?

Deputy Hansmann Rouxel: I do, sir.

The Bailiff: Deputy Parkinson, do you wish to speak at this stage?

1300

Deputy Parkinson: Not at this stage, no, sir.

The Bailiff: Does anybody wish to speak at this stage?
Deputy Tindall.

1305

Deputy Tindall: Thank you, sir.

I just wish to say that I am grateful to the proposer and seconder for reinstating Proposition 3(b), it did give me concern last time, that I was voting against that element, but it was a feeling that someone would come to the rescue and include it in this amendment.

1310

I also think that the second Proposition is a sensible way forward. Certainly from my personal perspective, I am grateful that we are not actually debating all of the differences in the original amendment from (a) to (e) as that may have taken up a lot more time. I look forward to having more detail as to all the different scenarios of costing, because I genuinely do think that is a very sensible approach to consider whether the user pays 100% or not.

1315

Thank you, sir.

The Bailiff: I see no one else.
Do you wish to speak, Deputy Parkinson?

1320

Deputy Parkinson: Yes, I suppose I should say something, sir.

Yes, from a States' Trading Supervisory Board point of view – and this is not speaking in a personal capacity but in that capacity as President of that board – we do not care who pays for the waste infrastructure as long as it is paid for, (*Interjections*) because our job is simply to implement the strategy, and to build and operate the plant. So, as the Waste Disposal Authority,
1325 we are content for the capital cost to be borne by the Capital Reserve.

Now, as a personal matter, I did not agree with Deputy Roffey's amendment and I think this amendment is an improvement, because it reinstates the option of levying a fixed charge, and as a personal matter, again, I think that a fixed charge element is important. So I am not going to resist this amendment and I would urge other colleagues to support it.

1330

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Not sure there is an awful lot to reply to, sir

1335 I thank Deputy Tindall. I, too, had the same reservations actually in supporting the Roffey amendment, I had the very same reservation about that aspect, and I agree with Deputy Parkinson that this seems sensible.

So I urge the Assembly to support it.

1340 **The Bailiff:** We go to the vote on the amendment proposed by Deputy de Sausmarez, seconded by Deputy Hansmann Rouxel. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

We move into general debate for those who have not already spoken in general debate. Nobody wishes to. No?

1345 In that case, Deputy Parkinson, you have the opportunity now to say those things that I prevented you from saying earlier.

1350 **Deputy Parkinson:** Yes, well, we have had a wide ranging discussion, not much of it to do with the policy letter in front of us, but it is clear that a significant body of opinion in this Assembly wants the capital costs of the Waste Strategy to be borne by the Capital Reserve, and that will no doubt give our colleagues on P&R a bit of headache; and it will politically, of course, bounce back on this Assembly, because it may well be that before the end of this term, or perhaps into the next term, other projects which would, more appropriately, have been funded out of the Capital Reserve may be compromised.

1355 That having been said, I have made the position of my board, as STSB President, clear, which is that our job is to build and operate the waste transfer station and the other work streams within the Waste Strategy, and it is no part of STSB's function, as the operator, to determine where the money comes from.

1360 There were a number of interesting contributions to the debates on the Roffey amendment. Deputy Paint said that we are suffering from waste fatigue, and I agree with that. I think the public at large are pretty fed up with the States' flip-flopping around from one policy to another and seeming incapable of carrying through any strategy that it agrees.

1365 Deputy Ferbrache talked about a poll tax, and said that if electricity charges tripled we would be criticised. Well, as has been said time and again, we know that the new Waste Strategy, whatever it had been, even if it had been an incinerator, as some Members would have wished, was going to be a lot more expensive than simply chucking the rubbish in a hole in the ground.

1370 But Deputy Ferbrache said the policy will relieve the cost of people who live in big houses, well, yes, that is an interesting point because the amendment that I was sort of expecting, but which no one has actually laid, was that the fixed element of the charges could be levied on a TRP basis, but nobody seemed interested in moving that amendment, so it is not in front of us.

1375 Of course, as has been pointed out by others, those who wanted the fixed element of the Waste Strategy to be borne by general revenue, or indirectly by general revenue through the Capital Reserve, have had opportunities to bring amendments to Budgets and Medium Term Financial Plans and all sorts of other opportunities to make those points if they had wanted to do so at the appropriate time, but they did not.

1380 Deputy Gollop, rightly, said that environmental incentives are, by their nature, regressive, and it is true. If we put up the price of tobacco to encourage healthy behaviour, or less unhealthy behaviour, and if we introduce the user pays principle to discourage people from throwing waste unnecessarily, or perhaps not recycling as much as they should, then clearly those costs are likely to bear on the lower paid more heavily than on people to whom the cost difference means nothing at all.

I think Deputy de Lisle made some interesting points. He said that two thirds of the parish charge is the gate fee now, and I am not sure that the maths quite works. This related to

1385 comments also made by Deputy St Pier later, when he pointed out that if the capital costs and the costs of financing are taken out of the fixed costs then the WDA fixed charge would reduce to about £55, on top of which, of course, consumers will be paying the £85 charge from the parishes. So the fixed cost element will reduce to about £140 per annum instead of the £200 per annum originally proposed, and some people will see that as a significant change, a benefit of the Roffey amendment.

1390 But Deputy de Lisle asked what extent the proposed fixed charge was greater than the current fixed charge, because obviously at the moment consumers are paying a fixed charge through the charges levied on them by the parishes and, to be honest, I have had some difficulty sort of trying to calculate that, but the costs through the parishes is not insignificant. I think it is typically around £110, or something like that, per household, so the proposed fixed charges are going to be in a sort of similar bracket, perhaps a little bit more, in fact, than they have been hitherto under the current system.

1395 Now, Deputy Dorey, rightly, said that these costs could have come out of general revenue, but there was no amendment to the Budget, but we have covered that.

1400 Deputy Inder gave us some interesting insights into his household catering habits, but he said he does not believe that the costs will remain at £7 a week. He thinks this is a Trojan Horse to get the policy through the Assembly, and the costs will ramp up. Well, of course, not all the elements of the strategy, in terms of the cost of the strategy, are fixed for 20 years; some of them are on contracts which vary from three to five years, or whatever. But the capital cost of the waste transfer station is not going to increase over the life of the strategy, and so, although I cannot give any concrete assurance that costs will not go up over 20 years, we are pretty confident that we have got a good grip on what the costs are likely to be in the reasonably near future, and the numbers have not changed. When we came to the Assembly in February and said it was going to be £7 per week per household, that was before we had actually tendered out some of these contracts, and now many more have been tendered out – I signed one only this morning – so the certainty around the costs is actually improving all the time, and we are still at an average cost per household of £7 a week.

1410 Deputy Langlois commented that only about 20% of the cost is capex and finance costs, and in my view, rightly, made the point that there does need to be a standing charge, and indeed, suggested that the debate we should be having was the debate about the de Sausmarez amendment which, in fact, we have had no debate at all really; it was just swept through on a tide of approval.

1415 So I do not know that there were any other comments or questions really that came out of it. I suppose my final comment, again putting my STSB hat back on, is whatever the charges are, and clearly now under the Roffey amendment, they are going to be much lower and, actually, from the STSB point of view that is an easier sell to the customers ... The point is we are going to need certainty about these really before the end of January, because ordinances have to be drafted and got through the political process in order to have the new Waste Strategy up and running hopefully by August or September. The exact point at which the new charges come in, there is still some flexibility over that. The parishes have suggested that we should maintain the old charging regime through to the end of 2017, so that there is a clean break and – sorry 2018 – there is a clean break on 1st January 2019, and that is a suggestion to which I have no political objection. I think it is something on which we are taking legal advice to see if that is possible.

1425 I should actually mention in passing, so yes, my main point is we just need clarity about what the charges are going to be, before, really before, the end of January.

1430 There was some discussion about the role of the parishes, and I think a little bit of confusion about where we are with the parishes. Some of them – a minority, and indeed some Members in this Assembly, I think Deputy Soulsby, for example – seem to be under the impression that we want them to collect the WDA charge.

This is something we discussed with them time and again, and for the sake of clarity, I will set the position out here now. The position that we have taken, both Environment & Infrastructure,

1435 and STSB, is we think it would be of benefit to consumers if they got two bills rather than three, if
you like. In other words, a fixed charge, and then they buy their bags – rather than two fixed
charges, and then they buy their bags. So as a matter of convenience to the people who voted for
us, we think it would be better if the two fixed charges – that is to say the charge that comes from
1440 the parish and the WDA charge – all came out on the same bill. But we have said to the parishes
we do not mind if you bill it and give us our share, or if you tell us to bill it and give you your
share. We are completely neutral on that and, in fact, from their point of view there are some
logistical advantages about letting us bill it, because then it would be the States who have to
pursue any people who have not paid etc. But we have left that with them, and unfortunately, in
1445 discussions with them 8 out of 10 parishes said no; they wanted two separate bills and they
wanted to continue to bill the parish element themselves. The other two parishes, very sensibly,
said they would be quite happy for the States to raise the parish charge and pay the money over
to them.

But we are not in a position to force the parishes to do anything. Their role in the collection of
waste is set out in Statute. It would, in fact, involve a change to primary legislation to take away
1450 any part of their responsibility for collection of waste, and we are certainly not about to embark
on that. So we asked them in a spirit of co-operation and consensual government, all of us trying
to do the best for the people of Guernsey, whether they would agree to co-operate with us on
this, and in a nutshell, by a majority, they have said no. So it is apparent that there will, in fact, be
two fixed charges going out in future, or at least, unless one of Deputy de Sausmarez sort of plans
1455 to put the WDA charges all on to the black bags, and we will live with that.

So there is no effort on our part to force the parishes to do anything. We have simply asked
them to co-operate with us on this and, in fact, offered to do the work for them for nothing, but
they were not having it. That is clarity on that

Deputy Soulsby wants to say something.

1460 **Deputy Soulsby:** No, just a point of correction, sir.

I did not have any impression, it was just that I had heard that the parishes did not want to
collect the WDA charge and I just wanted him to confirm it.

1465 **Deputy Parkinson:** That is absolutely true. The parishes do not want to collect the WDA
charge, and we are completely content with that.

As I say, the Proposition from us was that we would collect their charge, but equally if they had
been insistent on collecting both charges, well, I do not think we would have gone to war with
them over that. But no, they did not want to collect both charges and, actually, I fully understand
1470 that. In their shoes I would not have wanted to do that either.

This is a bit of a digression, sir, but I do think it is a pity that if the function of the parishes
comes down to collection and billing of waste, frankly, they do not really serve the community,
perhaps, in quite the way that we would like the parish system to work, but there it is, that is
where they are and that is where we are.

1475 So I do not think there is anything more I need to say on this. The States has decided they
would prefer the capital cost to be borne out of the Capital Reserve, and we will go away and
recalculate the sums on that basis.

I urge Members to support the Strategy.

1480 **The Bailiff:** Well, Members, actually I think it would help me if H.M. Procureur would, unless
the Greffier is about the hand me a consolidated set of Propositions – no he is not ... He has got
an amendment for the next –

1485 **The Greffier:** There is an amended set of Propositions. It is just being brought down now, so it
should be with us in a few minutes.

The Bailiff: A consolidated set of Propositions?

The Greffier: On this Article XIII.

1490

The Bailiff: The present Article?

The Greffier: Yes, the one you are just about to go to vote on, plus the amendment.

1495

The Bailiff: If Members would like to wait for that we can. H.M. Procureur?

The Procureur: I am aware that there was one being prepared, but I am not sure if that is the one that is coming down, or if there is another amendment to the ... So may be it is, sir.

1500

The Bailiff: Well, are we certain that there is a set of consolidated Propositions on its way?

The Greffier: Yes, sir.
We could circulate this amendment.

1505

The Bailiff: How long will they be?

The Greffier: I am told they are on the way down.

The Bailiff: From where? *(Laughter)*

1510

The Greffier: It is going to be minutes.

The Bailiff: Well, if they are on their way then let's wait and vote on them when everybody has them in front of them. In the meantime, I think you are being circulated an amendment for the next Article.

1515

I think the consolidated Propositions are now about to be circulated. Let's just check that they are right.

Does everyone now have a set of the amended Propositions? Just for the record, Propositions 1 and 2 remain as they were originally; 3(a) is unaltered, but Proposition 3(b) is now as replaced by the Deputy de Sausmarez/Deputy Hansmann Rouxel amendment; Propositions 4 and 5 were replaced from the original by the Deputy Roffey/Deputy Soulsby amendment; Proposition 6 is as original; and Proposition 7 has been inserted by the Deputy de Sausmarez/Deputy Hansmann Rouxel amendment. That should be what has happened, and I put all – unless anybody wishes a separate vote on any of those Propositions, I put all seven to you together. Those in favour; those against.

1525

Some Members voted Pour, others voted Contre.

The Bailiff: I believe that is carried, but if anyone wishes a recorded vote to be made –

A Member: Yes, sir, a recorded vote, please.

1530

The Bailiff: A recorded vote then. Yes, a recorded vote on all seven Propositions.

There was a recorded vote.

Carried – Pour 25, Contre 11, Ne vote pas 1, Absent 3

POUR

Deputy Lowe
Deputy Smithies
Deputy Hansmann Rouxel
Deputy Green
Deputy Dorey
Deputy Brouard
Deputy Dudley-Owen
Deputy Yerby
Deputy De Lisle
Deputy Langlois
Deputy Soulsby
Deputy de Sausmarez
Deputy Roffey
Alderney Rep. Jean
Deputy Tindall
Deputy Brehaut
Deputy Tooley
Deputy Gollop
Deputy Parkinson
Deputy Le Clerc
Deputy Trott
Deputy Le Pelley
Deputy Merrett
Deputy Stephens
Deputy Meerveld

CONTRE

Deputy Inder
Deputy Laurie Queripel
Deputy Graham
Deputy Paint
Deputy Prow
Deputy Oliver
Deputy Ferbrache
Deputy Kuttelwascher
Deputy Lester Queripel
Deputy Leadbeater
Deputy Mooney

NE VOTE PAS

Alderney Rep. McKinley

ABSENT

Deputy Fallaize
Deputy Le Tocq
Deputy St Pier

The Bailiff: Well, Members, the voting on the revised Propositions on Article XIII was 25 in favour, with 11 against, and 1 abstention. I declare them carried.

**THE COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE
AND THE STATES' TRADING SUPERVISORY BOARD**

**XIV. The Inert Waste Strategy and a proposal for
a new facility for managing residual inert waste –
Propositions carried as amended**

Article XIV.

The States are asked to decide:

Whether, after consideration of the Policy Letter entitled 'The Inert Waste Strategy and a Proposal for a new Facility for Managing Residual Inert Waste' of the Committee for the Environment & Infrastructure and the States' Trading Supervisory Board, they are of the opinion:

- 1. To approve the strategy for managing inert waste, as set out in Appendix 1 to the policy letter, which includes provision of future on-island facilities for residual inert waste, through means of either on-island coastal land reclamation or quarry infill.*
- 2. To approve the further development of the 'preferred way forward' for the management of residual inert waste through land reclamation at Longue Hougue South, such option having been identified as one of the Best Practical Environmental Options, from a short list of possible options, in accordance with the Environmental Pollution (Guernsey) Law, 2004.*
- 3. To delegate authority to the Policy & Resources Committee to approve expenditure on the 'Analysis and Design' stage of the Inert Waste project as identified in paragraphs 7.1 to 7.6 of this Policy letter, up to a maximum of £1.1 million, funded from the Solid Waste Trading Account.*
- 4. To approve the draft Waste Management Plan, as set out in Appendix 2 to the Policy Letter, in accordance with section 31(3) of the Environmental Pollution (Guernsey) Law, 2004, which is*

amended from the Waste Management Plan approved by Resolution 1 of 1st August, 2014 on Article IX of Billet d'État No. XVI of 2014 to bring it up to date in particular to reflect-

(a) the above proposals in relation to the strategy for managing inert waste, and

(b) the changes approved to the detail of the Solid Waste Strategy by the Resolutions of 16th February, 2017 on Article III of Billet d'État No. V of 2017.

1535 **The Greffier:** Article XIV, the Committee for the Environment & Infrastructure and the States' Trading Supervisory Board: the Inert Waste Strategy and proposals for a new Facility for managing residual inert waste.

1540 **The Bailiff:** Again it is a joint report, but on this occasion debate will be opened by Deputy Brehaut, the President of the Committee for the Environment & Infrastructure.

Deputy Brehaut: Thank you very much, sir.

Members, the wastefest continues into the afternoon. Bear with us.

1545 Before you this afternoon is a joint report from the Committee for the Environment & Infrastructure and the States' Trading Supervisory Board. The Committee for the Environment & Infrastructure is responsible for waste policy and strategy, whereas the States' Trading Supervisory Board, in its capacity as the Waste Disposal Authority, is responsible for the implementation of the Waste Strategy. That includes ensuring the provision of waste and recycling services and facilities, and making recommendations for new facilities such as those for managing inert waste.

1550 Inert waste is the bricks, rubble, hard-core, clean soil and other waste materials from excavation, construction and demolition activities; and I think it is important to note that, because in, certainly, some of the emails we have had, the minority that we have had, referring to this very thing, some people believe that it is waste as in household waste, refuse, domestic waste, when it is not. Of course, inert waste is covered with bricks, rubble, hard-core. We did have one email from a member of the public who believed it was no place for example for domestic refuse, it is not waste, as some people understand it.

1555 The provision of significant inert waste solution investment needs to be set out in the context of an overall policy approach to inert waste. For that reason, the Committee for the Environment & Infrastructure considered it was important to bring to the States an Inert Waste Strategy for the identification and delivery of solutions to manage the use and disposal of Guernsey's inert waste over the next 20-year period. It says 20 years; it could be 15, it could 13. We may discuss that later on.

1560 The Policy & Resource Plan identifies this commitment by the Committee for delivery at the end of this year 2017, so here we are this afternoon. The proposed Inert Waste Strategy is aligned to, and consistent with, the Solid Waste Strategy adopted by this States. It reflects the waste hierarchy, a best practice guide to waste management, but adapted appropriately to take account of the Island's specific circumstances.

1570 The waste hierarchy identifies the preferred order for managing waste, prevention, re-use, recycling, recovery and then finally disposal. This sets out a framework for management of inert waste. In addition, the development of Inert Waste Strategy has been influenced by the States' Policy & Resource Plan, the Strategic Land Use Plan and the Island Development Plan, has been developed in accordance with the legal requirements of the Environmental Pollution Law.

1575 In developing this strategy, it was important that the right balance should be struck between delivering waste reduction, re-use and recycling, and minimising the residual inert waste for recovery and disposal. In order to comply with legal requirements the strategy also needs to be consistent with the process for identifying options for waste solutions.

No matter how much inert waste is reduced, re-used or recycled, there remains a need for recovery or disposal of the residual inert waste, including those materials which cannot be treated in any other way.

1580 Importantly, the strategy has been subject to a consultation process involving States' bodies, non-governmental organisations, and the private sector, including the construction and demolition industry. Perhaps I should point out that in the consultation process, the presentations we have had, the drop-ins we have had and the Société and other representatives of groups with an interest in environmental issues have attended as fed back at various times.

1585 Currently, a proportion of inert waste materials in Guernsey are currently recycled or re-used, often on construction sites that generate materials. The Inert Waste Strategy proposes that a further reduction, re-use and recycling is encouraged within the private sector. One of the main ways will be through the implementation of site waste management plans. There is already a requirement for a site waste management plan to be prepared for certain proposals as set out in the Island Development Plan; that is policy GP9. New plans will include the provision of guidance to the construction and demolition industry, and together with monitoring and review, will further help the effectiveness of their implementation. In addition, discussions are also being held with the aggregate industry to see how much further the recycled aggregate market can be extended, whilst that market is limited.

1590 The consultation revealed that in the Guernsey context land created by land reclamation and infilling existing quarries, potentially, has a significant beneficial value in the future, so when assessing options for inert waste disposal, where land reclamation and infilling existing quarries has potential future value, these should be situated higher up the hierarchy. On the other hand, a site with little or no potential for future use is simply termed as a disposal site.

1595 Following further research, it is considered where there is potential beneficial value land, reclamation or infilling of existing quarries can be elevated up the waste hierarchy and be designated as recovery, provided that they meet the detailed requirements of the strategy, and deliver the best overall environmental outcome.

1600 Should any strategic projects come forward in the future, for example, the Airport extension, or initiatives arising from the St Peter Port Harbour Action Area, then the strategy makes provision for that, and these could be actively identified for the diversion and re-use of residual inert waste material for land raising and land reclamation.

1605 The strategy explains the following choices for residual and inert waste are: (i) recovery on-Island for strategic development projects, land reclamation or quarry infill, with an identified future development use, land reclamation or quarry infill which has a potential for future beneficial use in accordance with States approved policies, and; (ii) disposal on-Island where land does not have beneficial value.

The strategy also includes an implementation plan which sets out the overall principles of the proposed approach towards the management of inert waste over the next 20 years.

Just in closing – excuse me, sir, I just skipped a page.

1615 The proposed inert Waste Strategy is robust, consistent with existing States' policies, including the States-approved Solid Waste Strategy and meets best practice. It is important the policy driver for the development of the options for a new residual ... and which is important for the development of the options for a new residual inert waste facility. I would therefore ask States' Members to approve the strategy, and a proposed way forward which has been identified and which the President of the States' Trading Supervisory Board will address later in further detail.

1620 Thank you.

The Bailiff: Then there is an amendment to be proposed by Deputy Brehaut, seconded by Deputy Dorey, which has been circulated.

1625 Do you wish to lay that amendment?

Amendment.

To delete Proposition 3 and replace with:

'3. To delegate authority to the Policy & Resources Committee to approve expenditure on the 'Analysis and Design Stage' of the Inert Waste project to fund –

(a) the carrying out of a detailed environmental impact assessment, including professional fees and all associated costs, in respect of the site at Longue Hougue South;

(b) where the detailed environmental impact assessment carried out under paragraph (a) identifies significant, adverse environmental impacts, which the Committee for the Environment & Infrastructure and the States' Trading Supervisory Board consider cannot reasonably be mitigated or offset, the carrying out of a detailed environmental impact assessment including professional fees and all associated costs, in respect of the site at North of Mont Cuet/Creve Coeur; and

(c) the carrying out all of the remaining steps detailed in paragraphs 7.1 to 7.6 of the Policy Letter in relation to the site selected by the Committee for the Environment & Infrastructure and the States' Trading Supervisory Board following their consideration of the detailed environmental impact assessment(s) under either paragraph (a) or paragraphs (a) and (b), up to a maximum of £1.6 million from the Solid Waste Trading Account.'

Deputy Brehaut: Yes, I do, sir.

Thank you.

The Bailiff: Would you like to have it read?

1630

Deputy Brehaut: No, I will read it, sir. Thank you.

Are you sitting comfortably?

Deputy Brehaut read out the amendment.

1635

Deputy Brehaut: And the explanatory note reads:

This amendment seeks to allow the States to debate whether the Policy & Resources Committee should be given delegated authority to approve certain additional expenditure from the Solid Waste Trading Account for an Environmental Impact Assessment for the North of Mont Cuet/Creve Coeur site if the detailed environmental impact assessment of the Longue Hougue South site identifies significant, adverse environmental effects which the Committee for the Environment & Infrastructure and the States' Trading Supervisory Board consider cannot be mitigated.

And the financial implications are detailed below.

What this amendment seeks to do, practically, is you will be aware that both Deputy Merrett and Deputy Yerby have circulated an amendment that was initially a *sursis motivé* and what that wanted to do was to say that whilst you are looking at Longue Hougue South and while you are looking at Mont Cuet/Creve Coeur, you can do those in parallel and at the same time, effectively, be carrying out the environmental impact assessment on both sites. The concern of the Committee for the Environment & Infrastructure, and STSB, of course, is the associated costs with running those two projects, or those two environmental impact assessments at the same time. What E&I is seeking to do is to, firstly, look at Longue Hougue South, take that only to the EIA stage – not design stage, or anything beyond that, simply take it to the environmental impact assessment stage – if anything is identified early on that clearly through the environmental impact assessment that means that it is not a goer, not a goer! Not possible, I beg your pardon. Then what this amendment allows us to do then is have the funding to enable us to move on to do an environmental impact assessment at Creve Coeur/Mont Cuet. So I hope Members understand the intent of the amendment.

Sir, thank you.

The Bailiff: Deputy Dorey, do you second the amendment?

1655

Deputy Dorey: Yes, sir, I do.

The Bailiff: Thank you.

Does anybody wish to speak on the amendment?

1660 Deputy Inder.

Deputy Inder: I do, sir.

1665 I am just intrigued with this, because only a couple of months ago I think Deputy Peter Ferbrache and myself brought a sursis to the States where, if I remember correctly, Deputy Brehaut got up, shouted it down, based on the fact that there was no reason to do an environmental impact assessment, because the planning process had not started yet. So I am intrigued, when he sums up, maybe it is face fitting again, something like that, but I am just wondering why he would look to get behind something this month which he did not get behind a couple of months ago.

1670

The Bailiff: Deputy Yerby.

Deputy Yerby: Thank you, sir.

1675 I am not going to encourage Members to vote one way or the other on this amendment. Even if it is successful, Deputy Merrett and I will proceed with laying the subsequent amendment which would have the effect of knocking it out. But if it were successful and our amendment was not, we would at least be in a better position than if there is only one option on the table going forward, in terms of E&I and STSB only having authority to look at Longue Hougue South.

1680 I am not going to argue with this amendment by mounting a defence of ours, but it does not satisfy some of the core issues that we had with the policy letter itself, such as the fact that if the environmental impact assessment for the first site is not found to be satisfactory, or if it falls at any of the other project gateways, there is no break point, there is no opportunity for that to come back to the States before the outline business case, exactly the same as in the policy letter.

1685 If we are being told that we are operating on a fairly tight timescale to have a new solution for inert waste management in place, and a solution which we are presented with two years down the line, and the outline business case is not found to be satisfactory, then the degree of going back to the drawing board and the degree of associated cost would be significant.

1690 So, as far as I am concerned, and the reasons motivating the amendment that we will bring in due course, I am not satisfied by this amendment, so any other Members who share those concerns may want to take that into consideration in voting on this one.

The Bailiff: Deputy Gollop.

1695 **Deputy Gollop:** Sir, one of – I know it has perhaps been a storm in a teacup in a sense, but one of – the good bodies of work, I think, that came out of the Scrutiny hearing last week, was the observation that it is not good practice in boards for significant items to be put under any other business, with or without last minute paper. I sat on a Committee in the last term, it was particularly naughty in that respect, and I know previous Presiding Officers have not been happy in some cases with late policy letters or late amendments. This is a classic 12th hour amendment, with all sorts of possible legal and other consequences that are imposed on us.

1705 Now I am happy to support this amendment with a strong asterix, *without prejudice*, as they say, because of course it is to some extent about financial delegation, of financial powers, and I am bound to approve of environmental impact assessments; and it does, as Deputy Yerby has just indicated, give the potential option of a broad approach looking at the merits in the round of two sites.

But what I would also say is when we come on to the substantive report that Deputy Brehaut has already introduced, I do not feel, personally, I am in a position to vote on Proposition 2 at all, and would like a separate vote on that, sir, to abstain on the grounds, as I am President of the Development & Planning Authority, and some of us – maybe many of us – have received

1710 significant personal email and letter representations from people raising a number of issues from ecological to landscape. I think it would be premature of myself to express any preference or direction of travel for any site, given the nature of the process that may need to be followed.

The Bailiff: Deputy Roffey.

1715

Deputy Roffey: Deputy Gollop often says that being President of the Development & Planning Authority is an unenviable position, I actually think it is a very enviable position, because it is enabling him to abstain on Proposition 2 today, when I would love to be able to have a good excuse for abstaining on Proposition 2, because I think that is a level we all face here. I am sorry for speaking a bit more generally but to be honest –

1720

The Bailiff: Yes, you are speaking –

Deputy Roffey: We know that this amendment is an attempt to really satisfy some of us and still be laid the other amendment if it goes forward, but they are all dealing with the same sort of issue, and the crux of the issue is none of us really want to despoil a natural bay, but all know we have to put our inert waste somewhere, and I worry with both of these amendments are we just spending extra money to actually put off what is going to be a horrible and inevitable decision at the end of the day.

1725

1730 Now, this one spends a little bit less money, or potentially does, because if we do not need to go on to the second bay, as environmental impact assessment, that money will not be spent. On the other hand, we will not be able to compare and contrast because if it does get over the bar for the environmental impact assessment, then we will not do that for Creve Coeur.

1730

I personally hate the idea of filling in Spur Bay; it is not the first time I have debated it. It was the Board of Administration's preferred plan when we actually decided to do Longue Hougue. It was only because Deputy Rihoy decided to raid the rainy day fund and do a bigger scheme slightly further north that it escaped on that occasion. I am surprised he has not been in *The Press* commenting on the proposal.

1735

But I have to say that Creve Coeur, to me, is actually probably even worse. I think that would be absolutely appalling. I cannot come up ... well maybe I should save this for general debate, but it really does colour the way I vote on this, because I cannot see a way out of this dilemma. I do not want just to save myself the difficulty today, to duck a difficult decision and cost hundreds of thousands of pounds. That is my problem with both this amendment and the next one. I am only talking about this one at the moment, of course, sir.

1740

So I would ask Deputy Brehaut to really give me his thoughts on that, because I know we have come under pressure, and I think we have rightly come under pressure because it is a precious little bit of Guernsey that we are talking about. But are we just spending a few hundred thousand pounds really to kick a can down the road. That is my question.

1745

The Bailiff: Does anyone else wish to speak on this amendment?
Deputy Merrett.

1750

Deputy Merrett: Thank you, sir.

I am just a little bit confused and would like some clarity from Deputy Brehaut.

1755

Surely, if your Committee, or the Committees, pursue the EIA on Longue Hougue South, and it comes against any barriers or gateways, you would not be proceeding to spending the full £1.1 million on an outline business case; surely that would be logical to me. So therefore you would look at an alternative, and so I question why you want additional funding.

1760

Secondly, I think the key thing, as Deputy Brehaut mentioned in his speech, is that the following amendment does not predetermine which two sites should be put forward for further consideration.

Thank you, sir.

The Bailiff: Deputy Paint.

1765

Deputy Paint: Sir, when the Longue Hougue was being built, or suggested being built, some of the members of the local population actually said Guernsey is the only place they actually build a hole rather than dig one. I cannot support the suggestion of filling in Spur Bay, or Creve Coeur for that matter, when there is much, or there could be much, better use of our inert refuse and a better option for the Island.

1770

We all know that St Peter Port has to be renovated, and there is a huge area outside St Peter Port that would be much, much better used in this way, and would not cause the problems that we have with Spur Bay. That is to extend outside the White Rock and the QEII Marina towards the two rocks outside, which are named Goubeaux and Sarderette. This would give a huge amount of land, perhaps not quite as the existing Longue Hougue, but it would give at a rough estimate between 50 and 60 vergées of land extra; and the hole, obviously, would be deeper than the Longue Hougue so would take more material. It would be quite simply done. It would allow for all the land that is being used for freight at the moment to be moved out eventually. It would also make a lot more space in the Harbour for other shipping, such as super yachts or whatever. It would enable us to build a pier that could take vessels larger than what the Harbour can take at the moment.

1775

1780

When I was a pilot the maximum length was 130 m – that is what we were told – in St Peter Port. So the ships were built at 125 metres. Since then, I understand the Harbour Master has said you could extend that to 140-145 m. I am not aware of that; it is just somebody in this Assembly has told me that.

1785

We have ships passing us every day that are 155 m long. They carry both passengers and freight and cars, so to do this would be much better. It would not have to be done in one stage, it could be done in three stages, and become operational as soon as the first stage was open.

But, of course, it has been very difficult to change E&I's mind on just about everything they put forward, but one has to try.

1790

Thank you, sir.

The Bailiff: Deputy Leadbeater.

1795

Deputy Leadbeater: Thank you, sir.

This amendment is just too narrow for me. It commits us to land reclamation, whilst ignoring the other options on the short list. So, for this reason, I cannot support it.

Thank you.

1800

The Bailiff: Deputy Dorey.

Deputy Dorey: If you read the options report, which was produced by the company who is advising the Committee, it is very clear that QEII Marina, when it comes to it, is not an available option at this time, because eventually the Harbour Action Area has not been done, which will identify the possible uses for the Harbour. So it would be wrong to embark on a project at that location at this time. So that is in response to Deputy Paint's point. So because of that it did not even make the short list of options that were looked at, and these had non-political involvement, they had the stakeholder's involvement, and environmental groups etc. involved to reach the conclusion of the shortlist.

1805

1810

In relation to these two sites and why we have chosen them, because of the shortlisted sites these are the two that are most viable in terms of having a reasonable size to be able to take them forward. The reason why we are not recommending, initially, the Creve Coeur site is because

of the additional cost in the Billet in paragraph 6.22. In relation to north of Mont Cuet/Creve Coeur, it says:

However, this is a more expensive option than Longue Hougue South and has a smaller capacity and operational life ...

1815 And it is clearly set out in the options report that they would expect the charges, if it was
Longue Hougue South, to be £16.95 a tonne, with the information they had at that time, but the
Creve Coeur one would be £22 a tonne. So we, as a Committee, do not think that taking forward
Creve Coeur, initially, is the most sensible idea, because we have gone through a very long
1820 process, and Longue Hougue South has been identified as the best option for going forward. We
have already done a high level environmental impact assessment, so we want to take forward
Longue Hougue South, but we realise that there might be problems identified in that
environmental impact assessment. So the idea of this amendment is to give us the option of
doing the second site, which is the second most viable site, which is Creve Coeur, if that
environmental impact assessment comes up with significant adverse environmental impacts.

1825 I think that is the most sensible way forward. We do not think that we should spend the
additional money on doing two environmental impact assessments, when we have gone through
a significant process, over a long period of time, which has identified the best option. But if in that
environmental impact assessment we do find there is significant adverse environmental impacts,
without this amendment, as the Propositions are, we would have to come back to the Assembly
1830 because there would not be sufficient money to do another environmental impact assessment.

So this gives us the option, working with P&R, who would have the responsibility of releasing
the funds, to do the second environmental impact assessment, and to minimise any delay to the
project, and the additional costs of stockpiling material if the Longue House North site is finished
in terms of being filled in. So I believe that this is the best way forward, because it just gives us
1835 that second option without committing the money at this point, but basically giving the
opportunity to move to the same environmental impact assessment on the site that is the second
most viable site for our inert waste if the environmental impact assessment comes up with
significant adverse environmental impacts.

So I would urge Members to support it, as I think this is the most sensible way forward.

1840 Thank you.

The Bailiff: Deputy Brehaut, do you wish to reply?

Deputy Brehaut: Yes, sir. Thank you.

1845 Deputy Inder remarked that, I think he said, he has been shouted down and it is a question of
if the face fits with regard to L'Ancrese. Can I say no one person drives policy through this States,
Committees act in unison; and in good faith, I bring policy letters to this States. The L'Ancrese
Wall East is subject to an environmental impact assessment before planning procedure. So I think
it is wrong to imply that there is no, if you like, equality within the application system; that is
1850 clearly not the case.

Deputy Gollop remarked that ... well I think he said why he could not take part, or sorry, would
rather vote against the Proposition; but if the consideration is the landscape, and if the
consideration is the environmental impact assessment, and the weighting that you put
proportionately on both of those things, then it is wrong to assume, at this time, let's imagine,
1855 there is opposition to Longue Hougue South, because people like how it is now.

People enjoy the shoreline, people enjoy the biodiversity, people enjoy the natural state that
bay is in. People will make exactly the same arguments when, if we move to Creve Coeur, there
will be an environmental impact assessment, we actually know a great deal less about Creve
Coeur than we do about Longue Hougue South. We know that it would need a substantial
1860 breakwater, we know that the environmental considerations are different but equal, because the
biodiversity is different on that side of the Island because of the prevailing winds and tides. So if
people were to balk at the prospect of land reclamation, full stop – and I suppose there is a

1865 flavour of that in this debate – if people did reject the Longue Hougue South, and then hopefully
move to Creve Coeur – and Creve Coeur will not happen, by the way, without public opposition,
and because it is in the north of the Island and we know that people will oppose it, for good
reason, in that regard – but also the choices that there are between the two. So if it is not land
reclamation, and it is a hole in the ground, then where are the quarries? I know people want to
use Les Vardes Quarry, which is predicted 2026-27 it would be finished. We now think it is about
2036, with the planning to extend. So Les Vardes Quarry cannot be, if we are looking for a hole in
1870 the ground, there is not one of those available just at the moment.

I think that probably touches on the question that Deputy Roffey was asking as well. Are you
putting off a difficult decision in the hope, as Mr Micawber would say, that something would turn
up? There is an element of that, I am afraid. That if you are looking not to fill within the Island but
look to infill around the shoreline of Guernsey, then every decision you take is difficult.

1875 Now, what I am comforted by, personally, is the fact that politicians have to go and abide by
environmental impact assessments, that we have legitimate planning processes which are there to
protect the public, to protect the environment, to ensure that Government is acting responsibly
with regard to the issues around land reclamation.

Deputy Merrett, I think, yes, what she is proposing, sir, does not identify any sites. In other
1880 words, it does not name any, or does not favour any, but the reality is the options paper. We know
what the most likely sites are. We know that the potential land raising in some parts of the Island
was very unpopular, and we know that some quarries that people feel ... I think Best of Brickfield
comes up quite frequently. People say it has got a great access road, it has got the infrastructure
around it, but actually Best of Brickfield Quarry, which is now a reservoir, would need an
1885 environmental impact assessment because nature has reclaimed that quarry. It is a standalone
nature reserve now. So if it is not Longue Hougue, we have to respect the processes that got us
here today, because if it is not Longue Hougue South and it is not Creve Coeur, then where is it?
Then that is another significant delay, I would imagine.

Of course, the reason we are placing this amendment is we are looking for the funding to
1890 secure the exploration of the Creve Coeur option

Deputy Paint said two things. I think he said make use of existing inert waste so you do not
have too much of it; but he is sympathetic, I think, to land reclamation in other areas around the
north of where we are proposing, potentially, to reclaim land.

Deputy Leadbeater said that he could not support it because we need to look at other
1895 potential opportunities within the short list. But the whole process has taken us here, and I think
that is the point; I would say again, we have to have confidence in the process that has got us this
far. We have had a number of sessions with interested groups of all types who have fed back at
different stages to steer us and advise us and give their expertise in this regard.

Deputy Dorey is right to talk about the delay in stockpiling, huge quantities of inert waste,
1900 potentially, and the cost of that. He also made the point that Creve Coeur is more of an unknown
for us, and we should have that in mind.

The point I want to make, and underscore, we have obviously ... incidentally, I thank Deputy
Yerby, and I thank Deputy Merrett for making us aware of what was a *sursis motive*; it is now an
1905 amendment, and I thank them sincerely, because we met last night and we tried, if I can say, to
reclaim the gap between us. So we are placing this amendment, which I think is aiming to meet
them halfway. Obviously, I do not think we have achieved that, but what I would say to them, and
I would say to all Members, is this is about cost as well as everything else, and if you do want to
do the parallel EIA running two together at the same time with the associated costs – it is detailed
in here – it is hundreds of thousands of pounds.

1910 I would suggest that we do not do that, and that we have faith in the process whereby we get
to a stage where Longue Hougue South, we have the EIA, that we consider if there are genuine –
and we will be advised by those people who know – reasons why it cannot proceed, then we
move on to Creve Coeur with the funding secured in this amendment.

So I would ask Members to approve the amendment.

1915 Thank you, sir.

The Bailiff: We vote on the amendment proposed by Deputy Brehaut and seconded by Deputy Dorey. I had better wait until those people return to their places.

1920 **A Member:** Have a recorded vote please, sir?

The Bailiff: We will have a recorded vote on the amendment proposed by Deputy Brehaut, seconded by Deputy Dorey.

There was a recorded vote.

Carried – Pour 26, Contre 12, Ne vote pas 0, Absent 2

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Smithies	Deputy Inder	None	Deputy Fallaize
Deputy Hansmann Rouxel	Deputy Lowe		Alderney Rep. McKinley
Deputy Graham	Deputy Laurie Queripel		
Deputy Green	Deputy De Lisle		
Deputy Paint	Alderney Rep. Jean		
Deputy Dorey	Deputy Ferbrache		
Deputy Le Tocq	Deputy Kuttelwascher		
Deputy Brouard	Deputy Leadbeater		
Deputy Dudley-Owen	Deputy Mooney		
Deputy Yerby	Deputy Le Pelley		
Deputy Langlois	Deputy Merrett		
Deputy Soulsby	Deputy Meerveld		
Deputy de Sausmarez			
Deputy Roffey			
Deputy Prow			
Deputy Oliver			
Deputy Tindall			
Deputy Brehaut			
Deputy Tooley			
Deputy Gollop			
Deputy Parkinson			
Deputy Lester Queripel			
Deputy Le Clerc			
Deputy Trott			
Deputy St Pier			
Deputy Stephens			

1925 **The Bailiff:** Well, the voting on the Deputy Brehaut/Deputy Dorey amendment was 26 in favour with 12 against. I declare it carried.

Now, before the next amendment can be laid there needs to be a motion to suspend Rule 24(2)(b) of the Rules of Procedure.

Do you propose such a motion, Deputy Yerby?

1930 **Deputy Yerby:** Yes, sir.

The Bailiff: And Deputy Merrett, you second it?

Deputy Merrett: Yes, sir.

1935 **The Bailiff:** In that case, I put to you the motion to suspend the Rules to enable the amendment to be debated. Those in favour; those against.

Members voted Pour.

The Bailiff: I believe that is carried. I declare it carried.
So, Deputy Yerby, you may lay the amendment.

1940

Amendment:

To delete Propositions 1 to 4 and to substitute therefor:

'1. To direct the Committee for the Environment & Infrastructure and the States' Trading Supervisory Board to identify two sites from their shortlist of possible options for Inert Waste management, each to be the subject of a detailed Environmental Impact Assessment and Environmental Statements setting out the findings of the Assessment, as described in paragraph 7.3 of the policy letter;

2. To direct the Committee for the Environment & Infrastructure and the States' Trading Supervisory Board to report back to the States with the findings of both Environmental Impact Assessments as soon as practicable, and to recommend a 'preferred way forward' for the management of inert waste in the medium term and seek States' authorisation to progress that 'preferred way forward' through the remainder of the 'Analysis and Design' stage to completion of an Outline Business Case;

3. To delegate authority to the Policy & Resources Committee to approve expenditure on the 'Analysis and Design' stage of the Inert Waste project, as identified in paragraphs 7.1 to 7.6 of the policy letter and including the simultaneous conduct of two detailed Environmental Impact Assessments (one for each of the two sites identified), up to a maximum of £1.6 million, funded from the Solid Waste Trading Account;

4. To note that the Committee for the Environment & Infrastructure and the States' Trading Supervisory Board intend that an Outline Business Case will be submitted to the States for approval, consistent with the States' procurement rules and paragraph 7.4 of the policy letter, and to direct them to include in that policy letter an update on their proposed approach to delivering Inert Waste management solutions throughout the full twenty-year life of the Strategy;

5. To direct the Committee for the Environment & Infrastructure and the States' Trading Supervisory Board to amend the draft strategy for managing inert waste, as set out in Appendix 1 to the policy letter, by deleting from the Waste Hierarchy for Inert Waste, as defined in the graphic following paragraph 5.3.7 of Appendix 1, the text "including land reclamation and infilling with potential beneficial use" where it appears under "Recovery", and to make any necessary consequential amendments to the text of the draft strategy; and

6. To direct the States' Trading Supervisory Board and the Committee for the Environment & Infrastructure to carry out, as soon as reasonably possible, any necessary steps required under section 31 of the Environmental Pollution (Guernsey) Law, 2004, in order to lay before the States a revised draft of the Waste Management Plan to replace the current Waste Management Plan approved by Resolution 1 of 1st August, 2014 on Article IX of Billet d'État No. XVI of 2014 to reflect-

(a) the above proposals in relation to the strategy for managing inert waste, and

(b) the changes approved to the detail of the Solid Waste Strategy by the Resolutions of 16th February 2017 on Article III of Billet d'État No. V of 2017.'

Deputy Yerby: Thank you, sir.

Given that the amendment has been circulated at fairly short notice, I think it is probably best if it is read, although I will ask the Greffier.

1945

The Bailiff: Greffier.

The Greffier read out the amendment

The Bailiff: Deputy Yerby.

Deputy Yerby: Sir, I feel I need to start with a series of apologies, first to the Greffier for making him read such a long and dull amendment; (**A Member:** Hear, hear.) (*Laughter*) second, to you all, Members, for the lateness with which this amendment, the *sursis motivé*, which it used to be, was circulated; third, of course, to the Committees, who had to put in a lot of unwanted extra work at the last minute in order to respond to our concerns.

I will, at least, turn that one into a backhanded compliment, because both Committees are Committees in which I have a great deal of confidence and so usually I feel safe leaving their papers to the bottom of the pile, so to speak. On this occasion it left me with a little too little room to manoeuvre, but even so, the Committee have engaged honestly and constructively with us, and I thank them very much for that.

As Deputy Brehaut acknowledged in debate on the last amendment, we were not able to completely close the gap between the concerns that Deputy Merrett and I shared that motivated this amendment, and the Committees' preferred approach to the issue, which is why we are continuing to lay this, and I believe, if successful, it would supersede even the amended Propositions as just decided.

One of the interesting things that I encountered when discussing this with the Committees, is that there is not really and they may wish to stand up and correct me, but in my interpretation of it, there is not really a strong environmental conviction behind this proposed solution. It is not that they think it is the wrong solution; we are all agreed in thinking it is the least worst solution, but we are at this place, we are at the place of not being able to marry our concerns with the Committees' concerns, principally because they want to be good stewards of public money, and I will emphasise that again, because this is the Committee that gets flack for things such as an overspend on Salerie Corner, and what is motivating our disagreement here is a question of what is fiscally prudent.

Now, in my opinion the process that the Committee have presented, even in the amendment that we have just agreed, is just not sufficiently robust. We think that there needs to be a break point after the environmental impact assessments have been carried out, because neither the policy letter, nor the public feedback that we have been receiving, give us absolute confidence that the options the Committee want to progress will succeed in all the required project gateways. If they do not then the next opportunity to change that will be at the outline business case stage, which, in our view, is too far down the road.

The Committee said to us, well, as Members have now heard, that is going to cost more in terms of upfront costs if you want to run two environmental impact assessments in parallel. So really it is judgement. It was a judgement for us and it will be a judgement for all Members of the States as to where you want to balance the risks. Do you accept that the risk is high that the preferred site might not be successful at some stage between now and the completion of an outline business case? If so, you will want a strong fall back option available in the wings, and that is what this amendment offers, by directing the Committees to look at two sites, work them up in parallel as far as the environmental impacts assessment stage, and then bring a decision back to the Assembly to identify which of those is the preferred site. We are providing a break point and a strong contingency option. But it does cost more up front.

The alternative is to reckon, as the Committee do, that the current preferred solution will be sufficient, that there will be no need to interrupt the process that the Committee are going through before the outline business case, and that that will give us enough time to have a new phase of the inert waste management solution up and running before the existing phase runs out or before we have had too much stockpiling in between. So it really is a decision for Members as to how they want to balance those risks.

The one thing that this is not, from my perspective, is kicking a can down the road. Members will be aware that our original intention was to lay a *sursis motive*; the reason behind doing that was because, as we acknowledge, this has come forward at fairly late notice, we do not have access to the same degree of information as the Committees involved do, and even if we did, I certainly would not have the depth of technical knowledge to make sense of it in the same way as

2000 they do. So my initial wariness about bringing an amendment was what unforeseen consequences
would we be imposing on the Committee, and on the Island, if we prescribed a particular way
forward? We thought if we laid a *sursis motivé* instead, that would give the Committees
themselves enough time to go away, do the additional thinking that we required of them, and
then bring the options back to the States.

2005 In the conversations that we had with the Committees even overnight, they gave me, certainly,
enough confidence that they had done that thinking, and that if we brought this forward in the
form of an amendment, the consequences, at least, would be ones that they could accept. So that
is what we have done. I hope that, simply, the switch from a *sursis motivé* to an amendment will
give those who have doubts confidence that this is not an attempt at kicking the can down the
road.

2010 I recognise that we are inviting more political and public engagement by inserting another
States' debate around the end of the environmental impact assessments, but again, I would put it
to this Assembly that that is a question of good governance. (**A Member:** Hear, hear.)

2015 The outline business case, we are advised, will come back within about two years. That is still
within the life of this Assembly. If Members of the Committee are afraid that Members of this
Assembly will oppose the project at outline business case stage, would it not be better if they
knew that at environmental impact assessment stage, half way through that process? If there is
going to be such political and public pushback for the preferred solution that it is not going to be
viable, would it not be better if we recognised that sooner and could change course accordingly?

2020 For my part, I suspect that the least worst option is going to prove to be one of those named
in the Committee's amendment, and that is why I ended up voting for it; again to demonstrate
that this is not seeking to kick the can down the road, and to show that I recognise that finding a
solution to inert waste management is unavoidable, and that whatever solution it is it is not going
to be extremely pleasant.

2025 However, our amendment does not seek to name the sites, again because that is better put in
the gift of the Committees because the indication they gave to us yesterday was that they would
prefer that to be in their gift, and because actually although I suspect the majority of the
Assembly, like me, grudgingly recognise that it is going to have to be a site we do not very much
like and would rather not be dumping rubbish into.

2030 If the reality is that the majority of the Assembly are mumbling into their handkerchiefs, well, it
should be another site, this at least gives Members an opportunity to contact the Committee and
say, 'Have you thought about x? Have you thought about y?' We should be very careful of the
'*computer says no*' approach; and I would gently remind all Members of the grief that we gave the
Committee for Home Affairs a couple of debates ago, when we were concerned that they had not
been prepared to listen to feedback about the population management regime, that had not
come through anything other than the official mechanisms.

2035 We have to recognise that democracy is a bit messy, that feedback sometimes gets in through
the sides as well as through the official channels, and that what Société Guernesiate are saying to
us in their letters now, or what political Members and members of the public are saying now is as
much a valid part of the process, and valid feedback, as whatever they may have said in choosing
the parameters of the original process.

2040 So, sir, I accept and respect that the Committees have followed a logical process which has
given them Longue Hougue South as their preferred site. I do not think it is as much head and
shoulders above the other sites as they are, of course, having to argue at this point in time. It is
above the other sites in the process, but I do not think that, with either tweaking the parameters
or with additional feedback that might come in further down the line, we can accept that that is a
given and that is a given and is going to remain a given. I would encourage the Committees to
welcome the feedback that is coming in at this stage.

2050 So, again, to emphasise this amendment is about building more robustness into the process,
making sure that there is a strong contingency to fall back on, if the Committees' preference site

is not available, or is no longer available, to them further down the road. But it also reflects concerns about the strategy, as well as the solution identified to implement it.

2055 The policy letter itself is not completely consistent. At times it talks about a 20-year strategy and at times it focuses only on the first phase of delivering that strategy. The Committees have talked that through with us, and I understand why it is that they do not want to commit themselves fully to a 20-year solution at this stage, because whatever we do, we are going to end up with a site that is only going to covert a proportion of that, and the world may very well have changed in 11 or 13 years' time when they are looking for the next site that they need to bring on line.

2060 But their original objective was to find a 20-year solution. As Deputy Brehaut said, it could have been 15 or 30 years, but it was 20, and there is at least part of me that says well we should be thinking across the whole horizon. If, for example, we know that the gate fee for the second site is almost inevitably going to be higher than the gate fee for the first site, should we not be thinking at business case stage, well, what if we smoothed it over the whole period of the strategy, 2065 implementing a gate fee that perhaps covers our costs and recovers a little more this time around so that we are not faced with a steep jump in a decade's time? That sort of thinking needs to be there, if you have started out by committing yourself to a 20-year strategy.

2070 So the amendment in Proposition 4, or what would be Proposition 4, asks the Committee to come back with an update on how they envisage the full 20 years unfolding, when they report back to the States at the outline business case, which, although that does not feature in their original Propositions, does feature in their policy letter; it is something that they are required to do.

2075 The other aspect of the strategy that the amendment touches on is the way that land reclamation has been slipped into the definition of recovery in the waste hierarchy. I think this is both inappropriate and unnecessary. If you have a need to reclaim land, and you do that by putting waste into a hole, then what you are doing by definition is recovery; you do not need to tweak the definition of recovery to say that.

2080 On the other hand, if your primary motivation for dumping rubbish into a hole is to get rid of that rubbish, and it has the lucky bonus effect of providing you with additional land, well, I am afraid it is still disposal. It might have a benefit further down the line, but it falls squarely into the disposal box. My worry is that by inserting land reclamation deliberately into that definition we are artificially inflating the benefits of that approach and, again, artificially minimising the social and environmental harms that arise from it. Because those harms do arise, the hierarchy is, I believe, internationally defined, lots and lots of people will have done this thinking before us, it 2085 does not suit us well to reinvent the wheel. And actually, semantically speaking, the hierarchy as it stands already does what it needs to do, in terms of land reclamation.

2090 So I suppose that is a fairly puritan semantic move, but I felt it was important. We felt it was important enough to include it in this amendment. It might, in future, change the weightings of sites that are evaluated for the next stage of the inert waste management phase, but that is something, that is a bridge that we will have to cross when we get to it.

2095 I do urge Members to support this amendment and to build more robustness into the process, to think about strengthening both the strategy, and the solution for implementing it. But I would stress that I know this is not a problem that is going to go away, that we cannot afford to kick the can of inert waste management down the road, but it is going to be difficult. We have to allow it to be a fairly democratic process, and to do that we have to build in feedback, break points and contingency in case our preferred option is not the one that is going to work out in the end.

Please support the amendment.

2100 **The Bailiff:** Deputy Merrett, do you second the amendment?

Deputy Merrett: I do, sir.

The Bailiff: Deputy Brehaut, do you wish to speak at this stage?

2105 **Deputy Brehaut:** Not at this stage, sir.

The Bailiff: In that case, Deputy Trott,

Deputy Trott: Thank you, sir.

2110 A number of my constituents, and many more people Island-wide, have concerns over the perceived haste of this process, and many concerns clearly converge around timelines, together with concerns about biodiversity, and fears over the significant additional cost.

2115 As a consequence, I have three questions, assuming that the timeline is in fact a key. Can I ask the Chairman of the STSB, President of the STSB, what capacity exists at Longue Hougue in terms of current infill rates, and if we have indeed got the luxury of doing an environmental impact assessment consecutively, rather than concurrently, in terms of the process?

The second question is: can I have someone, for good order, repeat confirmation that any environmental impact assessment will give considerable consideration to the biodiversity issues that concern so many?

2120 Finally, can I ask Deputy Brehaut, in his capacity as President of the Environment Department, to advise what the additional costs associated with this amendment will be?

I believe that all three of those issues are of primary concern.

Thank you, sir.

2125 **The Bailiff:** Deputy Brouard.

Deputy Brouard: Thank you, sir.

2130 I have not had a chance to prepare a speech. I did not know this amendment was coming and it has arrived, I think, quite late in the day. I appreciate that Deputy Yerby made some apologies about being long and dull, but I think it is long and concerning from my point of view.

2135 I cannot criticise anyone for bringing an amendment on the hoof, I have brought many amendments on the hoof, but this is not only a hoof, this is a stampede of extra information, and while Deputy Yerby was kindly outlining her proposals for it, I was busily trying to see how each element fitted into the existing structure. I think there is a lot of information in here, and I would be very concerned if we passed this today. I do not know the full implications of what is being put forward; I think we need to.

2140 Now, just taking one particular aspect, which is item 5, where we are now amending the way we deal with the waste hierarchy in considering this particular item, what it is basically saying is that although we are doing, or possibly doing, land reclamation, that must not be looked at as a good thing in itself. I think it should be. I think it should be. There is no reason for us not to have a benefit of having land reclamation when we have got inert rubble and material that we need to dispose of.

2145 The effects of what Longue Hougue has brought us is a great opportunity. Well, where would we have put our waste transfer station? (**A Member:** Inland) Yes. Where would we have put our slaughter house? Where would that have been moved to? Where can considerations be given perhaps for other industrial uses? It comes down to Longue Hougue. So we have a double use for the land. One, it has enabled us to dispose of rubble, but it has also given us some land, which is of use, and I think that consideration should be taken into account as we go forward with looking at inert waste. The idea of just placing it somewhere and it is of no use to anyone, as opposed to placing it somewhere where it is also of benefit, whatever that benefit is and however large it is, I think should be taken into the picture.

2150 We also now have the situation where we are going to be looking at two EIAs at the same time, and as the amendment says, I will quickly read here:

There will potentially be a higher upfront cost ...

2155 But that is almost implying that it is going to be lower somewhere else, so I would be interested from Deputy Yerby where that lower upfront cost, having spent money on two EIAs, and assuming we only do one of the sites for land reclamation, what is going to happen to the value of the money that we have spent looking at some area which we are not going to use, and I cannot see how that will make any other site less valuable or where we are going to get the money back from the other site.

2160 I think also, we have a situation – I think Deputy Brehaut alluded to it – we are not going to be able to find Nirvana, and we are going to be pushing this can down the road, when in fact it is not a can, it is a whole wheelbarrow of rubble down the road for a long time. I am very nervous about going round the houses looking at every single other position where we could put it, and then discovering that actually adding it to Longue Hougue is probably going to be the best overall for Islanders, and I know there is some compromise, and there are some houses who are very close to that site, and right in front of that bay, and for them this is 100% very, very important. But we have got a bigger picture here. I am just concerned that we are doing the nice thing rather than the right thing.

2170 So looking for Nirvana is great, but I think we do need to balance both sides here. I will be very much looking to Environment & Infrastructure, who have at least some knowledge over 24 hours in this particular issue, and their guidance to me will be very grateful. But I am minded not to support this. I think this is literally going to cost us more money looking at something that is not going to happen, and we are going to end up back where we started from, and at the same time changing the way we look at inert waste as only a disposal problem. I think it can also be a solution as well, to some of our industrial needs at the same time.

2175 So, on balance, sir, I am afraid I am not going to be able to support it, but I will look to E&I and STSB for their guidance as well.

Thank you, sir.

2180 **The Bailiff:** Deputy Inder.

Deputy Inder: Sir, thank you.

2185 As soon as Government tells you not to look at something, the first thing I do is start looking at it. I think we really do have to have a discussion about Les Vardes, if not here in this Assembly, we need to look at this far more sensibly than we are at the moment. Just being told that it was identified for water storage since 2009, that seems to be the totem, so therefore you cannot look at anything anymore because it has been identified as water storage since 2009.

2190 The policy letter says it has been safeguarded for future water storage, and it goes on to say in 2.4.3 it is identified within the IDP as a water source. There are three things there that show that therefore it cannot be used for anything else, it has to be used for water storage. Actually – and the most important thing is – it is identified for water storage since 2009 because everything else has followed from that. Only once was it identified as water storage, and where we like it or not, there are many people in this Island that drive past that hole every day thinking, 'Why don't we use that, why don't we use that?'

2195 We know that there are people within this Assembly that are thinking the same thing. So I just wonder if we have looked properly at Les Vardes, and I genuinely ... and I do not really want the answers here in this Assembly, because I do not think it is possible, but I am going to give you a few facts. Time and time again, people have been saying look at Les Vardes, look at Les Vardes, and we seem to be building a hole in the sea, when we have actually got a hole on the land, which I just find is one of the oddest, oddest things.

2200 I did not go to the presentations, so probably my normal irritated self ... but I did look at the map of potential sites, and I think it was Albec after I had wiped my ... well I think I broke two ribs with laughter, anyone who considered Albec as a possible site for land reclamation. I am sorry,

2205 you have lost me immediately. Who on earth would have put Albecq Bay as a potential site, and be expected to be taken seriously, any identification after that. Absolute nonsense.

So I wrote to Guernsey Water. I have looked at Guernsey facts, so let's look at water storage. Now, Jersey has six water storage facilities, it has ... I am probably talking in general debate, sir, I suspect.

2210 **The Bailiff:** I think you are, I am not sure you are even talking on the – (*Laughter*)

Deputy Inder: It is interesting, it has got facts and figures in.

2215 **The Bailiff:** Well, it may be interesting but is Jersey's water storage relevant to –?

Deputy Inder: Unlike the policy letter, well it is kind of connected into the –
Yes, I will give way.

2220 **The Bailiff:** Deputy Sausmarez.

Deputy Inder: Yes, Deputy de Sausmarez, I beg your pardon.

2225 **Deputy de Saumarez:** I thank Deputy Inder for giving way.
I might actually be able to save him some time before he goes into the issues on water storage. (*Interjection by Deputy Inder*)

The Bailiff: Well, you have given way to Deputy de Sausmarez, there is no Rule whereby she is required to give way to you. (*Laughter*)

2230 **Deputy de Sausmarez:** In the policy letter in paragraph 6.26 it does explain that whilst Les Vardes Quarry featured on the short list, it will not be available for use by 2023 and so cannot be considered as a preferred way forward.
Thank you.

2235 **Deputy Inder:** That does not help me at all.
I am going to go through some –
I will give way to –

2240 **The Bailiff:** Deputy Leadbeater.

Deputy Inder: I keep doing it, Deputy Leadbeater.

2245 **Deputy Leadbeater:** Thank you, sir.
I do not think that Les Vardes has to be fully quarried before it can start receiving inert waste.

Deputy Inder: Thank you, Deputy Leadbeater, for his intervention. Hopefully, later on in the day he could expand on that, because we have had conversations about that.

2250 Now, let's look at Jersey, and this is really about why Les Vardes cannot be used because it has been identified as water storage. We have got six, or sorry, Jersey has six, water storage facilities. It has got Dannemarche at 93 mega litres, Grands Vaux at 229, Handois at 187, Millbrook at 43, Queens at 1,193 and Val de La Mare at 938. So Jersey's water capacity is 2,683 mega litres, with a population of 40,000 more than Guernsey. It has got a desalination plant, reverse osmosis, which is used to augment the six holes that they have got. They are actually quite envious of us, because we have had a quarrying industry, they have had to use valleys, we have got far more existing
2255 holes.

2260 Now let's put that into perspective in a Guernsey context. Remember what I said, Jersey, 2,700
mega litres, Guernsey has got 15 holes, including St Saviour's; a reservoir, now our reservoir, in
total is 4,385 mega litres – our capacity currently in Guernsey with 40,000 people less than in
Jersey with 4,385 mega litres. Now the capacity of Les Vardes is 2,700 mega litres. Now if you add
2265 those two together, we are screaming toward 7,500 mega litres of water capacity when Jersey has
got 2,683. You wonder why we should not be questioning whether Les Vardes should be used as
water capacity. It is immense. It is almost 2,693. Jersey, if Les Vardes ever comes on stream – and I
think we have already seen the press release from Guernsey Water ... to actually bring Les Vardes
on stream to use it as part of our water catchment will be hugely expensive. We have to start
2265 looking at Les Vardes as a potential, and actually go back and look at that –
I will give way.

The Bailiff: Deputy Langlois.

2270 **Deputy Langlois:** Sir, I have been listening to Deputy Inder talking about Les Vardes for five
minutes or so now, but Les Vardes is on the short list of five potential sites for our inert waste; it
has not been ignored, it has made it right the way through the whole system, and it is sitting there
with Longue Hougue South, Creve Coeur, a couple of small quarries in the north, and Les Vardes
2275 makes up the five on the short list. It has not been ignored, it is not some wonderful solution that
has been wilfully put to one side simply because currently it is potentially being used for water
storage.

Deputy Inder: Well, thank you for that intervention. But I was aware of that. So what? It makes
2280 no difference at all. If you actually look at – now hold on, hold on, you have got to start thinking in
a slightly commercial sense. Les Vardes has got 36 years of inert waste capacity in it alone. In the
policy letter here we are looking at spending £30 million on a hole in the sea.

Now, 2026 it stops working as a quarry, but the policy letter's site has the whole thing opening
in 2022. There is only four years' difference of it stopping working as a quarry. Now, I know the
2285 plant will stay in Les Vardes, and we know that they are testing Mont Cuet at the moment to look
at the viability of the extraction out there. You cannot tell me a deal cannot be done with the
commercial company to ensure that we do not spend £30 million now that we start looking at Les
Vardes, seeing if we cannot move things ... we are not talking 15-20 years hence, really we need to
start looking at Les Vardes. Back to what Deputy Paint said earlier: we have got a Harbour
2290 Development Plan rattling in one drawer, we have got inert waste strategy in the other drawer, we
have got a hydrocarbon strategy; it is not even silo thinking from different Committees, they are
all in the same Committee, and we seem to be hell bent on going down one single route, because
in 2009 Les Vardes Quarry was identified as water storage.

One more thing, through you, sir. Let's look at the water usage, from 1987 out of the tap in
2295 Guernsey, we were using 5,198 mega litres through the tap in Guernsey in the Island; 2016 it is
4,574. We are using less water than we did 35 years ago. Now, to put that into context that is 500
mega litres; to put that into context that is St Andrew's Quarry – Best Brickfield, to those of us that
are a little bit older – and Jamblin together, you cannot tell me in this Assembly that Les Vardes
Quarry is not identifiable as a potential place to dispose of our inert waste.

Thank you, sir.

2300

The Bailiff: Deputy Roffey.

Deputy Roffey: Sir, I almost thought we had an amendment before us instructing
2305 Environment & Infrastructure to carry out an assessment of Les Vardes. If we did, then I might
have had some sympathy with it. We do not, we have an amendment in front of us, and I will get
on to the question of alternative sites like Les Vardes when we get in to general debate, but the
amendment before us, as I understand it, instructs Environment & Infrastructure to take their two

2310 preferred sites, for them to identify from their short list, two sites on which to carry out an environmental impact study, and it is utterly plain to me, from what we have already heard, that that will be, whether you want to call it Longue Hougue South or Belle Greve North, it will be that bit, Spur Bay, and it will be Creve Coeur.

2315 Now, the question I have to ask myself, I like some of the bits of this amendment, but do I want to spend an extra half million quid to drag in an environmental impact study on Creve Coeur when I think it is probably even more objectionable as a place to put waste than Spur Bay, and I do not.

So I am afraid I am going to vote against this amendment.

The Bailiff: Deputy de Lisle.

2320 **Deputy de Lisle:** Yes, sir.

I am reluctant also, sir, to allow these Committees to have the privilege of choosing any two sites which are likely to be the two that Deputy Roffey has just referred to, and continuing work with a budget of £1 million to £2 million to carry out detailed EIAs environmental assessments. I would prefer a full review of potential sites by the Assembly, given the pros and cons of these sites, and there needs to be a lot more consideration, if you like, by this Assembly, than such a quick sort of decision that is being pushed, it seems to me, today.

2325 So I would ask that you reject this amendment.

The Bailiff: Deputy Merrett.

2330 **Deputy Merrett:** Thank you, sir.

As previously stated Andrew Merrett is a director of Lovell Ozanne Architecture who do have an association with the waste transfer station at Longue Hougue site. They have no involvement presently with reclaiming of land or disposal of inert waste, but I mention this, sir, because there is an extension of Longue Hougue, as is mentioned in the policy paper, so therefore I declare a potential, if not tenuous, conflict.

2335 Sir, first, I must also apologise for the lateness of the submission of these amendments. I will explain why they are late in due course, but I apologise because I am a firm believer in trying to make informed, intelligent-led decisions and therefore this 11th hour course of action, although some are simple to absorb, does not allow enough time for the public to respond to it, or for the Deputies to get to grips with all of them. Therefore, I make no apology for the length of this speech. Indeed, sir, it might be longer than Deputy Ferbrache's.

2340 I will speak to try to add clarity and evidence as to why this amendment should succeed. It is worth noting though, sir, that Members were circulated a *sursis motivé* which contained virtually all of the amendments we see before us today. So at least Members have indeed had some prior notice. I also wish to place on public record how helpful officers of STSB and E&I have been. An STSB officer even attended the Longue Hougue site with me in gale force winds and rain, for which I am most grateful. Additionally, Deputy Smithies and officers have been most expedient in their responses to my many questions and, again, I thank them.

2350 So why, sir, has this amendment been submitted so late? It is one of the idiosyncrasies of the States that we voted on debating this policy paper on the day deadlined for submitting amendments. Of course, the majority of Deputies were undoubtedly concerned about when ESC policy paper was going to be debated, and that was very much the focus of the last States' sitting deliberation regarding the Schedule for further States' business.

2355 The timeline on the Inert Waste Strategy policy paper has been tight. It was submitted on 10th November, and there was a poorly attended Deputies' drop-in meeting on 24th November, when some pertinent questions were asked and responded to. I asked more questions of STSB just two days later on 26th November, and was most grateful for their speedy response on 29th November. But, sir, the deadline for amendments that have financial implications, as we know, was

2360 1st December, so just a few days to try to draft an amendment to a quandary that has taken the
States since 1995, since Longue Hougue was decided to be a land reclamation site, to get to grip
with. To amend a draft strategy and to identify potential solutions. They had seven years, yet we
had less than three days. Yes, we could have tried to find the solution in less than three days and
draft amendments or submit one after the financial deadline and ask for the Rules to be
2365 suspended. So why didn't we? It was because we were conscious of the risk of unintended
consequences if we tried to send E&I and STSB off in different directions of travel rather than
allowing them to revise their own proposals. That is why we originally considered a *sursis motivé*,
but we have tried to have constructive deliberations with E&I, and we have been clear and
consistent that we did not intend using a *sursis motivé* or this amendment as a tool to put off a
2370 difficult decision. Indeed, I believe we are trying to help the Assembly come to a better and more
informed decision, and prevent the States being forced into a time critical and bound decision in
the forthcoming months and years.

These amendments primarily revolve around the proposed strategy and the narrow definition
of pursuing only one potential option at this stage, namely, the preferred way forward. I have
2375 been assured that this is a recommended site, the preferred way forward, and it is not a
predetermined site, but, sir, only pursuing one site at this stage could, indeed, be seen to be
predetermining a preferred way forward as being just that – the only way forward at this time.
Surely, the preferred way forward, according to the strategy, is the management and I quote:

... the management of inert waste through land reclamation.

Isn't that the preferred way forward that this strategy is proposing? But, no, the preferred way
2380 forward has been specifically defined as being the management of residual inert waste for land
reclamation – well, yes, that bit is understood – but then Longue Hougue South has been added
as one of the best environmental options from a short list of possible options.

So why Longue Hougue South, and why would we need to only look at one option, especially
if the decision is time sensitive, or as some would have us believe, time critical? Why come back to
2385 the States with a binary choice, Longue Hougue South, yes or no? We have been advised that this
could take approximately two years and will cost over £1 million. Furthermore, there would be no
more details of any other alternative sites, so the whole process could potentially need to start
again. This, sir, is why I am so concerned that I have seconded this amendment.

I had requested information regarding the financial and other implications of adding another
2390 site that came up as an option, namely Mont Cuet North, to the policy paper. I think it is
important to note that I use Mont Cuet North purely as an example of another site that came up
as an option, and I have no preference to bring forward either particular site. I merely wish to
ensure that the States does not agree to spend over £1 million on just one site, which may fall at
2395 the environmental impact assessment (EIA) stage, or indeed, may be firmly rejected during a
public inquiry or any other gateway, or by this Assembly when it finally comes back for approval
when the outline business case is submitted.

We have been advised, sir, that a detailed EIA could cost in the region of £215,000, so logically
you would assume that two would cost £430,000. However, if that then saves spending over
£1 million in vain it may be an investment worth making.

2400 We were subsequently told last night that actually the additional EIA could cost considerably
more than the £215,000 budgeted for in the policy paper. Therefore I leave Deputy Brehaut, or
any of his Committee, or indeed Deputy Yerby or STSB, to explain why this is the case.

Our amendment, namely amendment 2, seeks to have a recognised break point earlier than
waiting up to two years and spending over £1 million; earlier, so that Members are not forced into
2405 a binary time critical choice. It seeks to ensure that the States as a whole can debate and give
assent to a preferred way forward, with more information by having the data from more than one
EIA. This seems pragmatic and financially prudent, rather than running off down one path at this
stage.

2410 There are other potential break points that could reassess the direction, and potentially save money by having to ensure the final solution or site is acceptable to this Assembly.

Proposition 1 in the policy paper asks the Assembly to approve strategy for managing inert waste, I am pleased that it has recognised that the Solid Waste Strategy has failed to adequately address inert waste, as its primary focus is on household and commercial waste. Currently, the Waste Strategy simply states that:

Future inert waste disposal will be reliant on further land reclamation projects ...

2415 – and that, sir, is a direct quote.

This clearly is not adequate, primarily because it does not provide a strategic or sustainable direction for the future management of inert waste. Unfortunately, we have tied ourselves up into a big strategic and legislative knot because this strategy has to complement and sit with existing related, strategic policies of the States, and of course legislative framework. We could not give ourselves more hoops to jump through, more staff to pay for, more assessments and experts to pay for, if we tried.

2420 Whether it is a strategy given assent by a previous Assembly – for example, the Solid Waste Strategy 2012, or the SLUP, a statutory document that was agreed in 2011, and then went on to bind us when we debated the IDP in 2016 – quite simply, sir, the list goes on. So maybe one Government can actually bind or at least bind the hands of successive Governments because it is all a very big knot to try and undo, or even amend, because you cannot amend this without amending that first, and you cannot amend that without changing this first, and so on.

2425 So let's go back to these amendments. Amendments 4 and 5 refer to the draft strategy page 33 of that strategy, 2.1.6 states the Committee for Environment & Infrastructure:

... recognises the need for an overarching strategy for the management of inert waste ... over the next 20 years ...

2430 So we are confused, sir, why the preferred way forward, Proposition 2 of their policy paper, does not cover this period of time. Surely, to cover this period of time, at least two sites would have to be taken forward. Why? Because one site simply is not projected to last 20 years. So any money spent on any additional work now will not only allow a more informed debate when it is returned to the States, if you agree to these amendments, but also will be needed if the strategy is, indeed, meant to cover 20 years. We will need to know more about these potential sites, and so any EIA would help us to decide which site to bring forward first, and would be more valuable an assessment to reflect on when deliberating what to do after the site determined again becomes full. I repeat, it would also mean we are not faced with a binary choice, acknowledging that the preferred way forward could potentially only cover 13 years, and I am referring to Longue Hougue South.

2440 We believe that our strategy needs to be redefined taking into consideration the waste hierarchy definition, for example, recycling targets, legislative framework, policy etc. Page 35 of the draft Inert Waste Strategy (2.3.1.) refers to areas of land for reclamation. Crucially it states, and I quote, sir, that these:

Areas of land reclamation [should] can enhance the roles of the Main Centres or be required to accommodate strategic development with a high environmental impact;

2445 So two main things then: (1), reclamation should enhance the roles of the main centres, and/or, (2) be required to accommodate strategic developments.

2450 I am going to deal with some examples of (1) first, enhancing main centres. Enhance these densely populated areas – *enhance* – so I assume this is enhance in their economic, environmental and social activity. The potential sites have been assessed through weightings. The current weightings are approximately 24% economic, 38% environmental and 38% social. But these could change and should change if definition is the same for land reclamation as it is for land recovery. They are, after all, the same thing.

2455 If the primary purpose of filling a hole in the land or the sea is to facilitate land reclamation it is already recovery by definition; if the primary purpose of doing so is to get rid of waste it is unavoidable disposal. Even if a consequence of this is that the reclamation is of potential beneficial land, for all its benefits land reclamation also undoubtedly has social and environmental harms, and it is our view, as stated earlier by Deputy Yerby, that the proposed alteration to the inert waste hierarchy artificially inflates the benefits and minimises the harms. It needs to be acknowledged, and appreciated, that revising definitions of the waste hierarchy in this way will require alterations to the text of the draft in the Inert Waste Strategy and may also change the value given to the various options for disposal of inert waste. Proposition 5 addresses some of these concerns.

2460 The current weightings and scores mean that Longue Hougue South actually scored a negative on population, supporting the role of local centres as socially inclusive and diverse communities and neighbourhoods, at -1, sir; -1 equates to a scoring system that was used where the maximum minus is three, being a major negative impact; -2 meaning a moderate negative impact and -1 being a minor negative impact.

2470 So a -1, well, it is a densely populated area, with Richmond Court alone being the home to hundreds of Islanders. Then you have all the development, potential development, of St Sampson's, a large majority of which is residential.

2475 But Mont Cuet North, sir, scored a +1, meaning it has a minor positive benefit. Then we can look at the air and climatic factors, interestingly, ensuring that areas are safe and breathable for Island residents scored, again, a minus for Longue Hougue South, now that is alarming. When Mont Cuet North scored 0, meaning it is completely neutral. Transport and access also has a disturbing score of -2 for Longue Hougue South, so a moderate negative impact for maintaining access to and from the Island, -2. Surely, maintaining access to and from the Island is one of the most important things facing the States for this political term, are air and sea links. (**A Member:** Hear, hear.)

2480 Longue Hougue South is Guernsey's gateway, by sea from the Northern route, and it is part of the main vista of our glorious skyline. Do we really want to extend the industrial area? For those who are wondering, Mont Cuet North was another 0, another neutral. It is only by comparing and contrasting potential sites and solutions, that we can make a fully informed decision. How does one solution, one site, compare to another?

2485 I could go on with the environmental scores, but I am very aware that I have already spoken for a considerable amount of time, and of course that is why any EIAs would be explored and reported back on.

2490 So let's move on to point (2): should reclamation be required to accommodate strategic development? The current site at Longue Hougue South has, at present, 67,000 m² of un-allocated space. The abattoir has taken approximately 3,000 m², and the waste transfer station approximately 30,000. That leaves, I repeat, approximately 67,000 m². To put this into context, sir, there is 12,000 m² at Fontaine Vinery site. So there is the potential for up to 5½ times the area for industrial use. That is notwithstanding the amount of sites we have ownership of around the Island. Over the next 12 months we could go from the sublime to the ridiculous regarding availability of land for industrial use, and in doing so, will weaken the market value. Very basic economics, sir: supply and demand.

2500 So why are we then considering extension to Longue Hougue South if we already have a glut of reclaimed land in this area? It sounds like the opposite of strategic development to me. What will any reclaimed land be used for? Surely, we need to know that if it is indeed strategic development of land. Should we assume that if it is adjacent, or indeed part of, the existing land reclamation site, it is highly likely that land usage, or class, will also be industrial, after all, the current reclaimed land is classed as a specialist industrial zone? The IDP recognises Longue Hougue as a key industrial area, but it must not prejudice the long-term development of the St Sampson's Harbour Area, but of course we do not have a long-term plan for this area, so that is a complete anomaly. If it was serious about reclaiming land for strategic development, then surely it

2505 should be just that. We should be reclaiming it for very good reason and we should all know what that reason is.

I am led to believe that the most expensive land usage is residential, followed by commercial; they have the highest economic value. Or how about a strategic land reclamation being for a runway extension? That would be strategic land reclamation. We would be doing it for a reason, a potential strategic benefit to the Island. How about we reclaim the land at Mont Cuet North and move the power station there away from a densely populated area. Yes, we would need to invest in infrastructure, but then we have been underinvesting in that for years. The land freed up could be used for residential use, enhancing the area at St Sampson's Harbour and the Vale. That could be part of St Sampson's Harbour Action Area. Now that would be strategic. Think about it for just one second. Would we seriously have the power station right on our beautiful harbour entrance in such a densely populated area? How long have we been trying to get the uninhabitable derelict house demolished? The point is this, sir, if we are reclaiming land, I believe we need to know why, and exactly what it will be used for. I am not convinced that we know why, or what the use will be regarding Longue Hougue South.

2520 I am led to believe that the timescales involved are tight, but then maybe we should consider stockpiling some inert waste; currently none is kept. It is all dumped into the lagoon, otherwise known as the sea. I have asked for an estimate as to how much inert waste could, for example, albeit another contentious one, be needed for a runway extension, and was advised that we could divert our inert waste there for approximately two years, so two years of inert waste could be needed. We currently divert some to cap Mont Cuet rubbish tip, but that should be finished by next year, so we could and can divert some inert waste for strategic use. But we cannot do that if we tip it all into the sea and do not stockpile any.

2525 Page 45, table 4.2, states that one of the outcomes of the stakeholder consultation on the draft strategy was that:

... the material is not always available when needed. A 'reserve' of stockpiled material that could be processed for reuse may be a solution.

2530 Therefore, I think it is safe to assume from that, that there have been occasions when material may have been used but was not available, presumably because it had been dumped into the sea. That is not very strategic, is it? A solution being part of the strategy could be to stockpile a limited amount for use for when it is needed; after all we have 72,000 m² of unallocated space.

2535 Then of course diverting inert waste for strategic use would affect the time period for the recovery of the capital investment for a core facility. But isn't the development of the Harbour Action Area a high priority, a political term? We know it will have an effect on inert waste. Isn't the air and sea link review meant to return to the Assembly in 2018? This again could suggest that we may be able to divert some of our inert waste.

Page 40, 3.1.18 of the draft Inert Waste Strategy states:

The management of inert waste will not focus on one... site as a sole [solution for 20 years]. The objectives... will be achieved by a combination of solutions ...

2540 So that it what I believe we should be pursuing: a combination of solutions, not just one preferred way forward.

2545 We note we are pursuing the Harbour Action Area, we should expect debate on the runway extension will occur this political term, so why are we not factoring any of this into our strategy. How about due consideration of the fact that 20,000 cruise liner passengers were unable to disembark this year due to adverse weather conditions. If we had a deep water berth, or an extension to our main harbour, would more be able to come ashore? Twenty thousand people, with an average spend of £36.46 is almost an additional £¾ million of income lost from our economy. Can inert waste be used to bolster this facility? Now, that would be strategic.

2550 Why are we pursuing one preferred way forward with no clear understanding of what that reclaimed land will be used for? Why doesn't the preferred way forward include the option of

stockpiling, sir? Why are we considering an extension to Longue Hougue South, an additional dumping ground; why are we only being asked for the preferred option which does not even cover the strategic 20-year period? This is why we have laid these amendments. It is too early in the process of a time sensitive or even time critical process to only pursue one preferred way forward – a way forward that does not even cover the time period the strategy is meant to cover. We need more than one option. We need to be able to make an intelligence based decision on what site should be brought forward first, and why, and if we do agree to more land reclamation, I believe we should know the exact purpose of what any such land would be used for.

Sir, when I say we, I mean the Assembly, I mean all of us, not just the seven members of the Committee for Environment & Infrastructure and the STSB. This should be debated in a public forum, in an open and transparent manner. Please support this amendment and ensure that we do not back ourselves into yet another tight corner with a ticking clock looming over us.

Thank you, sir.

The Bailiff: Deputy Laurie Queripel.

Deputy Laurie Queripel: Thank you, sir.

I think I am likely to stumble into general debate but I will, of course, look to you for your good judgement on that.

Sir, I am acutely aware that the Island needs a facility, or a site, to deal with construction industry derived waste material, once of course all the re-use and recycling efforts have been made to minimise that material.

I am also very aware of the need for a location, or locations, that are suitable for heavy industry activity. Sir, this is clearly a very important matter, strategically, but it is also actually, possibly, an important matter in regard to our economy and economic activity.

But I have to say that I am not at ease with this report, even though the Propositions have been amended. I still feel that we are being hastily funnelled towards, effectively, one conclusion, without being able to properly consider the merits of other possible options.

Although Deputy Yerby spoke very well in support of this amendment, I think, in a sense she might have underplayed it a little bit, because to me it is not only about the process being put forward in this amendment adding robustness, I think it also adds assurance, or perhaps reassurance, not only to Members of this Assembly, but also to members of our community, that a more joined up and inclusive process has been undertaken if this amendment is put forward.

I am also of the opinion that bearing in mind this amendment does not name the options that should be looked at, I am of the opinion that it is not a foregone conclusion that those options will be Longue Hougue South, and will be the Mont Cuet area, sir. Actually, I agree with a number of Members who have spoken in this debate, my preference definitely is for filling a hole rather than going for more land reclamation ideas. I do not think – although Deputy Langlois said that Les Vardes did make a sort of short list, but it has been ruled out, effectively, now in this policy letter – Les Vardes is a ludicrous or a far-fetched option that should not be considered as part of this process. I think, actually, it should be considered as part of this process. Deputy Leadbeater has not expanded on his comment, yet, but he feels that Les Vardes could continue to be used for quarrying stone at the same time as being used for the place to deposit inert waste, and I think that is the sort of idea that should be explored further.

So I give way to Deputy Leadbeater, sir.

Deputy Leadbeater: Thank you to Deputy Laurie Queripel for that.

It is not just my opinion that that could happen, it is the opinion of the Managing Director of Ronez. *(Laughter)*

The Bailiff: You are going beyond the amendment, so if you wish to speak in general debate now feel free to do so; if you do then you will not be able to later.

Deputy Laurie Queripel: No, thank you. That is fine, thank you. I will get it all over and done with in one go.

2605 Well, I think what Deputy Leadbeater has said, it is actually the Manager from Ronez, that is quite an informed opinion, I would venture to suggest.

So I do not think it is a foregone conclusion, if this amendment is passed, that the two options that will have to be looked at are Longue Hougue South and the Mont Cuet area. I think, actually, if this amendment is passed then a number of Deputies might well get together and put the idea forward, lobby both Committees, STSB and Environment & Infrastructure, lobby them that they should actually make a case for them to look at Les Vardes as the next site to be used.

2610 So I think there is more than just robustness going to be added via this amendment, if it is passed. It will open up the opportunity again to look at other sites, besides the two sites that a number of Members keep referring to. I think Les Vardes does then very much come into the picture as one of the sites, one of the locations that could be used, bearing in mind the way that it could be worked, perhaps, much closer in time than we were being given the impression that it could be.

2615 Also, I think Deputy Merrett raised this point, and Deputy Trott asked the question, that he wanted Deputy Brehaut to answer; I think Deputy Trott wanted to know how much more time we could use the current facility at Longue Hougue to be used for landfill. I think that is about three years, I heard. But also I think Deputy Merrett spoke about what is our capacity if we had to, to stockpile material. Is it two years, is it three years, is it five years? What is our absolute capacity for stockpiling? So I would like that figure actually, ideally, to be added to the one that Deputy Trott is looking for, in case there is some delay in regard to another site being identified.

2625 So, sir, I am going –
I give way to Deputy Dorey, sir.

Deputy Dorey: Thank you, Deputy Queripel.

2630 Paragraph 6.2 in the report gives the end of life forecast for the existing one. It says worst case is January 2020, conservative case, September 2020, and best case is March 2023. We do not know. It is all according to how much building activity and how much product there is. We can only plot against different scenarios.

2635 **Deputy Laurie Queripel:** So the impression I get from what Deputy Dorey has said, sir, is it is a bit of a moving feast. We do not exactly know when we will reach capacity at Longue Hougue, because we –

I will give way to Deputy Merrett, sir.

Deputy Merrett: Thank you very much, Deputy Queripel.

2640 Maybe Deputy Brehaut or Deputy Parkinson can clarify, but those figures, those dates of potential fulfilment of the lagoon, or the sea, if we dump all of our inert waste, the current or envisioned volume going forward. That does not take into account stockpiling, for example, any inert waste.

2645 **Deputy Laurie Queripel:** And I do not think it takes into account either some of that inert waste being diverted to other projects as well. So –

I give way to Deputy Roffey, sir.

Deputy Roffey: Sir, thank you, Deputy Queripel, for giving way.

2650 It is clear that he really wants to open up this and look at entirely different sites. Will he accept my advice that the best way to do that is to vote against Proposition 2 with the Propositions as they stand, and that option would totally disappear if he actually votes for this amendment.

2655 **Deputy Laurie Queripel:** Well, I will have a look at the amendment, and give a bit more thought to what Deputy Roffey is saying.

As I say, the key for me in the amendment was the fact that it did not name any options, it did not pre-suppose that it would be the two sites that have bandied about, so often during this debate, so that was the key for me.

2660 But my point is, sir, and I accept that I probably stumbled into general debate, and of course I am actually naming an option when the amendment has said that no options should be named, but my point is it is not a foregone conclusion, and also, as I say, if this amendment is passed – and I bear in mind what Deputy Roffey has said, of course, but if the amendment is passed – I am sure that a group of Deputies will be getting together to make the case to the two Committees that Les Vardes should be looked at again, and it should not just be down to the two options that

2665 have been mentioned so often.

So, yes, I will leave it at that, sir.

Thank you.

The Bailiff: Deputy Langlois.

2670

Deputy Langlois: Thank you, sir.

I heard my trigger word, Les Vardes, mentioned just enough times to get me to my feet.

2675 I do not think there is anybody in this Assembly who likes the idea of dumping hundreds of thousands of tonnes of concrete at any point along our coast. The obvious place for that inert waste, that mass of inert waste, is to put it in the huge quarries that were the result of the industry, mainly in the north of the Island.

2680 Well, unfortunately, in this very room over the years we have decided to put putrescible and combustible waste into those quarries. Mont Cuét would have been a perfect site for our inert waste, but because it was so cheap just to throw all our refuse into those quarries, that was what we did with them: in effect, we wasted them. All we have got left now is Les Vardes, which is still a working quarry, and the Longue Hougue quarry, which is a vital part of our water reserve system, larger than St Saviour's reservoir. We have brought this upon ourselves, or rather generations of States' Members have got us into this situation where, call it land reclamation but it is extending our coast line, is really the only viable thing to do with this inert waste. Nobody is enjoying this,

2685 and nobody wants to infill at Longue Hougue South, and nobody wants to infill at Creve Coeur, but there really is very, very little choice. Now people can talk about Les Vardes and infilling Les Vardes while there is still quarrying going on, but I do not believe that that is going to prove to be viable at all. Les Vardes will come into its own, if we –

I give way to Deputy Queripel.

2690

Deputy Laurie Queripel: I just wonder – thank you, sir.

2695 I just wonder and I thank Deputy Langlois for giving way, but would he not rather like to find out if that was viable, or possible, or not, without jumping to a conclusion now. If the quarry manager says it is possible perhaps we should have a chat to that quarry manager just to see if it is a viable or a proper sustainable way forward.

2700 **Deputy Langlois:** Sorry, I think you are clutching at straws. People have looked at all these options in great detail. If it was something as simple as that we would have seen it, and we have been to the presentations, we have seen the vast spreadsheets. Somebody would have mentioned that possibility, whether the States using something which is currently in private ownership.

2705 One of the things about Les Vardes is the States would have to buy it off the owner. I do not want to go too far down that line. But I think Les Vardes is a crucial element of the Inert Waste Strategy. Now, if we can find somewhere to put our inert waste until such time as Les Vardes becomes available, I think Deputy Inder is right, I think we will probably find that we do not actually need it for water storage, and it will be the perfect place for our inert waste, but probably

2710 15, maybe even 20, years down the line. We should not be. I mean some members in our community have been talking about Les Vardes as an alternative to our export of waste for putrescible waste – in other words, repeating the mistakes we have made in the past – and I think it would be far more sensible if we reserve Les Vardes either for water storage or, I think probably more likely, as the inert waste repository in 15 or 20 years' time.

2715 But none of that allows us to escape having to make a decision now, and people have mentioned Creve Coeur and Longue Hougue South, and EIAs; and obviously, this amendment is not specific about those two, but those are the probable EIAs. Now, it is an illusion to think that in x number of months' time we are going to be sitting here with an EIA for Creve Coeur and an EIA for Longue Hougue South, and we are going to have an informed debate about which of these EIAs shows a benefit for doing one project –

All right, I give way to Deputy Inder.

2720 **Deputy Inder:** Through you, sir, if he does not want to give way he does not have to. Deputy Langlois, we all do it, we all live in our own little bubbles, and we get fixated on certain things; I might find the same on January 17th next year between a three- and a two-school model. Now, Deputy Leadbeater has just told you that the –

2725 **The Bailiff:** Through the Chair, Deputy Inder.

Deputy Inder: Through you, sir, Deputy Leadbeater has just told Deputy Langlois that there might be another solution. So, for the life of me, I do not understand why there is this absolute resistance continually by E&I being their way is the only way. The Managing Director of Ronez has told you there is another possible solution.

2730 So let's talk to them. No one has to resist everything all the time.

Deputy Langlois: Well, it might be nice going through life finding such easy solutions on the floor of this Assembly, but I will carry on.

2735 As I said, I do think that both Deputies Yerby and Merrett, if they imagine we are going to have this, as I said, a constructive discussion on the basis of these EIAs, I think their faith in the system is misplaced –

Deputy Yerby: Point of correction, sir.

2740 Deputy Langlois knows very well from our earlier conversations that we are not quite that naive.

Deputy Langlois: Thank you.

2745 I do not quite understand why you would want to bring both EIAs, at the cost of several hundred thousand pounds extra and above what has currently been budgeted for, if you did not think we were going to have a constructive debate on two of the sites. If anything, we are going to have a constructive debate and come to some definitive answer. I do not really understand what the point of the amendment is. I will not push that any further.

2750 There are a couple of other points in this amendment I simply do not understand, and I think I have explained this to Deputy Yerby yesterday, and she used the word 'semantics' in her opening speech, which is exactly the word I used to describe her concern about using the word 'recovery' when what she said is it should be disposal. Because I think if you have got a lump of concrete and other than dumping it in the Herd Deep or firing it into space or vaporising it with a laser, which might count as disposal, whatever else you do with it, it is not going to be quite disposal, and all our little heading under 'recovery' is doing is expressing that situation. I do not quite understand why both she and Deputy Merrett are so concerned about that. But it is a very minor point.

2755

2760 Likewise, their concern about the 20-year strategy, when in the policy letter we do acknowledge the fact that there are not any solutions longer than 15 years, and therefore the Longue Hougue South solution is probably about 13 to 15 years, something like that. If you have a 20-year strategy you would need to have an add-on, and we do, in the policy letter, explain what those add-ons possibly could be. But it seems pointless making a decision on the follow on scheme right now when we do not know what the situation is going to be in 10 or 15 years' time.

2765 So I think there is a lot of hope in this amendment, and all that is going to end up happening is we are going to spend days and days, rather fruitlessly, debating options, when in fact, I think it was Deputy Roffey who said, if you do not like the idea of inert waste going into Longue Hougue South better just to vote against the Proposition.

Thank you.

The Bailiff: Deputy Soulsby.

2770

Deputy Soulsby: Sir, yes, can I invoke Rule 26(1) please?

The Bailiff: Yes. Does anyone who has not yet spoken on this amendment wish to do so? Do you still wish to invoke the Rule? Yes.

2775 In that case, well, certainly at least one of the Presidents, I think – probably, as it is a joint policy letter, both Presidents – will have the right to reply at this point. Yes. Then Deputy Yerby will reply to the debate. Which of you wishes to go first? (*Interjections*)

Sorry, we need to go to the vote. (*Laughter*) Sorry, rather lost the will to live this afternoon. (*Interjection*) I put to you the guillotine motion. Those in favour, those against.

Members voted Pour.

2780 **The Bailiff:** I thought it would be. I declare that carried. If anybody disagrees we will have a recorded vote, but I think that was clearly carried.

Deputy Brehaut.

Deputy Brehaut: Thank you very much, sir.

2785 The questions the last half hour ... (**A Member:** Microphone) I beg your pardon.

In no particular order, the question was asked on stockpiling. To stockpile inert material on a site for a period of two years and then transport the material to the Longue Hougue site south based at 216 tonnage, the cost to store material over a two-year basis would be in the region of £400,000, so that is how much it would cost to store material for a two-year period.

2790 I thank Deputy – I do beg your pardon, sorry.

Deputy Merrett: Thank you very much, Deputy Brehaut, for giving way.

2795 We have got several tens of thousands of land that has not been allocated and not being used, I do not understand where the cost, the £400,000, has come from. Additionally, if we did stockpile some inert waste then surely that could have a potential for some commercial value to be re-used.

The Bailiff: Deputy Brehaut.

Deputy Brehaut: Yes, thank you.

2800 The inert waste is a commodity, so it has a value, and it is handled by more than one operator. So that is factored into that £400,000. It has to get from A to B, has to be unloaded, has to be loaded; it is on land that is owned by someone, so that is where the cost is –

Can I just, sorry, perhaps I gave way – I will give way and then I will try and start my speech.

Thank you.

2805

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: I am very grateful to Deputy Brehaut for giving way.

2810 I think I might be able to help Deputy Merrett with the answer to her question, in that I believe the costs are based, or certainly include, the cost of transporting the stockpiled material as well, it has to – (*interjection*) I am just explaining –

The Bailiff: Deputy de Sausmarez is giving way, there is no provision for you to give way. If you have finished, Deputy de Sausmarez.

2815

Deputy de Sausmarez: I think so, but also on the costs that we have been advised of, Deputy Brehaut is correct in his cost for two years, but actually there is then a jump in cost for three years, I believe, to over £1 million. Also I understand that there are planning considerations as well, and it would be quite problematic from a planning point of view, is what I have been able to discover on that point anyway.

2820

Deputy Leadbeater: Point of correction, please, sir.

The Bailiff: Deputy Leadbeater.

2825

Deputy Leadbeater: Lorries taking inert waste down to Longue Hougue currently, and wherever it is going to be in the future: contractors pay for their haulage themselves and they also pay a tip charge so there is no cost incurred to the States whatsoever.

2830

The Bailiff: Well, as Deputy Brehaut is speaking –

Deputy Dorey: Okay.

Deputy Brehaut: Can I –?

2835

The Bailiff: He is not even on his feet. So he can hardly give way when everybody ... Can we please get back to going by the book.

Deputy Brehaut: Can I just look like I am going to get up and then somebody will want me to give way. Deputy Dorey, thank you.

2840

The Bailiff: Deputy Dorey.

Deputy Dorey: It is just to correct, really, the point that was just made. If you stockpile waste in a particular location, you need to get planning permission. There is a possibility that if you are storing a lot of waste you need to have an environmental impact assessment for that, because that is what the Development & Planning Authority do. So you will have all those costs and that time before you can start stockpiling. If you store that material there, once it has been dumped there, remember that this product, people are paying to dump it there, it is dumped there. It will then have to be removed from that site, loaded onto a lorry and transported to another site and unloaded at that site. Obviously, that is where the cost is. The further away and the more you store, the more expensive it is. So stockpiling is a significant cost.

2845

2850

Deputy Brehaut: Thank you, sir.

2855

I will not give way. I will just try and make some inroad into my speech! (*Laughter*)

Here we are, what is the time, it is 4.38 p.m. it is late on a Thursday, and we are about to spend potentially £1½ million plus more because somebody had a conversation with somebody who had a quarry, probably the quarry manager.

I will not give way, sir.

2860

Deputy Inder: Point of correction, sir.

This is not the reason for this amendment.

A Member: Hear, hear.

2865

Deputy Brehaut: Sir, I am talking generally, debate that influences debate. Five hundred and forty thousand pounds could be spent today if we decide, once again, to kick the waste can down the road, to use that lazy cliché. How many times have we been here before, whether it is solid waste, whether it is inert waste? Just with regard to quarries and inert waste.

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I seconded an amendment by Deputy Queripel some years ago, because when we were discussing inert waste the previous States raised the potential of, well what about Les Vardes Quarry, if we treat, as it was then, the domestic waste, treat it and it became inert waste, why do we not put it in a quarry? I placed an amendment with Deputy Queripel, I thought once and for all, to have the debate then to deal with the quarry situation, and the States then threw out the notion that you put inert waste in the quarry, but the quarry always comes up from time to time.

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In her amendment, Deputy Yerby, and I just wanted to take one thing from the speech that she gave ... she spoke about the obligations Environment have with our environmental mandate and with, broadly, what we were proposing to do with inert waste in environmental terms. When Deputy Dorey and myself met with the Law Officers earlier, you will notice the amendment says 'if we find anything significant'. Now the language that was suggested to us, at the time, in environmental terms, was we could have used the word 'major', or we could have used the word 'serious', but we did not, we lowered the bar. We are acutely sensitive how people feel about any reclamation.

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So what we are saying is, if anything, anything significant – and there is a greater degree of interpretation on significant rather than if we put serious or major ... For example, some biodiversity issue of some significance is something that would be drawn to our attention.

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Deputy Inder, again, raised the issue of quarries. Jersey – yes, they have 40,000 people more but they have got a larger growing industry, they have, is it 400,000 tourists visit them a year, they have got many more hotels and their demand on water presumably is much, much higher.

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This idea that we have, it sounds quite attractive, break points, that at any time we can come back to this Assembly, and we should do this with the consent of this Assembly and take the community and take this Chamber with us. Every bone in your body when you are discussing waste would be screaming at you that all that will do, and you need to be aware that if you want to do that it will introduce more delay, and it will introduce more cost, there is no doubt about that. If you introduce any element of delay into capital projects of this nature then you introduce the potential for more costs.

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Deputy Al Brouard said that reclamation has a value, and I think it is right. It may seem ridiculous to propose that when the Victorians built the Vallette Bathing pools and the Gent's Pool and the Horseshoe Pool on that pristine bit of coastline. Look at the value we get out of that; doesn't it feel like the right thing to do at that time was to do something like that, use the coast line to the benefit of the community. Who is to say what future use could come from reclaimed land at Longue Hougue that could be beneficial to the community.

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Now, we hear frequently in this Assembly about the demands on the north and how people are living cheek by jowl with businesses, dirty businesses, noisy businesses, simply large warehouses, or whatever. I am not pre-determining any planning outcome, but just what if you could re-site some of these businesses that are living cheek by jowl in the Bridge to a standalone

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site, and free up some brownfield sites within the Bridge? That is without pre-determination, it is just a why wouldn't we want to do something like that if we possibly could.

2910 I would, Members, just give one single, very strong message: that time and time again, late afternoon, when amendments are placed that on the face of it appear seductive and, in fact, they appear at times compelling, to change course at such short notice, come with some price tag. If you wanted today to sign off £540,000, and that is bearing in mind that is what we know, that is the base line, because we do not know a great deal about Creve Coeur, hence the EIA, so that figure could go up. If you want to sign off £540,000 today, just do that, but know that you are
2915 doing it. Please when you go to the electoral, when you write your manifestos and you are critical of E&I and our relatively small spend that we have had, make it clear that you want to spend £540,000 over and above, and what we are putting in front of you today is the opportunity to look at one site, and if it is not going to work, you move to the other site at less cost to the community.

2920 Please guard against the late amendments, late in the debate, and that inevitably can potentially lead to more expense.

Thank you.

The Bailiff: Deputy Parkinson, as President of ...

2925 **Deputy Parkinson:** Thank you, sir.

Well, the issues raised by the amendment are simply a decision on whether we want to progress two EIAs instead of one, and also the incidental question of whether the use of inert waste for land reclamation is to be described as disposal or recovery.

2930 I will deal with the latter first, because it is a very minor point, but I share Deputy Brouard's view that actually on a small Island all land reclamation, whether it is inland or coastal, adds some value, and in my view, therefore should be regarded as recovery. But it is not an issue that I would sort of die in the trenches over. If some Members prefer to regard that as disposal, well so be it, I cannot support that aspect of the amendment.

2935 Now, do we want to progress two EIAs instead of one? The two EIAs inevitably would be Longue Hougue South and Mont Cuet/Creve Coeur, because those two sites were chosen as preferred sites after an exhaustive and transparent process, and Members can go and look into all the working papers that drove those conclusions. A long list of sites was prepared and then that was narrowed down to a medium list of 20 sites, and in the end five sites sort of made the final cut, and then eventually these two were picked out as the preferred sites, and the scoring and all
2940 the rest of it is very transparent. It is available for any Member to see, and I hope and I believe, quite a lot of Members came along to the workshops that helped arrive at these conclusions.

2945 The other sites, of course, have not been ruled out, including Les Vardes, which made one of the last five. Now, I suppose it is worth at that point picking up the comments of Deputy Inder and Deputy Leadbeater and others about Les Vardes. As we know, it could be being worked for stone until 2036 and, of course, it is not in States' ownership, it is not in our gift to decide what to do with it. It is zoned for water storage, but it does not have to be used for water storage in the end.

2950 The point I would make is that we are talking here about a 20-year strategy and Longue Hougue South, for example, will not cover the whole life of this strategy. There will need to be within the 20 years, there will have to be other solutions. I personally believe that Les Vardes will play a key part in the long-term solution after Longue Hougue South or Creve Coeur are filled up.

2955 But this is where I slightly differ from what is in the policy letter. I actually think that the potential use of Les Vardes for water storage is potentially of key significance for the States, because what it would enable us to do is free up other existing water storage reservoirs for other uses. At the moment the largest reservoir that Guernsey Water has, in terms of volume, is actually the Longue Hougue Quarry. Now, Members probably do not see that very often, because if you are driving up Bulwer Avenue it is screened from view by various sheds and gasometers, and what have you. But inland of Bulwer Avenue there is a very large quarry, it is Guernsey Water's largest

2960 water storage quarry, it is bigger than St Saviour's reservoir, in terms of capacity. It is actually not a terribly good water storage place because, unfortunately, there is a small saline content in it because it is so near St Sampson's Harbour.

I am not giving way.

Deputy Inder: Point of correction then.

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Deputy Parkinson: Fine.

The Bailiff: If it is a point of correction only.

2970 **Deputy Inder:** It is sir.

We have only recently at the Vale Parish meeting, which hopefully the other Vale Deputies will confirm, asked one of our Deputies on E&I to go back to one of the officers, which I hope I believe was from the Water Board. The Deputies that were there – myself, Deputy Laurie Queripel and Deputy Jeremy Smithies – had a note from Water Board staff that confirmed to us that all of the water capacity in Longue Hougue was basically raw water. We were told it was, effectively, a myth and we were told that there had been some, I do not think tanking was the word – Deputy Queripel might be able to help me – there was some kind of sealing process that happened in the last few years and currently Longue Hougue is fully raw water and fully usable for our drinking water.

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2980 That really concerns me, because I was of the view, as Mr Parkinson said, that there was a saline content at the bottom of the ... but we now get from an officer that says it is not, but from the politician, we are told that it is. We have really got to make up our minds here. It either has or it has not.

2985 **The Bailiff:** You are moving beyond the point of correction there, Deputy Inder.
Deputy Parkinson.

Deputy Parkinson: The water in the quarry is potable water once it has been treated in the normal way, as all the water from all the reservoirs is treated. There is no issue about whether this is not a critical part of Guernsey Water's current infrastructure.

2990 But the point I am making is if you are going to recover land – and I use that word deliberately – by infilling with inert waste, the land that could be recovered in the middle of St Sampson's would be much more, potentially, useful than land at Les Vardes Quarry.

2995 So this is a personal view, but I believe if we could bring Les Vardes Quarry on stream as a water reservoir – and I emphasise again we do not own it, but if we could bring it on stream as a water reservoir – I think it would enable us, in the future, 13 years down the line or whenever, to free up significant and valuable areas of land elsewhere on the Island.

3000 It was interesting that we had a letter, or an email, from the St Sampson's Douzaine on this very subject very recently and they were suggesting why don't we fill in Longue Hougue Quarry, and so I believe that ... but these are options for future States, sometime down the line after the current, or the proposals set out in this policy letter are eventually, hopefully, carried into effect. They are a sort of medium-term solution; in the longer term there will have to be other solutions and Les Vardes may play a very significant part in that ultimate solution.

3005 Now, Deputy Trott asked what capacity is there in the existing Longue Hougue land reclamation, and as other Members have explained, it depends on the fill rate, and that largely depends on the activity in the construction industry.

3010 At the moment, as we know, the construction industry is in a lull, so the amount of inert waste going in to the quarry is less than it has been in past years. But nevertheless, the answer, as best we can gauge, is that the existing landfill at Longue Hougue will last till about 2022.

Deputy Trott asked whether, in effect, we had the luxury of doing two EIAs in the time available. I am advised that if we just do one EIA and based on the current sort of fill rates, we expect to be stockpiling inert waste on the existing Longue Hougue land reclamation site for one to two years before a new site becomes available ... Now, if we have to do two EIAs in parallel, which is what this amendment requires us to do, then we expect the process to take an additional 1½ years. So in other words, we would be stockpiling maybe two, three years' worth of inert waste on the existing Longue Hougue land reclamation, and another Deputy asked, well, how long could this go on for, to which my answer is how high do you want the hill. It could potentially go on for a long time, but the additional cost of stockpiling is, indeed, in the double handling. Clearly, if you can take the inert waste to where you want it in the end of the day, and do it in one job, then it is cheaper than taking it, piling it up and then at a later stage moving it.

So, basically, running two EIAs in parallel, which is what this amendment asks us to do, is expected to add maybe 18 months to the stock pile that would have to be accumulated on the existing Longue Hougue reclamation.

On a similar vein, Deputy Merrett asked, well, if one EIA at Longue Hougue costs £215,000, why don't two EIAs cost £430,000? The estimate of between £500,000 and £800,000 which has been given, comes from the fact that we do not know as much, frankly, about Mont Cuet/Creve Coeur. Obviously, high level EIA assessments have been done on both sites, and we do already know quite a bit about Longue Hougue South. We know much less about Mont Cuet/Creve Coeur. What we do know is there would have to be a much bigger breakwater to screen the area that would be reclaimed and you know, just instinctively it feels like the environmental impact there would be very significant, and the work to establish what the impacts would be would also be very significant.

So my view personally is that we should not commit now to doing the second EIA in parallel. I think, inevitably, that will result in wasted money, because at the end of the process you are only going to choose one of these sites, or potentially neither of them and choose somewhere else. The work done to do an EIA on the site that is not used will be basically money down the drain. So my view is I am not going to support the amendment, and I would ask other Members to take into account all the additional complications and costs of doing so.

Thank you.

The Bailiff: Deputy Yerby.

Deputy Yerby: Thank you, sir.

I was about to start with the question of whether we had the luxury of running two EIAs, consequently, with which Deputy Trott kicked off debate. That is very new information from Deputy Parkinson that an additional EIA would add another 1.5 years to the process.

However, let's reflect on a couple of things, the policy letter says that the current site will be full sometime between 2020 and 2023. That means we are working on a relatively tight timescale. Deputy Brehaut, in his defence against the amendment, said do not vote for it because it will add delay to the process, again a message from the Committees that delay cannot be afforded. So the question really that Members of the Assembly need to weigh up is how messy do they think this process will be. Do they think there is a risk that somewhere down the line the Committees' preferred option will either fail or be rejected, because if so we will not be doing two EIAs in parallel we will be doing two in sequence.

Whereas the process for doing two in parallel might be 2.5 years, the best case scenario for doing them in sequence will be nearly four years, and the worst case scenario will be nearly six, based on the timings that Deputy Parkinson has given us. That is not particularly a situation that we want to find ourselves in if we are working to a fairly tight timeframe. I cannot begin to add up the numbers of stockpiling that would be required if we found ourselves in that position.

Deputy Brouard said that there was too much information to digest for him to pass this today, oh gosh that sounded horrific – but sorry, (*Laughter*) I do apologise. Of course, that is entirely his

3065 prerogative, but he does discuss land reclamation and says that should be seen as a good in itself. Well, I am not denying, and I do not think Deputy Merrett is denying, that good can come of land reclamation, that reclaimed land can be put to good use. But to put a positive value on land reclamation from the start by redefining the way that it is viewed within the inert waste hierarchy is the thing that we had a problem with.

3070 Land reclamation, or extending our coastline, are Orwellian terms for what is, in fact, losing some of our sea. The environmental and social impact of the changes that come as a result of land reclamation are not usually positive, although positives can arise later, and to switch this from something that is, at best, neutral with potential positive and negative consequences, to something that is given a default positive weighting from the start is not wise or an accurate reflection of reality, in my view.

3075 Deputy Brouard also asked about some of the wording in the explanatory note. He picked up that it said that our approach would have higher upfront costs, potentially, and that this implied that there might very well be lower costs later on, and he asked how that would work. Well, the sites that have been discussed as a potential second site for evaluation, whether that be Creve Coeur or Les Vardes, are sites that the Committee have identified as potential later stage solutions to inert waste management. So it is almost inevitable that the work done on the environmental impact assessment at this stage, whatever the ultimate decision, will not go to waste, to put it that way. While things will have changed further down the line, no doubt, it is entirely possible that the work done around an environmental impact assessment on a second site could be drawn on again in the second phase of this strategy.

3085 The other potential cost avoidance, the one that we have premised our argument on, is what happens if the process fails. As I said, what happens if we get far enough with the preferred site and then find we cannot go through with it? What additional stockpiling are we going to have to do while we are finding an alternative? What additional research are we going to have to do around that alternative? If we have kept two horses in the race for longer, then we do not have so many of those contingency costs if one fails.

3090 Deputy de Lisle said that he would like this Assembly to consider all sites. He did not want to give the two Committees what he considered the privilege of selecting their favourites. Well, I strongly disagree with him there; it is very much the prerogative of the two Committees to determine a solution to inert waste management. That is not in any way what this amendment is trying to achieve, and of course it would have been in Deputy de Lisle's gift to bring an amendment that achieved that, had he seen fit.

3095 I thank Deputy Laurie Queripel for a supportive speech and his comment that the process would add robustness and assurance. He has said the two sites are not a foregone solution. Of course, E&I and STSB have said to us that their preference would be for Longue Hougue South and Creve Coeur. But I would encourage them to listen to the feedback that comes from this Assembly.

3100 Having heard the debate today, I am not sure whether there would be a majority for any one site, or any pair of sites, but I think listening to Deputy Laurie Queripel put me back in mind of the debate that we had over the Overseas Aid Impact Fund, after the debate members of Policy & Resources said to me, 'Well, you have given us delegated authority, but I do not think we are going to be able to use it,' and my feeling was the Assembly have given you a very clear message that they want you to find some way to make this work. It might very well be the same with inert waste management. There has to be some space in this process for Members of this Assembly to share their views on what they think needs to be made work. **(Several Members: Hear, hear.)**

3110 I would guard against the Deputy Roffey approach of just voting against Proposition 2. I believe that if Proposition 2 is lost – Proposition 2 in the original set of Propositions – then Proposition 1 and Proposition 4 would also be fairly incoherent as they refer to the preferred site, which would just have been defeated. I do not think it gives the additional space and assurance that Deputy Laurie Queripel was looking for, because although it tells the Committee in fairly strong terms that this Assembly does not want them going near Longue Hougue South, it does

3115 not create any space for them to go look at something else, or rather it does not create any space for democratic interaction with what else they might be looking at.

They will go off, find another site and take it down the route of environmental impact assessment and development of an outline business case, because we will not have taken away the delegated authority for them to do that bit, so there will not, necessarily, be any more engagement in the process.

3120 The option might, in fact, be worse, and what will be lost, which this amendment does offer to Members, is the chance to develop two sites, two perhaps not ideal but practical options, to a further stage of development, and then weigh up the pros and cons, weigh up which one truly is the lesser evil.

3125 My big concern about this is the messiness of the process. It is the fact that we know that you cannot just put parameters into a computer and come out with the right answer and expect that to be acceptable and workable at all stages. There are big risks of failure for this project. Some of them are around the project gateways, whether they will get the planning permission or the environmental impact assessment results that they want. But some of them are also around the public pushback, and it is entirely credible to think that there could be public pushback around the outline business case stage of the process that would make the preferred option unviable. If that is the case, where have the Committee got left to go? Far better to develop two options to a later stage and give them and give the public a more robust and a more informed choice about which one to develop.

3130 So it is not, as I said in response to Deputy Langlois, so much about the substance; it is about the process, it is about having break points, having opportunities to reflect and change tack if either what we have learned, or what is being said to us, makes it necessary to do so.

3135 Deputy Brehaut said the amendment was seductive and compelling but came with a price tag, and he is right. We are advised that an additional environmental impact assessment will cost around £½ million; of that, £200,000 will be the cost of the impact assessment itself and £300,000 is the contingency. While I am more than prepared to accept that the low contingency on Longue Hougue South, a contingency of just over £40,000 is something that we are getting at a discount because we already know the site well. I do find it extraordinary that we have a contingency on this one that is more than the budget for the work itself that, I think, (**A Member:** Hear, hear.) is fairly unprecedented.

3145 But, ultimately, sir, this comes down to a question of stewardship, and it is a question of stewardship on both sites. The Committee for the Environment & Infrastructure and the States' Trading Supervisory Board believe that it is a better use of public funds to focus on the one site and to take that through to the next stage of development, and for the next decision by this Assembly to be on the outline business case. I believe that that is too risky, and that it would be better to run two sites in parallel, at least as far as the environmental impact assessment, give room for democratic engagement, give room for further thought about how we approach this, and bring that decision back to the Assembly as soon as they are ready to do.

3150 I recognise that neither site, ultimately, will be ideal, and all will face opposition, but I think this is a far better way of bringing the Assembly and the community with us and it is worth the investment.

The Bailiff: Time to vote then on the amendment proposed by Deputy Yerby, seconded by Deputy Merrett.

3160 **Deputy Laurie Queripel:** I do apologise for getting to my feet again, sir, but I am looking for some advice, some clarification before I vote on this. I was intending to vote for the amendment but Deputy Roffey has thrown a bit of a spanner in the works for me. I know we had a glass or two of wine at lunch time but I was intending to vote for the amendment, but if I do not vote for the amendment and I take Deputy Roffey's advice, and vote against 2 in the Propositions as they

stand, does that mean that 3 and 4 will fall away as well, and does it make, as Deputy Yerby said, Proposition 1 incoherent? Does it rule that one out as well, or nonplus it as it were?

The Bailiff: You said, if ...

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Deputy Laurie Queripel: If I vote against the amendment, sir, (**The Bailiff:** Yes.) and then we go to the Propositions as they stand now, I know that 3 has been amended as well, but if I vote against 2, does that mean that 3 and 4 fall away, or would they still stand?

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The Bailiff: I think they would fall away, would they not? Looking to the Procureur. It is difficult because they refer back to paragraphs within the policy letter

Deputy Laurie Queripel: The majority would have to vote against 2 for this to kick in, but ...

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The Bailiff: If 2 is voted against then there is no approval for the further development of the preferred way forward, and so there would be no need to delegate authority to P&R to approve expenditure on the analysis and design stage, I think must be correct.

Then looking at 4 to approve the draft Waste Management Plan as set out in appendix 2, well I think that falls too, does it not? I am not sure there is the flexibility within that to cope with the preferred way forward having fallen away. That would be my view, but without actually, well ... I think that is correct, I do not know whether either of the Presidents would disagree with that.

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Is that your view, Madam Procureur?

The Procureur: Sir, I think that is right, because 3 certainly is just about delegating authority for spending. I think that must be right.

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The Bailiff: Yes, then 4, I think, falls too. It must do. I do not see how that could stand alone if 2 has fallen.

Deputy Dorey?

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Deputy Dorey: Sir, I believe 4 is to do with the Waste Management Plan, and therefore is independent of the other Propositions. (**The Bailiff:** It is.) Therefore it can

The Bailiff: But could that stand (**Deputy Dorey:** Yes.) once the preferred way forward has fallen?

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Deputy Dorey: Yes, because it is about amending the Waste Management Plan, which I believe can continue.

The Procureur: And I think, sir, Proposition 4(b) might stand, because that is slightly different; 4(a) I am a little bit doubtful about, but I think Proposition 4(b) would still work.

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The Bailiff: But we are still just on the amendment, Deputy Laurie Queripel, I think that could come in general debate. I think, actually –

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Deputy Laurie Queripel: I appreciate that, sir, but it will determine how I vote on the amendment. If I can get that advice or that clarification now.

The Procureur: Sir, it is a matter for you, but I think we are fairly clear that 3 would fall away, my view is that 4(b) would still stand, so we would need to wait until we get to general debate just to have some further certainty about 4(a), but my view, I agree with you, sir, that that would fall away.

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The Bailiff: Yes. So we vote then on the amendment.
Deputy Lester Queripel?

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Deputy Lester Queripel: Recorded vote please, sir.

The Bailiff: We will have a recorded vote.
So we are voting on the amendment proposed by Deputy Yerby, seconded by Deputy Merrett.

There was a recorded vote.

Carried – Pour 21, Contre 17, Ne vote pas 1, Absent 1

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Inder	Deputy Smithies	Deputy de Sausmarez	Deputy Fallaize
Deputy Lowe	Deputy Hansmann Rouxel		
Deputy Laurie Queripel	Deputy Graham		
Deputy Green	Deputy Dorey		
Deputy Paint	Deputy Le Tocq		
Deputy Dudley-Owen	Deputy Brouard		
Deputy Yerby	Deputy De Lisle		
Deputy Prow	Deputy Langlois		
Deputy Oliver	Deputy Soulsby		
Alderney Rep. Jean	Deputy Roffey		
Alderney Rep. McKinley	Deputy Tindall		
Deputy Ferbrache	Deputy Brehaut		
Deputy Kuttelwascher	Deputy Parkinson		
Deputy Tooley	Deputy Le Clerc		
Deputy Gollop	Deputy Trott		
Deputy Lester Queripel	Deputy St Pier		
Deputy Leadbeater	Deputy Stephens		
Deputy Mooney			
Deputy Le Pelley			
Deputy Merrett			
Deputy Meerveld			

3225 **The Bailiff:** Will Members who have left their microphones on please turn them off.
Well, the voting on the amendment proposed by Deputy Yerby, seconded by Deputy Merrett, was 21 in favour with 17 against and 1 abstention, and I declare it carried.
So we have already had quite substantial general debate, but is there anybody who has not yet spoken in general debate and would wish to do so?

3230 Deputy Roffey.

Deputy Roffey: Thank you, sir.

3235 This policy letter caused me difficulty before; it causes me no less difficulty now, because I am sure that both of the options to be considered will be for land reclamation, and unlike Deputy Brouard, I really, really dislike land reclamation, because what it does is take natural coastline with a natural eco-structure, eco-system and turn it into a totally artificial, and I think, usually fairly ugly looking piece of coast.

3240 I am not even totally convinced about the necessity for some of the land for other uses. For instance, we heard that Longue Hougue was vital for a slaughter house. I actually think it should have been up in the south west of the Island where all of the livestock farming took place, because that is where – *(Interjections)* not because of any north/south divide, *(Laughter)* but just because I think it is good husbandry to actually have the slaughter house as close as possible to the stock to be slaughtered. But that is very much a tangent, so I will not go down that one.

3245 I actually think the biggest land reclamation that we have ever had in Guernsey was also unfortunate; I know the filling in of the Braye du Valle was probably important for military and social reasons, and I really doubt they spent a penny on any environmental impact assessment

before doing it, but I would still like to be separate from – No I (*Laughter*) still think the Island would have looked beautiful if it had still been in its natural state with the Braye and the tidal thing through that.

3250 So I come from this thinking, that actually, despite the amendment, we are probably going to be looking at two things, weighing up two options, neither of which ... well, both of which, I really, really do not want to happen.

But I went into the library before and I saw a document there urging me to vote against, because there were better and cheaper ways forward. I thought great, I opened it up trying to find
3255 a clue of what they actually thought might be the better and cheaper ways forward. There were not any. I have been thinking about this over the last few weeks, ever since I saw this Billet, trying to come up myself with better and cheaper ways forward, and I have not come up with any. I know we have only just started general debate, but so far in a fairly wide ranging debate over two amendments, I have not heard a better or cheaper way forward.

3260 I do agree – I am sorry, to use his words again, Deputy Langlois – that I actually think Les Vardes, in the longer term, will not necessarily be used for additional water storage, I do think that the better use, modern appliances etc., the reduction of our growing industry means that our water, it was not actually just decided once in 2009 it should be used for water, it dates back to a document called the Waste Water and Stone Strategic Review which came in quite a bit earlier
3265 than that when it was identified.

But time has moved on, and whether it is used for water and we release other areas, or whether it could be used itself for waste disposal, inert waste disposal, I do not know, but I think it is a real option. But it ain't going to be looked at as one of these two sites that we have just approved, because Environment & Infrastructure are convinced that the time scales, and I believe
3270 them – I am sure they have probably looked at it in great depth. If they are wrong, and we hear Ronez management all over *The Press* for the next few days saying please, come here, come to us, we are available, then I am sure that will put pressure on them to consider that as one of the two sites, but I do not think it is going to happen.

So I would ... well, option two is no longer there, Proposition 2, to vote against anyway, but
3275 despite my advice to Deputy Queripel, because of him wanting to look at all sorts of different sites, I do not think I could have done it anyway, unless I hear something today, or tomorrow, more likely, when we continue general debate, which makes me believe that there really is another option.

I have an incredibly heavy heart. I think what we are going to do is something I really, really do
3280 not want to do. I think filling in quarries is a much better option. We did it – what is the name of – St Germainby the Castel School, and it actually ... there is a huge social benefit from that, and I think that could be replicated absolutely at Les Vardes, but I do not think it is going to be in time.

I think we are going to wreck a bit of coastline. I think our only choice, unfortunately, and I predict that actually when we get these two, I mean Deputy Langlois said it would not be on the
3285 basis of the two environmental impact studies ... What we have created today is there is going to be a weighing up, there is going to be a weighing up of the protests against one site and the protests against the other site. Whether St Sampson's voices are louder than the Vale voices, who is the most outraged, and how many emails we get, that is what we have let ourselves in for, and that is what we have to do, and it is our job to make difficult decisions. So when that job is done, I
3290 hope we will have most regard for the environmental impact studies, but somehow I doubt it. I think it is going to be a battle of public opinion, and so be it, when it comes forward.

If in the meantime magic solutions emerge that allow us, conceivably, to avoid doing either of those then I will be the first to back it, because I do not want to do either.

3295 **The Bailiff:** Deputy de Lisle.

Deputy de Lisle: Sir, I am totally against the choice of this site for inert waste fill, to fill in a very large biodiversity area they call Longue Hougue South in St Sampson's for the disposal of inert waste.

3300 I come at it from a geomorphological and geological point of view, sir. Particularly in this area which, of course, we have outcrops including Spur Point of St Peter Port Gabbro that are unique, actually, in the western world and worldwide. We have had Canadians coming over here because they do not have that geology. They come over here to study Spur Point and Belle Greve Bay and the uniqueness of the outcrops of St Peter Port Gabbro. That geological structure has
3305 international importance, and the olivine, actually, you will notice it has got a sort of a greenish tinge to it, and that is the olivine crystals which give it that particular lustre, and it is very unique worldwide, as I say.

But I think it is more than that, we have got to also consider the viewpoints of the public, and the public have come forward even talking about the loss of the whole of Belle Greve Bay in the future, which is a potential threat. They also talk about how Longue Hougue South ranks as far
3310 down as eighth in the cost banding list of 19 shortlisted options. Of course, they speak of the monies that would be borrowed to the tune of £1.1 million. They are talking there, it is more like £2 million now, purely to see whether in fact Belle Greve North even stands up as a suitable reclamation sight.

3315 So, for all these reasons, sir, I think that this is something that should not go ahead, and we have many more other choices that we could bring forward, and that are already within the 19 that they have suggested, and this Assembly should be looking more closely, and taking more time to review these other options.

Thank you, sir.

3320

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you, sir.

3325 Deputy Roffey mentioned in his general debate about land reclamation. I do not necessarily like land reclamation – sometimes I do but sometimes I do not. But the main point I would like to get across is that it has a value, and we have a waste transfer station that is on that piece of land, and I am sure we will find many uses for that piece of land as we go into the future.

3330 But I just want to touch on something which appeared in the *Guernsey Press* on my birthday back in 2014, and for me it is quite important really, because I spent four years on the Water Board with Public Services, and I just want to quote this from the previous Director from the Water Board, and he was discussing the utility's hopes for Les Vardes Quarry, which was then, and is now currently, owned by Ronez. It followed opponents of Public Services Waste Strategy, again highlighting the site as a perfect place for a second landfill. I think that was for putrescible rather than for inert waste, but even so. But Mr Redhead said:

Future increases in water supply demands meant Les Vardes was of great strategic importance, in water resource planning terms you have to look beyond 25 and 50 years ...

3335 – beyond, so we are looking for 50 years and upwards. We do not know what the climates are going to be like in the future, whether we are going to have massive rainfall or not, or whether we are going to have a drought. He goes on to say:

Les Vardes is the last quarry which is of reasonable size to be used for water storage. We are not saying we need it today, we are not planning to put Les Vardes into action before 2035 or 2040.

3340 That is the type of timescales we are looking at, it is about the timescales that Ronez expects to finish quarrying the site. I would be very, very nervous indeed for this generation, the next generation and many generations to come, to use Les Vardes for filling in inert waste. We just do not know what the 100 years will be like in the Island, what the weather patterns will be, how much water we need, how much storage we need. But there are a couple of things that we really

do need in life, one is air and one is water. So please, I would be very reluctant for anyone to start thinking now we are going to be filling up Les Vardes with inert waste.

3345 Of course, the States have already made a decision that Les Vardes is earmarked as a potential water storage, so please, put the use of it for anything else out of your mind for a long, long time to come – I would urge you most strongly.

Can I, sir, ask if we can vote against or have the opportunity to vote against Proposition 5. I want to vote against that one, sir.

3350 Thank you.

The Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, sir.

3355 I just want to pick up on what Deputy Brouard has just said, that Les Vardes was earmarked for water storage, and we should not think about anything other than water storage. But we have just heard members of the Committee for Environment & Infrastructure tell us that they see it as a site for definite inert waste, but just not quite yet. So that completely contradicts what Deputy Brouard has just said.

3360 Thank you, sir.

The Bailiff: Deputy Le Tocq.

3365 **Deputy Le Tocq:** Sir, we all enter this Assembly, I think, a little wide eyed and bushy tailed and wet behind the ears, and other mixed metaphors, and somewhat naive perhaps on certain issues, thinking that we have got the solutions, it is more black and white than others have seen over years, and I think this is another case. What happens is, exactly as Deputy Roffey has indicated, we do not have the luxury of choosing between black and white, we have got different shades of grey, and as a result of that, and a small community living on a small rock, certain people are going to be more affected than others by the decisions we make, and we need to have some corporate courage to make those decisions.

3370 In my mind, it does not particularly help to go round and round and have further investigations into things, or to be faced with the scenario where he who shouts loudest gets his way. So I deplore the sense of spending money for yet more things, more expert opinions and more environmental impact, all those things. We sort of know what the results are going to be; most of us, I think, do already. But anyway that is where we are.

3375 What I cannot agree with Deputy Roffey on – and it is something that I think the tenor of the debate has suffered from – and that is in terms of land reclamation. Certainly, it is not always a good thing, but most of what we have in Guernsey, particularly on our east coast and the waterfront is on reclaimed land, and it is what is considered to be the pride and joy of Guernsey. It was done by our predecessors who had great courage in choosing to do those sort of things, they did not have to face the sort of things that we have to face today, but they nevertheless did so.

3380 So I think we have to find a way in which this whole debate becomes more positive and proactive about what can be done with inert waste. That will help enhance and provide resources and assets for the future generations, and I just hope that somewhere out of today we will begin to turn the tone of the conversation more to those ends.

3385 **The Bailiff:** Can I just have an indication of how many people who have not spoken in general debate, still wish to speak? Well, I am going to put to you the – Well I just see Deputy Dorey half standing. Deputy Brehaut has indicated he will speak (**Deputy Brehaut:** Briefly, sir.) in reply. (*Interjection*) I did not see Deputy de Sausmarez stand, so we have probably got another half an hour, would be my guess, perhaps.

I put to you the Proposition that we continue to sit to six o'clock to cover this, and deal with the Schedule of Business. Those in favour; those against.

Members voted Pour.

3395 **The Bailiff:** We will continue until six o'clock, or until we finish.
Deputy Dorey.

Deputy Dorey: Thank you, Mr Bailiff.

3400 I just want to emphasise that in reaching the conclusion that we did on one site, we went
through this, as Deputy Parkinson described, prolonged process of narrowing down the options.
The whole point is that you spend money, you go through this long process so that when you
spend significant sums of money you spend it on one site, because ultimately this comes from the
Waste Trading Account, and that is what will ... When you have a building project on and there is
3405 material moved away, this will add to the costs of those building projects, and this will add to the
cost of public sector projects, and that is the result of the decision that you have made today. So
when people complain about the building costs in Guernsey you, today, the States, by doing
another EIA has added to the cost, you have added to the period –

3410 **The Bailiff:** Through the Chair, Deputy Dorey, through the Chair rather than addressing
Members directly.

Deputy Dorey: Sorry.

3415 Sir, Members have added to the cost of building projects in this Island, Members have added
to the, not just the cost of EIA, the cost of stockpiling as well. Those costs will be paid for by public
sector projects that we pay for, and private sector projects. So that is the result of the decision
that Members have made today. I think Members need to realise that.

3420 If we, in future ... the result of what has happened today is, in future we are going to have to
spend even more money on a longer process to try and narrow down the options, because it is
not acceptable to invest the quantities of money that we are now doing on two different options,
when it is quite clear from all the information that we have got that one option, is significantly
better than the other.

3425 Not only is one option significantly better than the other, it will result in costs of £5 a tonne
more than the option that we are proposing. Sir, there are Members of this Assembly who
continue to complain about the costs and the States making decisions about increasing costs; that
is what the States have done today. They have increased costs. I just wished to say that.

Thank you.

The Bailiff: Deputy de Sausmarez.

3430 **Deputy de Sausmarez:** Thank you, sir.

I will try to keep this really brief.

The Queen once said on the death of Princess Diana – bear with me, it does get more relevant
– that 'grief is the price we pay for love', and I would like to paraphrase that horribly and say that
inert waste is the price we pay for our construction industry.

3435 I have found this debate quite weird, actually, because of course if it were a debate on the
construction industry we would have lots and lots of Members leaping to their feet saying this is
something we need to get behind, we need to support it, it is great. There would be a minority of
people who would get to their feet and talk about the environmental impact of that, and I would
be one of them, and I think actually you would probably find the nucleus of those people on the
3440 Committee for the Environment & Infrastructure.

So I have found it, in a way, almost encouraging that so many people have got up and
expressed support for an environmental impact assessment, but then the bubble of naivety bursts,
and I think I have to draw the slightly more cynical conclusion that the decision we have just
taken, which I could not by my conscience oppose, was not actually about environmental impact. I

3445 do not really think this Assembly was that committed to the environmental impact, much as I
would love to think there has been a sea change in that –
I give way to Deputy Inder.

Deputy Inder: I thank you for giving way, Deputy de Sausmarez.

3450 It almost seems as if you have to wear environmentalism on your sleeve to be an
environmentalist. Maybe I could remind Deputy de Sausmarez that back at the Policy & Resources
Plan there were eight or nine amendments that got voted through. Some were actually proposed
by herself and, I think it was, Deputy Brehaut on saving the seashore, which I backed. I am an
environmentalist; I just do not have to tell everyone, every day.

3455

Deputy de Sausmarez: I completely accept that point from Deputy Inder, but what I am
saying is that I do not doubt that it would be a consideration. What I do very much doubt is that
when we get to the end of the environmental impact assessment processes that have run in
tandem, and we have two very detailed environmental impact assessments before us. I very much
3460 doubt that the decision will be based wholly, or indeed, even primarily, upon the contents of
those impact assessments. That is what I am saying. I think whether we admit to it or not, other
factors will be very influential and, dare I say it, more influential than the contents of the
environmental impact assessment.

I, for one, am delighted that we are taking environmental impact assessments this seriously,
3465 but I do think that the decision, ultimately, will not be based primarily upon the contents of them.
I hope I am proved wrong.

Just very quickly, Deputy Leadbeater, I do not doubt for a minute that his conversations with
the Managing Director, I think it was, of Ronez, are very accurate, but I think there are factors that
the Managing Director of Ronez may not be aware of in terms of the broader context of Les
3470 Vardes.

As Deputy Parkinson pointed out, we do not own it, so any agreement we have would be
subject to the successful negotiation of a contract with a commercial entity. The disposal would
require a waste management licence, waste management licence requires planning permission,
planning permission requires an EIA, rather ironically, and before all of that, obviously we would
3475 need to deal with this issue about the IDP and indeed the SLUP. As Deputy Brouard rightly
pointed out, we need to take into very serious consideration long-term strategic water purposes.

None of this rules it out as an option; this is simply to underscore the point that it is not
immediately available, and that is why it was not progressed as a preferred option, and I think
those points are significant, and I do hope the Assembly will understand those points.

3480 Thank you.

The Bailiff: Deputy Brehaut will reply.

Deputy Brehaut: Thank you, sir.

3485 Just very briefly.

I do take Deputy de Sausmarez' point actually, because we do, we come to this Assembly as
E&I fairly frequently making sound environmental arguments for different proposals and policies
and we usually get some very stern responses to being bleeding heart liberals who are – is it
Hampstead liberals who wear our environmental credentials on our sleeves, but if the States this
3490 afternoon have truly embraced the very, and no pun intended, nature of environmental impact
assessments, then that is all well and good.

Just this idea that we bring a biodiversity strategy to this Assembly, and that then means that
nothing can ever be touched, or that everything on the coastline is sacred, or everything on the
cliff is sacred and cannot be touched, just is not the case. The biodiversity strategy looks to the
3495 balance that is there, to exploit that balance for the benefit of nature, but if something does have
to be lost, it is proportionate. And if you do lose something under the new Law where can you

offset? As with the runway, works were carried out on the runway, and actually I think maybe a hangar also, where there was a biodiversity offset, where land was lost but, in fact the Ecart project is an exercise in offsetting, so it can be useful.

3500 But I have to say, and be perfectly candid with you, for those of you who thought you may have given E&I a bloody nose, it is not actually; it is a bit of a pinch under the arm, I have to say, because I am like Deputy de Sausmarez, I do not, in truth, believe that running these things in parallel is a disaster. I do not see it in those terms, but I never believed that this Assembly would sign off such a sum of money to run these things in parallel.

3505 I am still – bearing in mind the Arts hokey-cokey, bearing in mind you did not really spend £16,000 on cameras, did you. The idea that you can just okay £540,000, and for people in here who usually represent industry and the building trade and the economy, say good there is another tariff on you. My colleagues, actually on Economic Development were keen to see that through. Think about this in the round, you may not like sometimes on occasions the issues, the policies, that Environment & Infrastructure bring to this Assembly, but we are well advised, we employ the very best consultants, as you well know; these processes are robust, they are thorough, they are exhaustive, and we live and breathe them. And an amendment placed very late like this and even now, some people may have voted against Proposition 2 not fully understanding what the consequences are, on a scheme that has come this close.

3515 Thank you, sir, and I would ask Members to support the amended Propositions and just do that.

Thank you.

The Bailiff: Well, I think the Proposition 2 that was being suggested is now gone anyway.

3520 So, as far as I am aware, the only Proposition in respect of which there has been a request for a separate vote is Proposition 5. But if anyone requires any other Propositions to be voted on separately please say so.

Deputy Lester Queripel?

3525 **Deputy Lester Queripel:** Recorded vote please, sir.

The Bailiff: On what? I have not said what we are voting on yet.

Deputy Lester Queripel: Well, however we take them, sir.

3530

The Bailiff: So you want a recorded vote on everything?

Deputy Lester Queripel: Not individually, sir, not if we take them *en bloc* or if you are taking one separately that is fine, but however we take, recorded on all of them. Whatever format, please.

3535

The Bailiff: Yes, well what we will have to do then, I think, is probably take 5 first. Does it make sense to take them out of order? (*Interjections*) I think we should take them in order, vote on 1-4, then we will have to vote on 5 then we will have to vote on 6. So if you wish to have a recorded vote on everything, then we will have to have three recorded votes, is that?

3540

Deputy Lester Queripel: Sir, please.

The Bailiff: I am not sure whether it makes sense to take the rest – perhaps it does make sense to take the rest as a block, perhaps we can take 1-4 and 6 together. We will take 1-4 and 6 altogether, if nobody is requesting otherwise. So you are now having a recorded vote on Propositions 1-4 and 6 of the amended Propositions inserted as a result of the successful amendment proposed by Deputy Yerby and Deputy Merrett; 1-4 and 6.

3545

There was a recorded vote.

Carried – Pour 22, Contre 17, Ne vote pas 0, Absent 1

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Smithies	Deputy Inder	None	Deputy Fallaize
Deputy Hansmann Rouxel	Deputy Lowe		
Deputy Graham	Deputy Laurie Queripel		
Deputy Dorey	Deputy Green		
Deputy Le Tocq	Deputy Paint		
Deputy Yerby	Deputy Brouard		
Deputy Langlois	Deputy Dudley-Owen		
Deputy de Sausmarez	Deputy De Lisle		
Deputy Roffey	Deputy Soulsby		
Alderney Rep. Jean	Deputy Prow		
Alderney Rep. McKinley	Deputy Oliver		
Deputy Ferbrache	Deputy Leadbeater		
Deputy Kuttelwascher	Deputy Trott		
Deputy Tindall	Deputy Le Pelley		
Deputy Brehaut	Deputy St Pier		
Deputy Tooley	Deputy Stephens		
Deputy Gollop	Deputy Meerveld		
Deputy Parkinson			
Deputy Lester Queripel			
Deputy Le Clerc			
Deputy Mooney			
Deputy Merrett			

3550 **The Bailiff:** Well, Members, the voting on Proposition – when you are all ready – the voting on Propositions 1-4 and 6 was 22 in favour, with 17 against, I declare them carried.
We will now have a recorded vote on Proposition 5.

There was a recorded vote.

Not carried – Pour 15, Contre 22, Ne vote pas 2, Absent 1

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Inder	Deputy Lowe	Deputy de Sausmarez	Deputy Fallaize
Deputy Laurie Queripel	Deputy Hansmann Rouxel	Deputy Oliver	
Deputy Smithies	Deputy Graham		
Deputy Yerby	Deputy Green		
Deputy Roffey	Deputy Paint		
Alderney Rep. Jean	Deputy Dorey		
Deputy Ferbrache	Deputy Le Tocq		
Deputy Kuttelwascher	Deputy Brouard		
Deputy Tindall	Deputy Dudley-Owen		
Deputy Tooley	Deputy De Lisle		
Deputy Gollop	Deputy Langlois		
Deputy Lester Queripel	Deputy Soulsby		
Deputy Leadbeater	Deputy Prow		
Deputy Mooney	Alderney Rep. McKinley		
Deputy Merrett	Deputy Brehaut		
	Deputy Parkinson		
	Deputy Le Clerc		
	Deputy Trott		
	Deputy Le Pelley		
	Deputy St Pier		
	Deputy Stephens		
	Deputy Meerveld		

The Bailiff: Well, the voting on Proposition 5 was 15 in favour, 22 against, with 2 abstentions. I declare Proposition 5 lost.

POLICY & RESOURCES COMMITTEE

XV. Schedule for Future States' Business approved

Article XV.

The States are asked to decide:

Whether, after consideration of the attached Schedule for future States' business, which sets out items for consideration at the Meeting of the 17th January 2018 and subsequent States' Meetings, they are of opinion to approve the Schedule.

The Greffier: Article XV, Schedule for Future States Business.

3555

The Bailiff: Deputy St Pier.

Deputy St Pier: Sir, I have nothing further to add; the table is self-explanatory.

3560

The Bailiff: I have not had notice of any amendments. No. I put the Schedule to you then. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

Christmas greetings

3565

The Bailiff: It just remains to wish you and your families a Happy Christmas. I remind you all it is the season of good will towards all men and women. *(Laughter)* That does extend to States' Members, so I ask you to treat your fellow States' Members with the same good will as you would wish them to treat you with, and I wish you and your families all the very best for the festive season.

3570

Several Members: Hear, hear.

Deputy Lowe: Mr Bailiff, sir.

Could I, on behalf of States' Members, wish you and your family a very Happy Christmas, and indeed, would you be kind enough to pass on good wishes as well for a Happy Christmas to His Excellency and Lady Corder.

3575

I believe that, on behalf of the States, it is a good time to actually thank all the staff that are employed by the States, and wish all of them a very Happy Christmas with their families, and that we take on board your message yesterday, sir, and indeed, a bit again today, that we hope that everybody will get on really well in the New Year. As everybody's New Year's Resolution, we are all going to be polite and very nice to one another and to our staff. **(Several Members:** Hear, hear.)

3580

Happy Christmas.

The Bailiff: Thank you Deputy Lowe. Please close this meeting.

The Assembly adjourned at 5:51 p.m.