



**OFFICIAL REPORT**

**OF THE**

**STATES OF DELIBERATION**

**OF THE**

**ISLAND OF GUERNSEY**

**HANSARD**

**Royal Court House, Guernsey, Wednesday, 26th May 2021**

*All published Official Reports can be found on the  
official States of Guernsey website [www.gov.gg](http://www.gov.gg)*

**Volume 10, No. 10**

**ISSN 2049-8284**

**Present:**

**R. J. McMahon, Esq., Bailiff and Presiding Officer**

**Law Officers**

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

**People's Deputies**

S. E. Aldwell	C. J. Le Tissier
C. P. A. Blin	J. P. Le Tocq
A. H. Brouard	M. P. Leadbeater
Y. Burford	D. J. Mahoney
T. L. Bury	A. D. S. Matthews
A. Cameron	L. J. McKenna
D. de G. de Lisle	C. P. Meerveld
H. L. de Sausmarez	N. G. Moakes
J. F. Dyke	R. C. Murray
S. P. Fairclough	V. S. Oliver
S. J. Falla	C. N. K. Parkinson
P. T. R. Ferbrache	R. G. Prow
A. Gabriel	L. C. Queripel
J. A. B. Gollop	P. J. Roffey
S. P. Haskins	H. J. R. Soulsby
M. A. J. Helyar	G. A. St Pier
N. R. Inder	A. W. Taylor
A. Kazantseva-Miller	L. S. Trott
	S. P. J. Vermeulen

**Representatives of the Island of Alderney**

Alderney Representatives S. Roberts and  
E. A. J. Snowdon

**The Clerk to the States of Deliberation**

S. Ross, Esq. (H.M. States' Greffier)

**Absent at the Evocation**

R. M. Titterington, Q.C. (H.M. Comptroller);  
Deputy A. C. Dudley-Owen (*relevée à 9h 46*)

## Business transacted

Evocation .....	517
Convocation .....	517
<b>Statements.....</b>	<b>517</b>
Committee <i>for</i> Education, Sport & Culture – General Update .....	517
Specsavers Youth Games 2021 – Congratulations and gratitude .....	533
Committee <i>for the</i> Environment & Infrastructure – General Update .....	533
<b>Questions for Oral Answer .....</b>	<b>546</b>
Combined Substance Use Strategy and options for alternative and non-punitive approaches to the possession and use of small quantities of drugs .....	546
<i>The Assembly adjourned at 12.33 p.m. and resumed at 2.30 p.m.</i> .....	550
Combined Substance Use Strategy and options for alternative and non-punitive approaches to the possession and use of small quantities of drugs –	
Question continued .....	550
The pandemic, its impact on mental health and vaccinations.....	551
The wording of Police cautions.....	559
Speed of assistance for electrically assisted pedal cycles.....	561
Sea Fisheries vessel <i>Leopardess</i> .....	566
The work of the Development & Planning Authority.....	572
<b>Billet d'État XII.....</b>	<b>579</b>
Elections and Appointments.....	579
1. Police Complaints Commission: Re-appointment of a member – Mrs Bonita Hamilton re-appointed.....	579
2. Election of Mr Julian Winsor as an ordinary member and future Chairman of the Guernsey Financial Services Commission – Propositions carried .....	580
3. Election of members of the Ladies' College Board of Governors – Ms Cathryn Perkins elected and Mr Peter Miller re-elected .....	583
Legislation Laid before the States .....	584
Financial Services Commission (Bailiwick of Guernsey) Law, 1987 (Amendment) Ordinance, 2021; Land Planning and Development (Emergency Procedures) Ordinance, 2021; The Social Insurance (Benefits) (Amendment) Regulations, 2020; The Social Insurance (Benefits) (Amendment) Regulations, 2021; The Social Insurance (Contributions) (Amendment) Regulations, 2021 .....	584
<b>Urgent Propositions Pursuant to Rule 18 .....</b>	<b>584</b>
Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 6) Regulations, 2021; Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability)	

(No. 6) (Bailiwick of Guernsey) Regulations, 2021 – Propositions carried .....	584
Legislation for Approval.....	586
4. The Companies (Guernsey) Law, 2008 (Insolvency) (Amendment) Ordinance, 2021 – Approved.....	586
5. The Road Traffic (Speed Limits and Trials) (Amendment) Ordinance, 2021 – Approved .....	587
6. Schedule for Future States’ Business – Proposition carried .....	589
<i>The Assembly adjourned at 4.42 p.m.</i> .....	590

## States of Deliberation

*The States met at 10.30 a.m.*

[THE BAILIFF *in the Chair*]

### PRAYERS

*The Deputy Greffier*

### EVOCATION

### CONVOCATION

**The Deputy Greffier:** Billet d'État XII, 2021. To the Members of the States of the Island of Guernsey, I hereby give notice that a Meeting of the States of Deliberation will be held at the Royal Courthouse, on Wednesday, 26th May 2021, immediately after the Meeting of the States of Election convened for 9.30 a.m. to consider the items listed in this Billet d'État, which have been submitted for debate.

## Statements

### COMMITTEE FOR EDUCATION, SPORT & CULTURE

#### **Committee for Education, Sport & Culture – General Update**

**The Bailiff:** Good morning, Members of the States of Deliberation. Without further ado, we will turn straight to the first Item of Business, which is a General Update Statement on behalf of the Committee for Education, Sport & Culture, from its President, Deputy Dudley Owen.

**Deputy Dudley-Owen:** Thank you, sir. Much has happened since I gave my first update statement last November, not least the progress of our plans for the reorganisation of secondary and post-16 education. The policy letter setting out our plans will be published this Friday for debate in July. We were pleased to welcome many colleagues to our policy letter presentation yesterday evening, ahead of public presentations this evening and tomorrow evening.

Alongside this, we have navigated a second lockdown; delivered a very different Liberation Day, and of course all of us have had to adjust our thinking and re-focus our attention to only the most urgent of workstreams, in the face of the reality of the Island's financial pressures. In November I confirmed we would be looking to elect a non-voting member. We are delighted to have appointed

20 Advocate Jason Green and I would like to publicly thank Advocate Green for the valuable contribution he is already making.

With so much of the focus on the parts of our mandate related to education, it might be easy to lose sight of the work that is taking place in other areas of our mandate. This year, Liberation Day took on much more of a local community feel. We have had lots of positive feedback confirming the success of this necessarily different approach. We are currently reviewing how we can develop the very best parts of this year's commemorations and celebrations for future years, ensuring that as many Islanders as possible are able to enjoy this most special of days with their family and friends.

25 We recently received a very timely update from the Guernsey Sports Commission, which continues to go from strength to strength in pursuit of the objectives of the States-approved Plan for Sport. We will continue to work with the Commission to support our sporting community back into a full and successful year of activity, after two years of COVID-related disruption.

30 The work commenced by the previous Committee to develop an Arts Strategy continues and we have begun discussions with the Guernsey Arts Commission to determine how we might make that Strategy a reality in the context of the priorities described within the forthcoming Government Work Plan. We recognise the physical and mental health benefits, as well as societal benefits, that can be derived from participation and engagement in sports and the arts. We want to build upon the fresh appreciation we have all gained for what is on offer right here on our doorstep.

35 The previous Assembly resolved to allocate funding to support the preservation of Guernésiais and we are excited by the prospect of supporting the progress of this workstream in partnership with the Guernsey Language Commission.

40 I have already given a nod to the fiscal challenges that face us. The prosperity of our Islands is the responsibility of this Assembly. The decisions we make in this Chamber are crucial at this pivotal moment in our Island's history. I make no apology for reminding us that today's learners are tomorrow's workforce. It is today's young people who will be tomorrow's wealth-generators, they will be our care-givers, our electricians, doctors, plumbers and creatives, they will service our cars, some of them will teach our children and grandchildren, some will have careers in roles and industries that we can't even begin to imagine.

45 With this firmly in mind our thinking is aligned with the emerging human capital agenda to ensure we make that vital investment in the people who will secure our future prosperity. We understand the value of life-long learning and recognise the spotlight is shining on skills and knowledge acquisition, not only locally, but as part of a much wider realisation that we need to be constantly evolving our workforce so that we can make the most of our most valuable asset – our people.

50 I struggle to recall a time when ensuring that our education system is truly fit for purpose has been more important than it is right now. Despite some difference in the generations represented within this Chamber we will have all shared similar educational experiences, but times are changing and we need to respond to keep pace with those changes.

55 When we took up office we inherited much good work from the predecessor Committee, and we have sought to build on that solid foundation. For example, although not without some teething troubles, we now have an on-Island Initial Teacher Training programme and by early 2022 we will have six teachers in our schools who have gained a nationally recognised teaching qualification locally, which was not possible previously. We will build on that success with further trainees in 2022. This is a win-win for Guernsey: we have new teachers who understand the local context and are passionate about their new careers; and we save on recruitment and relocation expenses.

60 Despite not being able to visit the Island due to pandemic-related travel restrictions, NASEN has completed its review of special educational needs and disabilities which we published at Easter. We accepted all of the 18 NASEN recommendations. Our political colleagues in Policy & Resources, Health & Social Care, and Employment & Social Security have agreed to work with us to implement those recommendations that span committee mandates.

65 I am thrilled that in September, all of the Special Educational Needs and Disabilities Co-ordinators working in our schools will obtain the National Award for SENCOs through Winchester

University. This will ensure they continue to play a pivotal role in embedding inclusive practice as the norm in all of our education settings. And, following a successful pilot, we have agreed to expand the support we offer to a small number of students who, because of their social, emotional or mental health needs, would not otherwise be accessing meaningful education.

Travel restrictions have frustrated plans to complete pilot Ofsted inspections to road-test our bespoke Education Inspection Framework. However, with the news that restrictions will be eased in the weeks ahead, we are confident pilot inspections will be completed this autumn, with formal inspections commencing in November.

This work is vital and informative for us as school governors. We have taken time to understand the governance system in place today, and to understand what we need to do to govern our schools effectively. I have previously confirmed that we will look at options to vary and improve governance arrangements for all our education settings, and by actively looking at the way we fund our schools and exploring ways to address some funding inequities that have existed for a long time, we have started to pave the way for a different governance structure.

Only once we have solid, consistent and fair principles can we begin to build towards devolved governance that gives school leaders greater autonomy. Linked to this, although given the other competing demands on our limited resources we considered it inappropriate to progress the Education Law review as part of the first round of Government Work Plan priorities, we remain committed to progressing this vital and overdue workstream.

We are part-way through a series of webinars whereby all States' Members and non-voting members are learning more about the education eco-system. We introduced these never-done-before sessions not only to enhance understanding of the various component parts of a functional education system, hence the use of the term eco-system, but also to provide access to – and confidence in – the professionals who are responsible for the operation of our education system.

Sir, again, I make no apologies for saying very clearly today something I will be saying time and time again in the days and weeks ahead: it is for this Assembly to make strategic policy decisions and then to empower our public servants to deliver those policies at an operational level. Alongside the strategic policy decisions we will be asking this Assembly to make with regard to secondary and post-16 education, we have introduced an Education Strategy that supports continual improvement in our education settings.

Our vision for education is that it should foster and build self-esteem, creativity and confidence so that all learners can flourish and thrive. It should equip learners with knowledge and skills to help them achieve their aspirations. It should instil a commitment to participate within the community as a responsible citizen; and it should be enjoyed so that we build a lifelong passion for learning. Our education leaders have been empowered to further develop our Strategy to ensure it is deliverable in an operational context.

Staying with our staff – our public servants – I want to thank staff working across all aspects of our mandate for the way they responded to the Island's second lockdown. We continued to deliver education during a time when our settings were closed to the majority of learners. Of course our response was not without challenges but it moved forwards our digital inclusion agenda, and follow-up surveys conducted with parents, carers and students told us that for about three quarters of our learners, the content and volume of our distance learning offering was at about the right level.

Staff have completed a lessons learnt exercise and our distance learning policy has been improved should we need to rely on it again. Staff in our settings continue to work hard to ensure students are making the right progress and to consolidate learning; and I also want to recognise their ongoing work to produce Teacher Assessed Grades as we face a second year when final exams are not taking place.

In closing, sir, I will just mention the Island Games. The pandemic thwarted plans for Guernsey to host the Games this year, but we will instead host the Games in 2023. We will support the organising committee in its preparations for what I know will be a truly memorable event. Thank you.

125 **The Bailiff:** Thank you very much. Well, Members of the States, there is an opportunity now to ask questions of the President on any matter within the mandate of the Committee. Deputy Matthews.

130 **Deputy Matthews:** Thank you, sir. I would like to start off with an apology to the students and parents at La Mare de Carteret School, who are now facing an uncertain future. One of the factors that prompted me to enter politics was the previous education proposals. I was not successful in achieving a place on the ESC Committee but since being elected to the States I have tried to persuade and convince the new Education Committee that building a new school at La Mare de Carteret could be achievable.

135 Ultimately, it does come down to cost and the States cannot build two new schools. The Committee has decided to prioritise construction of a new sixth form centre and the Guernsey Institute at the old St Peter Port School. I am disappointed that options to build La Mare de Carteret, by using Les Beaucamps as a site for the new Guernsey Institute, have not been taken forward by the Committee. Only a few years ago La Mare de Carteret had been identified at the top of the list of school locations in an early analysis –

140 **The Bailiff:** Deputy Matthews, I am terribly sorry, but you have already had your minute and you have not posed a question.

145 **Deputy Matthews:** Sorry, I will get to the end. My question to the President is would it not be more appropriate to present –

150 **The Bailiff:** Deputy Matthews, you have had your time. You cannot ask the question now. Members should recognise that there is no real opportunity for a preamble. Questions are questions. Ask the question, get the answer. Ask the question, get the answer, please. Deputy Roffey.

**Deputy Roffey:** Thank you, sir. Can the President of ESC give the community a firm assurance that La Mare de Carteret Primary School will be rebuilt? If so, can she tell us when that is likely to happen and at what estimated cost?

155 **The Bailiff:** Deputy Dudley-Owen.

160 **Deputy Dudley-Owen:** Thank you to Deputy Roffey for his question. The Committee is of a view that the primary school is absolutely essential to that community. It is not a matter that has come to Committee at this time. It is an extant States' Resolution and the Committee has not sought to change that.

**The Bailiff:** Deputy Falla.

165 **Deputy Falla:** Thank you, sir. Would the President please explain why public meetings this week on the secondary and post-16 proposals are taking place before the publication of ESC's policy letter on Friday and what plans are there for public meetings following the publication of the policy letter?

170 **The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you to Deputy Falla for his question. The timing of the roadshows that we have done in advance of the policy letter have been carefully thought about in regard to school holidays, the upcoming half-term, in addition to the timing of the policy letter, ensuring that it did not land the other side of the summer holidays, which has previously been done, which does not allow any time for proper consideration by the community of the policy letter. Many



considerations for Education, Sport & Culture have to be put into place around certain policy letters relating to education matters because of the complexities of the school term.

180 It is probably a more sensitive area than most other Committees but there are a lot of factors taken into consideration when looking at our coms plan for the policy letter. But absolutely we do intend to do further engagement sessions after the policy letter is published on Friday, in order to ensure the community has sufficient time to learn about the plans.

**The Bailiff:** Deputy de Lisle.

185 **Deputy de Lisle:** Thank you, sir. On the issue of secondary and post-secondary education, as a former teacher and lecturer in schools and universities, I have argued against closure of local schools consistently over my 17 years as a Deputy here. Can I ask the President of Education, Sport & Culture why her board would threaten teachers, pupils and parents with closure of La Mare de Carteret, a successful Guernsey secondary school, that has given all to raising standards?

190

**The Bailiff:** Deputy Dudley-Owen.

195 **Deputy Dudley-Owen:** Deputy de Lisle will know very well the history behind this particular thorny question and closing schools is never an option that I wanted to be faced with but I am afraid the harsh reality is that since the decision to remove selection from our education system we have to consolidate our school estate. We also have a declining pupil population, in addition to pressing financial need. We also know that a school is much more than the fabric of the building and actually the success of that school is essential, it lies with the staff. The quality of the staff in La Mare de Carteret is absolutely excellent.

200 It has been a very difficult decision to make but Deputy de Lisle knows this and so do various States' Members and the previous Committee also made the same decision, previously the Committee before that tried to ensure the longevity of La Mare de Carteret in different fiscal circumstances. It is not a decision that this particular Committee has found easy not to bring La Mare de Carteret forward as part of its preferred model. It will ultimately be for the States to make  
205 the decision as to whether they want to take that forward or not.

**The Bailiff:** Deputy Trott.

210 **Deputy Trott:** Thank you, sir. I am sure my friend Deputy Matthews will be as eager as me to ask this question. Would it not be more appropriate to present all the available options for the future of education of the States to make a decision, rather than announce a Committee decision that some parents receive by text notification on a Friday afternoon? Thank you, sir.

215 **The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** In regard to how the policy letter is laid and the Propositions are laid, I do not think it is entirely appropriate for the Committee to lay out a suite of options without stating what their preference would be. I think that many of the Deputies within the Chamber would want the Committee to be more decisive about that, having had the up close and personal information-gathering exercise that we have been subjected to over the last eight months, looking at what we  
220 feel is our preferred option.

However, what we want to do is to allow Deputies, within the policy letter, and the community to see what other options were there and why we did not choose to back those in our final Propositions.

225

**The Bailiff:** Alderney Representative Snowdon.

**Alderney Representative Snowden:** Thank you, sir. Could I ask the President, regarding St Anne's School in Alderney, an update regarding a policy for the swimming pool and also is there any update on St Anne's website and maybe an Alderney visit in the near future by the Committee? Thank you.

**The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** I will take those in the wrong order in which they were posed to me. Myself and Deputy Cameron will be hopefully coming up to Alderney in the near future and that is being arranged currently. In regard to the website, that is under review at the moment and I will update Alderney Representative Snowden in that regard. In regard to the Alderney Swimming Pool, yes, Deputy Cameron, on a recent visit to Alderney has had a tour of the site, as has Deputy Inder, I understand, and there are ongoing talks with Deputy Helyar in regard to how we can support this and go forward with it.

**The Bailiff:** Deputy Leadbeater.

**Deputy Leadbeater:** Thank you, sir. Could the President of ESC confirm to me that if it had not been for the COVID-19 pandemic that her Committee's proposals would probably have included the rebuild of La Mare de Carteret School?

**The Bailiff:** Deputy Dudley-Owen?

**Deputy Dudley-Owen:** I have been very open-minded about the education model that is going to be the best fit for Guernsey, which is one of the reasons why the pause and review Requête was such a blunt and unsophisticated instrument because I was absolutely sincere in not having a preferred model to take forward.

La Mare de Carteret rebuild was always in my sights as a possibility and I think that actually Deputy Leadbeater is correct, the two lockdowns and the pandemic have played a significant part in my decision-making around not taking that forward as a preferred model, but it was only until recently that I made that decision.

**The Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you, sir. I agree with the President that strategy and policy is for the Committee and operational delivery is for the staff body. So would the President agree with me, though, that the Committee must, nevertheless, consider the how and why of the operational detail emanating from the high-level strategy early and upfront if we are to avoid major unforeseen problems emerging in the months and years ahead?

**The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Deputy Burford is absolutely right and it is really important for the Committee to be aware of how operations translate from the high-level policy aspirations and therefore our engagement with staff and education advisers is absolutely key to ensure that operational delivery is working on the ground from our high-level policy aspirations, which is why we want to engage very closely with staff and educational advisers, and unions indeed. We have done since we came into office and will continue to do so. That is the approach of this Committee.

**The Bailiff:** Deputy St Pier.

280 **Deputy St Pier:** Sir, in a joint statement this week, Deputy Dudley-Owen has said we are unable to determine the implications for staffing structures at this time. Presumably, therefore, until those staffing structures be determined with certainty, there will be uncertainty in relation to the revenue costs for running the system?

285 **The Bailiff:** Deputy Dudley-Owen.

290 **Deputy Dudley-Owen:** The revenue cost for running the preferred model ... annual running costs are always uncertain in regard to these areas, which Deputy St Pier knows well. The modelling will be undertaken in regard to both concepts will be taking place, but in regard to the staffing model that has to be undertaken in conjunction with unions and staff, so that there is a long process ahead of us and the collaboration and co-operation from not only the States of Guernsey but also unions and staff, is absolutely essential to ensure that this process is well done. Revenue costs deriving from that, we do not want to exceed what we currently spend on education today, which is what we have done in our financial modelling.

295 **The Bailiff:** Deputy Queripel.

300 **Deputy Queripel:** Sir, thank you. I thank the President for the update, which is a real assurance that the Committee are not being totally consumed by all things education and are still applying sufficient political oversight to all the other areas that fall under the mandate and I take great comfort from that. In asking the question I am about to ask, I apologise to the President if she relayed this in her Statement because I must have missed it. Can she tell us please when the Arts Strategy will be laid in front of the States?

305 **The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you to Deputy Lester Queripel and I do actually appreciate his constant challenge around the other parts of the Education, Sport & Culture mandate, other than education, because it is often an oversight on behalf of many because the Education area is quite prominent, and rightly so as well.

310 However, the Sport & Culture side really also need to have that prominence because they feed into so many parts of our society. The Arts Strategy is being developed by the Guernsey Arts Commission. At this stage there has been no talk about that being laid in front of the States for deliberation. However, I cannot see that it will not be, but at this stage we have not got to that stage in our conversations with the Guernsey Arts Commission.

315 **The Bailiff:** Deputy Kazantseva-Miller.

320 **Deputy Kazantseva-Miller:** Thank you, sir. The Committee is proposing to create another education campus around Les Ozouets, together with a large school at Les Varendes. Traffic was a key sticking point of the previous proposals for the two-school model so I would like to get the Committee's feedback regarding the current car parking proposals that have been parameters put into the current high-level design models of the Guernsey Institute, as well as whether traffic assessment has been made for the area. Thank you.

325 **The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you to Deputy Kazantseva-Miller for her question.

Obviously, we spoke about this at the States' Members presentation last night in advance of the policy letter on Friday and at that stage I was quite clear that we had undertaken a consultation

330 with traffic specialists within the States and also that that thinking has been fed into future designs for the post-16 campus at Les Ozouets, the site of the old St Peter Port School.

It certainly will be an ambition and more than that to ensure that we reduce the amount of traffic in that area, reduce the amount of cars coming into the site but clearly we have got to be realistic that there will have to be provision made for parking for staff and also students who are coming in  
335 and out of the site, for example, apprentices for work purposes, who will need those vehicles. However, where we have other students coming into the site, such as 17-18-year-olds who are driving their cars, I would be working very closely with Environment & Infrastructure to ensure that we have got active travel solutions. We are lucky to have two Members of that Committee sitting on Education, Sport & Culture, so we have good synergies there.

340 **The Bailiff:** Deputy Gabriel.

**Deputy Gabriel:** Thank you, sir. Given that the staff base and staffing costs are not determined yet, can the President confirm that there is going to be no teachers' posts or any other posts  
345 connected with running a school lost with the closure of La Mare de Carteret?

**The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Sir, may I ask Deputy Gabriel to repeat his question because I did not  
350 hear the first part of it?

**The Bailiff:** Can you repeat your question, please, Deputy Gabriel?

**Deputy Gabriel:** I will try and summarise. Will any teaching posts or any other posts be lost with  
355 the closure of La Mare de Carteret School?

**The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you to Deputy Gabriel for his question. We do not want to lose  
360 any teaching staff from our workforce at all. There is a natural wastage every year of approximately 15% of individuals who retire, who leave the service, but not accounting for those, not one single teacher should be lost as an account of this transition.

In our careful handling and working in absolute co-operation, shoulder-to-shoulder with staff and also their head teachers and unions as well, we need to ensure that staff feel confident and  
365 certain about their future in Guernsey and have career progression pathways and proper support and career development to ensure that they have the best possible opportunities to teach our children.

**The Bailiff:** Deputy Bury.

**Deputy Bury:** Thank you, sir. Before I ask my question, I think it is proper I declare I am a parent  
370 of a La Mare de Carteret High student.

Could I ask the President, based on the fact that La Mare students, staff and parents were given no information around transition on the day of the announcement, if we in the Assembly are to  
375 assume that this will not be included in the policy letter and if it is to be included in the policy letter, why this was not shared with the school community to help answer some of the many questions they were left with last Friday afternoon?

**The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you to Deputy Bury for her question and I appreciate the emotional difficulties associated with messaging around the decision that the Committee made not to put this forward as one of their preferred options. The transition of students is a really delicate and sensitive area and the right place for it is not in the policy letter.

385 This is something that needs to be worked up in conjunction with parents and the community of this school and we will be engaging with the school in order to ensure that those plans are carefully laid and communication is very thoughtfully and considerately done, bearing in mind the voice of the students and also their parents and carers, so that we make sure we get everything right in transition.

390 The policy letter is not the right place for that type of detailed planning to be set out and actually is an iterative process and organic over the next few weeks and months as we support that school community to weather the changes.

**The Bailiff:** Deputy Gollop.

395

**Deputy Gollop:** Deputy Dudley-Owen, in her opening speech, mentioned governance of schools as being a concern and reasons why perhaps the Education Act will not be pursued immediately. But I would like to know, as a part of the new vision of the three schools and the sixth form, will they have separate governing bodies, or one governing body or governing bodies that will have a degree of separate identity but nevertheless work together in a common way. Because I am not clear about how that would shape when we get the model in bigger debate.

400

**The Bailiff:** Deputy Dudley-Owen.

405 **Deputy Dudley-Owen:** Thank you to Deputy Gollop for his question and in that, I saw how Deputy Gollop was phrasing that question, he was starting to think about the complexities that all of those governing structures that he has got whizzing around his head will bring for our schools in the future and these are just some of the thorny issues that we as a Committee need to discuss before we land on the right governance model for our schools.

410 In the meantime the model of how we arrange education is in regard to our three 11-16s and future co-located sixth form with the Guernsey Institute, the Secondary School Partnership will be spoken about in more detail in our policy letter but governance on top of that and how that replaces the Education Committee as school governors is something yet to be determined.

415 **The Bailiff:** Deputy Leadbeater.

**Deputy Leadbeater:** Thank you, sir. I would like to thank the President of ESC for her Committee's acceptance of all of the recommendations from the NASEN SEND review. One of those is to extend provision from 0-25. What I would like to understand from the President is how would that look like from 19-25? Would that be provided at the Les Voies and Les Murier or maybe the other high schools or is that going to be something in conjunction with this TGI and the College of FE?

420

**The Bailiff:** Deputy Dudley-Owen.

425

**Deputy Dudley-Owen:** I thank Deputy Leadbeater for his question because Deputy Leadbeater who is sitting on Health & Social Care, also knows that we met with his Committee to discuss these in more detail, as we did with the other Committees I mentioned during my Statement, and it is these types of questions around how we provide that extended provision from the 19-25 age range that we need to discuss with Deputy Leadbeater and others who are now joining us on the working party to push forward these recommendations. I think it could be a variety of what he is saying.

430

But of course it will not be exclusive just to an education setting, we need to be looking at workplace settings as well. So I think that there is much to talk about around how we are going to take that extension of our Government support in SEND forward for that extended age range.

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Thank you, sir. Deputy Dudley-Owen will be well aware that there are numerous disparities in the primary sector, lots of pressures on catchment areas, for example, big disparities in terms of average class sizes, etc. I was very pleased to see that the Committee did not propose rescinding the primary review in the Government Work Plan and of course Deputy Dudley-Owen referred to the Resolution in respect to La Mare de Carteret Primary School rebuild.

Now that Resolution does confirm that La Mare de Carteret Primary business case will include the results of the Primary Review, so can the President please confirm that that Primary Review, which in my opinion is very much needed, is on track? I think the current timeline set out in the Resolution is 2022.

**The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** I can confirm that we have not looked at the Primary Review at all because we have had the secondary and post-16 as our priority, which was the right thing to do. The Primary Review and the work around the primary will be done at a time that the Committee can actually handle that as part of its workload. If we are going to do these jobs we have got to do each of them in turn and we have got to do them well and not overload the Committee and officers with workloads that will just break the whole Committee.

**The Bailiff:** As Members are continuing to rise, I am going to extend the questioning of the President of the Committee for Education, Sport & Culture, bearing in mind that there is not a huge amount of business later in the day. So Deputy St Pier.

**Deputy St Pier:** Sir, the Committee has previously said that, in order to deliver the four-school model there is going to be a need to increase the class sizes from 24 to 26 at secondary level. Can the President advise what impact that will have in relation to the pupil-teacher ratios?

**The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** I cannot give Deputy St Pier those types of figures in terms of how that translates to pupil-teacher ratios, I am afraid, but what I can say is that the impact on classes overall is going to be minimal. Very few classes will be affected by the increase in that average tipping point, the average size of the class in relation to the increase in that tipping point, by two.

The reason behind doing that is really to try and rebalance the budget in terms of enabling funding to go to SEND recommendations and also to rebalance the investment in our primary school sector. So this is not specifically in relation to the model, it is about rebalancing the budget and using our money better, so that the children coming up through our primary sector are better equipped in terms of literacy, digital skills and numeracy in order that any small changes in the class size, in secondary, are not going to impact overall but the impact for those children is going to be absolutely significant.

**The Bailiff:** Deputy Roffey.

**Deputy Roffey:** Thank you, sir. I was slightly confused by the answer on transition models earlier, I think Deputy Dudley-Owen said it was not appropriate to put it in the Billet and that it would be worked through with the other stakeholders in the time ahead. Does that mean at the time they

485 decided to close La Mare de Carteret secondary school they did not know where the pupils currently  
at that school would go, or when?

**The Bailiff:** Deputy Dudley-Owen.

490 **Deputy Dudley-Owen:** No, that is not the case, We have looked obviously at modelling for this  
but it is clearly something that needs to be worked through, in conjunction with parents and  
teachers and also head teachers of those primary schools going in and last night, as we stated  
during the presentation, we have a preferred transition model which will make it into the policy  
letter at a very high-level. The question I took from Deputy Bury was around the detail in regard to  
495 how exactly that was going to be handled and the support that the Education, Sport & Culture,  
along with staff at La Mare de Carteret were going to give to that school community.

**The Bailiff:** Deputy Bury.

500 **Deputy Bury:** Thank you, sir. Arising out of the President's previous answer and to my previous  
question. My observation of the President, in the previous term when she was outside the  
Committee, was that she was very keen to understand the detail of the then Committee's plans and  
for the entire Assembly to do so. Can she confirm that she is still committed to explaining detailed  
plans to the Assembly for them to make informed decisions?

505 **The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** I certainly am committed to detailing plans but it is where and when  
that happens and where it is appropriate for that to happen. So, absolutely and I think that I  
welcome any States' Member who wants to know details that would not ordinarily be in the public  
510 domain to come forward and to please ask those questions where they feel that we have not  
explained those appropriately enough in the Chamber.

**The Bailiff:** Deputy Kazantseva-Miller.

515 **Deputy Kazantseva-Miller:** Will the pause and review report, such as it is, be included in the  
upcoming policy letter, as was confirmed in the March debate?

**The Bailiff:** Deputy Dudley-Owen.

520 **Deputy Dudley-Owen:** Yes.

**The Bailiff:** Deputy Inder.

525 **Deputy Inder:** Would Deputy Dudley-Owen agree with me that the risk at La Mare de Carteret  
closing actually started with the Deputy St Pier amendment from 2015, when it was agreed that the  
secondary education would go from four into three schools?

**The Bailiff:** Deputy Dudley-Owen.

530 **Deputy Dudley-Owen:** Yes.

**The Bailiff:** Deputy St Pier.

535 **Deputy St Pier:** Sir, last August the States debated and approved the establishment of a  
Language Commission. I was not supportive, as I did not consider it to be an important priority, but

I was in a minority. Deputy Dudley-Owen, of course, was one of the majority who did support all the Propositions, so would she advise what progress, if any, her Committee have made in establishing the Language Commission and on what timeframe?

540       **The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you to Deputy St Pier because this is a slight disappointment to me because actually the progress that I had envisaged being made at the time that I voted for that particular Proposition has not been made to the extent that I had wished. However, I also did not  
545       wish for the lockdowns and the pandemic either and we have got to be realistic about what can be achieved during a state of hiatus where no one is able to do anything. So, we are now gathering back up speed and starting to work on the terms of the reference that were stated within that policy letter.

550       **The Bailiff:** Deputy Gollop.

**Deputy Gollop:** Yes, a change of pace perhaps, but I too want to praise Deputy Dudley-Owen and Deputy Aldwell and the team for a very successful, a happy Liberation Day period but I wonder if in future Liberation Day, as the new Committee progresses, will evolve to integrate Island-wide  
555       parochial wide and Town-wide functions in a different way because maybe too much has been concentrated in Town, which has not been terribly inclusive for people who do not like crowds, noise or some people enjoying themselves a bit too much with liquid refreshment. So will there be a rethink of Liberation Day, generally?

560       **The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you to Deputy Gollop. Wasn't Liberation Day amazing this year, despite all the restrictions? I think that what we have proved in the community is that actually this format is something that we really need to build upon for successive years, perhaps the  
565       quinquennial year will be a Town based event but actually the community feel that was engendered by the smaller groupings within the parish really brought the community together in a way that I think the pandemic also started. Also it was probably what was more appropriate after the War.

          The cavalcade around the Island, the work that Deputy Sue Aldwell has done towards this, singlehandedly I might add because I was not available for an awful lot of the meetings, she really  
570       needs to be commended, along with the team, around the organisation but yes, absolutely Deputy Gollop, I think that we really need to be open-minded towards this in future and to allow many more people to access our celebrations than have done before.

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

**Deputy de Lisle:** Sir, there is widespread concern amongst teachers particularly with respect to the rationalisation of the secondary school model that is being introduced by the board and also by the indication that class sizes will be increased. The teachers are concerned for their jobs,  
580       naturally. Will the President be guaranteeing the jobs of any rationalisation in the teaching force?

580       **The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Deputy de Lisle's question is absolutely right and proper to ask to raise the concerns that the workforce feel about their future. I cannot give any guarantees about any jobs  
585       because, as Deputy de Lisle well knows, P&R is the responsible Committee as the employer of the States. But I can say that this Committee does not want to lose people. I have already said that during Question Time this morning.



We need all of our teachers. We want to support them. We want to ensure that our children, we have still the same amount of children this year to teach no matter what the rationalisation of the model will look like and it is absolutely understandable that people will feel quite a degree of discomfort around some of the uncertainty. That has been long perpetuated by this particular Assembly under successive terms.

**The Bailiff:** Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** Thank you, sir. As I understand much of the land around Les Varendes is owned by trust, so could the Committee confirm whether engagement with the trustees of the trusts owning the lands has taken place in selecting Les Varendes as a preferred site *versus* La Mare?

**The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** I am sorry, again I could not hear that question very clearly. Could Deputy Kazantseva-Miller repeat that please?

**Deputy Kazantseva-Miller:** Yes, of course. As I understand, much of the land around Les Varendes campus is owned by another trust, another landlord. Can the Committee confirm whether they have engaged with the trustees of the trust regarding potential further uses of that land?

**The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Yes, I am aware of the ownership of that land actually being in several different hands immediately around the vicinity of the Grammar School, which is what makes it quite a small site and not particularly a viable setting for an extension and in this regard this particular Committee has not engaged with that particular trust over the extension of that land or to extend that particular school though of course that has been looked at within the options but in terms of engagement with the trustees, no that has not happened.

**The Bailiff:** Deputy St Pier.

**Deputy St Pier:** Sir, the President has previously and rightly spoken of the need for the youth voice to be heard in the debate of the transformation of secondary education, could she advise us what work her Committee has undertaken to obtain the views of students and young people and what, if any, evidence will be apparent in the policy letter of young people supporting the model?

**The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you, Deputy St Pier, for his question. The Youth Commission has been engaged to assist with listening to the youth voice in regard to the future model of education and the results of that have been included in the surveys, which will obviously be put forward as part of the policy letter in the appendices.

**The Bailiff:** Deputy Bury.

**Deputy Bury:** Thank you, sir. Could the President outline what work her Committee has undertaken to consider the impact on attainment of the new preferred model and if evidence and data will be included in the policy letter that this is indeed the best model for attainment?

**The Bailiff:** Deputy Dudley-Owen.

640 **Deputy Dudley-Owen:** What we know is that the model can put barriers in the way to attainment and achievement but what we also know is that the model in of itself is not what drives improvement and outcomes. It is the staff within those buildings that are the ones who actually deliver the outcomes, which is one of the reasons that we are trying to separate out educational outcomes from the policy letter.

645 We also know that parity of esteem is really important in terms of attainment and how people feel about themselves when they go into learning environments, which is one of the reasons for the co-location of the sixth form along with the Guernsey Institute down at Les Ozouets site. But in terms of, we need to get away from the educational outcomes are driven specifically by the model because that simply is not true.

650 **The Bailiff:** Deputy Inder.

655 **Deputy Inder:** Just briefly, sir. At last night's meeting, this is really for the record, Deputy Dudley-Owen explained that a lot of modelling came from the surveying that was done with the previous Committee and they finally plumped for a model which she has engaged with the teaching profession. Now, we are aware that there is likely to be an amendment, which asks the States to consider a three 11-18 model. In those consultations with the teaching profession, what was their view on a three 11-18 model?

660 **The Bailiff:** Deputy Dudley-Owen.

665 **Deputy Dudley-Owen:** We have had a number of engagement sessions with staff in different settings over the last few weeks. In fact, we have been extremely busy engaging in the window that we have been provided since lockdown and, by and large, the view where the three 11-18s came up was one that was not supported, that model would not be largely supported by staff, though of course we were more interested in talking about our preferred model than any other possible models.

670 **The Bailiff:** Deputy Inder.

675 **Deputy Inder:** Just finally on the same subject, it is an assumption for me, the split of the sixth form is not a very good idea because it is a very good and working facility. Just purely on assumption, if the three 11-18s were not a good idea, was it in relation to the split of the sixth form? Was that their primary concern, could she elucidate on that?

680 **The Bailiff:** Deputy Dudley-Owen.

685 **Deputy Dudley-Owen:** I think there were two reasons. It was the splitting of the sixth form over various sites would reduce the offer and the efficiency of being able to offer a broad curriculum choice at 16, in addition to teachers at many settings liking the parity of esteem that would be afforded to our students at that age by being co-located with contemporaries at the Guernsey Institute, by the College of Further Education.

690 **The Bailiff:** Deputy St Pier.

**Deputy St Pier:** Sir, the President has referred to Policy & Resources as being the employer. There is of course no statutory provision for P&R acting in that role. Can the President confirm my understanding that her Committee, acting by and through the Director of Education, under the Education Law, are responsible for hiring and firing education staff and determining what staff numbers are appropriate within their cash limit, granted by this Assembly, in the Budget?

**The Bailiff:** Deputy Dudley-Owen.

695 **Deputy Dudley-Owen:** Absolutely. Deputy St Pier is highlighting the issues that while the Director of Education, under his legal obligations, would be looking to determine the workforce under the appropriate budgeting, we have human resources, which comes under the Policy & Resources Committee, that Deputy St Pier will well know about.

700 So yes, the split is complicated but the split is actually there that the Policy & Resources are mandated to look after this particular area in regard to the eventual responsibility for employee relations.

**The Bailiff:** Deputy Dyke.

705 **Deputy Dyke:** Thank you, sir. Does Deputy Dudley-Owen contemplate that children at sixth form level will be able to combine some courses at the sixth form and some courses at the Institute next door, given the proximity of the two sites? Is that an advantage of this proposal?

**The Bailiff:** Deputy Dudley-Owen.

710 **Deputy Dudley-Owen:** Thank you for your question, Deputy Dyke. Absolutely. This is one of the areas that we need to continue exploring in terms of the synergies between those two organisations, which share the same audience, essentially: our post-16, our 16-18 cohort and above. We look at the opportunities available.

715 At the moment an adult cannot take an A-level in Guernsey and we think that that is not a particularly good thing and so we want to be able to provide those opportunities, especially for career change, and the opportunities now afforded by EdTech, in terms of timetabling capability, via algorithm, we think will find many more opportunities to be able to look at those blended pathways between various organisations.

720 **The Bailiff:** Deputy Burford.

**Deputy Burford:** Thank you, sir. The President has made much of the need, post-COVID, to keep costs under control and, thinking particularly of the revenue costs, which I think are arguably perhaps the most important, the President has said that the new four-school model will cost the same as the existing four-school model. My question is, did the Committee consider moving to a three-school model instead to help economies of scale and does contain revenue costs further?

725

**The Bailiff:** Deputy Dudley-Owen.

730 **Deputy Dudley-Owen:** The Committee thinks it is important to ensure that education is delivered in a good way in Guernsey and it is clear that that is available only for a specific cost envelope, so starting to reduce costs on the basis of wanting to save money is not the starting point that I personally want to take. I think we should be investing in our young people and not looking to salami slice like we were forced to do in the last term, with the 3-5-5 initiatives, where we saw that frontline services started to be affected by that. In regard to looking at other models in order to save revenue costs, that was just not one of our guiding principles so that is not a consideration.

735

**The Bailiff:** We have nearly doubled the questions to the President so I am going to take two more questions from the two Deputies who are on their feet. So, first, Deputy Gollop.

740

**Deputy Gollop:** Thank you very much. My question is a simple one. Given there are public presentations tonight and tomorrow, publication on Friday, will Deputy Dudley-Owen, on behalf of her Committee, welcome public attendance and also contribution from parents, teachers and other

stakeholders as to how they think the curriculum moving forward can be enhanced or broadened or fine-tuned.

**The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you to Deputy Gollop. He has raised a really good point there and just as a little plug tonight is at Beaucamps at 7.30 p.m. and will be live-streamed via the States of Guernsey Facebook page and tomorrow night is Les Varendes at six o'clock. We always welcome engagement from the community, staff and students in relation to our education system. It is really important that people are engaged with our education system because of course it predicates how well or not we will do in the future.

In terms of our curriculum it is designed, as Deputy Gollop was introduced to not long ago during one of our webinar series, which concentrated on this matter, the curriculum is designed around the community need and therefore it needs to evolve, it needs to be dynamic and organic and meet that need.

Therefore, input from various stakeholders within the community is always valued around what we need to be concentrating on. We heard recently about inclusion of Liberation Day and more around the origins of Liberation Day, from the Bailiff, from you, sir. But also I have approached the Friends of Biberach to ensure that we know about our deportees' history and how many of our Islanders were taken off-Island during that time. So there are really important things that we should be involving in our curriculum and I welcome any engagement from any stakeholders, including States' Deputies, in that regard.

**The Bailiff:** Final question, Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** Thank you. This is arising from the response to Deputy Dyke's question. The Les Ozouets campus, there is going to be shared facilities, there is potentially a move to look at co-educational possibilities within sixth form and the TGI and in all its kind of strategy, it is becoming a tertiary college. I know the Committee is categorically denying that it is becoming a tertiary college, but is it becoming a tertiary college effectively because that is where it feels like it is moving?

**The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** In order for a tertiary college to be created you will have to merge the organisations and Deputy Kazantseva-Miller, with all of her business experience, will know that joint working ventures are not merged organisations. We are looking to have a joint working venture between the organisations, which will have separate governance systems and that is the difference between the two.

We have absolutely, in this new world of co-op-etition, where people are co-operating, working together but potentially finding those challenges and conflicts which actually help them succeed, this is where we need to be looking at new ways of working in our education system. This is absolutely about the art of the possible. Merging those two organisations will not fall in that art of the possible category and would be a step far too far at this stage and is not within the ambitions of this particular Committee.

**The Bailiff:** Well, Members of the States, I think Deputy Dudley-Owen deserves a rest at this point.

**Specsavers Youth Games 2021 –  
Congratulations and gratitude**

**The Bailiff:** Can I, before turning to the next General Update Statement, just comment on the fact that at the weekend it was the Youth Games and six of the Members of the Assembly were leading their respective districts and I would like to thank each of them.

795 Deputy Dudley-Owen led the west, who won, that is because the west is best, as they continued to chant! But they looked resplendent in their coloured T-shirts and giving support to our youngsters and was it not a great experience to see quite so many people down at Footes Lane who clearly had a thoroughly good morning and maybe, just maybe, we see the next budding Island star out of that cohort, so thank you all for participating in that and thank you to the Sports  
800 Commission for organising it.

**COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE**

**Committee *for the* Environment & Infrastructure –  
General Update**

**The Bailiff:** Deputy de Sausmarez, as the President of the Committee *for the* Environment & Infrastructure, will deliver the next General Update Statement. Deputy de Sausmarez.

**Deputy de Sausmarez:** Thank you, sir. The Committee *for the* Environment & Infrastructure's  
805 focus is not just on what happens today, but on the future, and launching the policy required to enable the Island to meet the needs of the next 25 years and more. As this Assembly makes key decisions to keep Guernsey moving forward following the impact of Brexit and the global pandemic, my Committee will have a key role to play.

One such example is planning the long-term infrastructure the Island will need, which will include  
810 identifying and co-ordinating the infrastructure required to deliver the States' agreed priorities. In the absence of a reliable crystal ball to plan for all future needs, this can be a challenging task, but it's a challenge we are up for.

Short-term economic objectives tend to shout loudest in strategic decision-making, and the recovery from the pandemic makes good justification for this approach in the short term. However,  
815 we also need to look well beyond the horizon of this political term and think through the interdependencies of economic, social and environmental aspects to maximise the benefits now and for future generations.

Sometimes, this will mean investing in and maintaining existing infrastructure, but sometimes it will mean doing things differently to how we have done them in the past. Now is a good time to  
820 innovate, and the more we can design in flexibility, the better able we will be to adapt to whatever the future holds.

With that in mind, the Committee welcomes the coming debate on our harbours, changes to which have the potential to enhance or even transform the public realm in those waterfront areas, improve the efficiency of our transport system and develop the Island's blue economy. This is exactly  
825 the kind of strategic decision that can catalyse mutually inclusive economic, social and environmental benefits if we get it right.

Back in the here and now, one of my Committee's priorities is housing. Data emerging in recent months and weeks indicate that Guernsey is currently facing severe housing supply issues. In our social rental sector – which for clarity sits in ESS's mandate but is obviously very relevant – waiting  
830 lists are increasing and there has been a significant increase in enquiries and demand since the COVID-19 lockdowns. As at April, there were 181 approved new applications on the waiting list,

with the vast majority needing one-bedroom accommodation, in addition to 110 current tenants who are unsuitably housed and need to transfer.

835 In the private market, house prices have increased at a faster rate than earnings from 2019 to 2020. Partial ownership waiting lists remain high, currently standing at 180 applicants, and the average wait time is approximately three to four years.

In the private rental market, the average rental price for local market properties is also increasing notably. In the first quarter of this year, for example, it was 8.9% higher than the previous quarter. The number of private rental units being advertised has significantly dropped in recent months.  
840 There is also a lot less movement in this market.

We need to take action to ensure that Islanders' housing requirements are met. We need to address this now, and we should not be constrained to more traditional approaches: indeed, there is no better time to think about how we might do things differently and more innovatively.

845 With the standard timescales to be worked through, even if development sites became available immediately, it is unlikely that housing units would be completed for two to three years. We cannot wait for years: we need to act quickly and effectively to make a difference in the next 12 months.

To do that, we are taking a co-ordinated, joined up approach: E&I and ESS together with P&R have set up an action group whose focus will be very much on making a practical difference as soon as possible. The DPA and Deputy Oliver in particular have been very helpful in supporting these  
850 efforts: they are looking at ways in which the planning process can be streamlined so developments can progress much more swiftly. They have already removed the requirement for a Development Framework for smaller housing development sites, which will reduce the timeframe in which new housing units can be made available for Islanders to buy, rent or partially own.

855 As a Committee, we are looking into longer term trends and evolutions in the construction sector with a particular focus on sustainability, energy efficiency, affordability and quality. One of the tensions around housing – and it is something of an elephant in the room – is that while people may be genuinely supportive of addressing the mismatch between supply and demand, when it comes to the planning application stage there can often be community resistance to new developments.

860 It is worth noting that, if it is not addressed, this tension could be exacerbated if the States decides on a policy of increased population growth. Objections to planning applications often focus on two areas relevant to E&I: the loss of green spaces, and concerns around the traffic impact. To address concerns around the loss of green spaces, my Committee intends to work with the DPA to see how planning processes might better reflect the amenity value of the natural environment.  
865 While we think there are some quick wins, the more significant benefits will be realised through the green economy workstreams proposed in the Government Work Plan.

Concerns around the traffic impact of new developments are also understandable. We have one of the highest levels of vehicle ownership in the world, but our road infrastructure is the legacy of a different century and cannot be easily expanded to accommodate the higher vehicle volumes that  
870 inevitably accompany new housing developments. The fundamental problem is that our current transport system is just not very scalable. We need to look at doing things differently.

One example of this is shared mobility, which has the potential to reduce the traffic impact of new housing. If people buying or renting in a new housing development had access to a shared fleet of modern electric vehicles, they could choose the most suitable type for any given journey –  
875 perhaps a small EV for a trip to the doctor's surgery, a larger hatchback for a family beach outing, an e-bike to pop down the road to grab some milk or a van for a run to Longue Hougue with some bulky household goods for recycling. Where shared mobility schemes like this have been introduced elsewhere, it has been shown that each shared vehicle replaces the equivalent of 16 privately owned cars, so it is a really efficient system that is worth exploring in the Guernsey context.

880 With respect to transport more generally, the Committee has recently prioritised workstreams in the Integrated Transport Strategy and we have created six areas of focus: access to main centres, that is the Town and the Bridge, access within main centres, access to schools, road safety, emissions

reduction, and regulatory requirements. This will of course involve some cross-committee working, particularly with Home Affairs and Education, Sport & Culture.

885 Moving on to the Government Work Plan, one of my Committee's key roles will be in developing and co-ordinating the blue and green economies as part of the Island's recovery, supporting sustainability in both fiscal and environmental senses. It will also create economic opportunities for existing sectors and support diversification into new sectors.

890 While the benefits of a blue economy are fairly obvious, I think people are not so familiar with the benefits that a green economy plan can bring about, so I will quickly outline some of the areas that work supports.

The planning and quality of development – by de-risking the development process with respect to environmental factors and providing greater assurances for investors. Tourism – by enabling and supporting the development of a strong, robust and resilient eco-tourism sector. Construction – 895 supporting industry to keep pace with wider developments in relation to more sustainable development and green supply chains. Green finance – by promoting our local credentials and minimising the reputational risk of greenwash.

Economic diversification into new sectors such as carbon trading and compensation habitat trading. Sustainable agriculture and local growing initiatives, in turn supporting greater self- 900 sufficiency and food security and improving our wider determinants of health. The energy transition and the development of a thriving renewables sector. Health and wellbeing through improved access to nature, green spaces and opportunities for physical activity; and culture and heritage – by protecting and enhancing the attractiveness of the Island for existing residents, potential residents, visitors and investors.

905 These are all areas in which other committees – most notably Economic Development – have an interest, so I hope next month that the Assembly will reaffirm its commitment to Green Economy Support Plan to maximise the use and value of our natural environment and green infrastructure for the economy, health and wellbeing.

I have spoken previously of the seriousness of nature loss, the reasons why and rate at which it 910 is happening, and the ways in which it is costing us, not least economically. The Strategy for Nature provides the framework for tackling these problems and better managing and supporting our natural environment in the longer term. One example is our recently approved policy to manage Invasive Non-Native Species (INNS).

INNS pose a threat to our environment, economy and public health. They are considered the 915 third greatest threat to biodiversity after land use pressures and climate change, threatening the survival of some of Guernsey's rarest species and harming some of our most sensitive ecosystems. As well as harming our native flora and fauna, they can also pose a risk to human health, as they can be dangerous, carry diseases or cause allergic reactions. Once established in the Island, they can be very costly to manage and can damage infrastructure and commercial agriculture.

920 Our policy prioritises keeping invasive species out of the Bailiwick in the first place, then preventing their establishment, then managing those that are already established. We have taken the step of tightening up our border controls to support that first objective but there is plenty more work ahead.

The Committee is pleased with the progress in a number of different policy areas, including 925 Energy Policy, Aggregates and our Coastline Strategy. We are also feeling well prepared for the IMO Audit, which will check how well we implement our international maritime requirements, in September, when we will be the first in the Red Ensign group to undergo this process. We performed admirably in our mock audit and in fact have been held up as an example of best practice for other member states – something else that Guernsey can be proud of.

930 Time prevents me from providing a more detailed update but I look forward to any questions from the Assembly on the Committee's broad and varied mandate. Thank you.

**The Bailiff:** Thank you very much. There is an opportunity to ask questions on this Committee's mandate. Deputy Inder.

**Deputy Inder:** Thank you, sir. Thank you for the update, Deputy de Sausmarez. Back in 2019, Deputy de Lisle laid a requête on the control and licensing of glyphosate. That was lost but the Committee at that time, as a Member and now the President, said the Committee is looking at the bigger picture of agri-chemicals and toxicity on land management.

As far as the Nature Plan, the Biodiversity Convention talks about the conservation of biological diversity. On the one hand we want to look at caring for our special, national environment. On the other hand we are not really dealing with poisons that we are putting on the land, the control of that, and I wondered how far her Committee had got on with that.

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Thank you, sir. Yes, the Requête was actually served to ESS, which of course controls the import and regulation but Deputy Inder is right and the previous Committee *for the Environment & Infrastructure* did have a fair bit to say on it. He is also quite right that we did confirm at the time that we are looking at the bigger picture. I am pleased to say we have been working with the Pollinator Project – and he is not going completely mad, he is fine – so we have been working with the Pollinator Project on a five-step action plan.

We call it pesticide-free but in reality it is not just about pesticides, it is about pesticides, herbicides and fungicides. Also it is not about going completely free, it is about in pragmatic reality, where there is probably always going to be a need for some level but it is about very much reducing the dependency and the volume of the current use.

We are looking forward to an update on where we are at with that and I promise I will share the details as and when – I am probably going to run out of time in a minute. It is a five-step plan and there is an awful lot of work involved in those initial stages because the first thing that we have to do both as a Government and as an Island is do effectively an audit of what is currently being used, why etc. and then it is about finding good alternatives and not talking about alternative chemicals so much. Often alternative techniques and actually just alternative land management practices –

**The Bailiff:** Deputy de Sausmarez, you were absolutely right, you were going to run out of time! Deputy Leadbeater.

**Deputy Leadbeater:** Thank you, sir. The President spoke of her Committee's support for the green and the blue economy, which is nice to hear, and went on to give some examples of the green economy and where her Committee see Guernsey and her Committee fitting in with what can be achieved in Guernsey. Getting back to the blue economy, can she give me some examples of the kind of work that her Committee is doing to support the blue economy in Guernsey, just so we can have an update? Are we looking towards the kind of touristy, marine sorts of things for welcoming cruise ships back at some point? If we can have some sort of flavour, please.

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Well, strictly speaking, the answer to Deputy Leadbeater's question is we have not done an awful lot of work on this other than the work that we have put into the Government Work Plan. So the blue economy workstream will be facilitated with, I hope, resounding support from this Assembly and it is really Deputy Haskins who is one of the core cheerleaders of the blue economy.

Yes, Deputy Leadbeater is absolutely right. It spans everything indeed from those sorts of tourist aspects he was talking about in terms of cruise ships, eco-tourism fits into that, but also of course things like marine renewable energy and things like some of the habitat, carbon trading opportunities. The marine environment is an absolutely amazing source of carbon capture so I think there is a really exciting area of possibility, but at the moment we have not got the resources to do



any detailed work on that. I am really hoping that resource will be delivered through the Government Work Plan.

**The Bailiff:** Deputy Falla.

**Deputy Falla:** Thank you, sir, and thank you to Deputy de Sausmarez for her Statement. I welcome the cross-committee action group on housing. Given that the word 'crisis' is increasingly coming into our vocabulary in this connection, how long does the President think it might take to come back with some clear direction as to how we might tackle a crisis?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** The action group has been set up very recently, literally within the last, I think, week or two. Before that there was a lot of work going on but that was part of the housing strategic programme board so the decision, as Deputy Falla knows, as a Member of ESS, was taken recently to basically be more focussed in what we are trying to achieve and although I do not, I think, have the mandate to speak on behalf of the whole action group, I can say that every possibility is being looked at.

I also would be as bold to suggest that it will not be a case of waiting until we have a perfect solution in bringing forward a beautifully written policy letter. The focus of the action group is very much on the action and so I think it will be an iterative process and, as and when things can be brought forward, then they will be. But I look forward to being able to update the Assembly as soon as we have more.

**The Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you. Thank you to Deputy de Sausmarez for her Update Statement. Given that large swathes of land are currently being poisoned in regard to reducing the amount of weeds, etc., by our farming community, which I understand is part of their livelihood but the damage that it does to our environment is absolutely significant in comparison to what householders do, what efforts are the Committee making to work with the farming community in order to try and transition them from pesticide-free, or whatever, herbicide-free working practices into something friendly and greener?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Yes, I completely agree with Deputy Dudley-Owen and actually it is significant to note, I think it is something like 40% of our land is actually managed through agricultural practices. It is a really important part of the equation. It touches on both our climate change policy and the green economy workstream and the Government Work Plan and it is again something that we need resources to deliver.

I will say that ahead of that there have been conversations, not just obviously with the Pollinator Project, as I referred to earlier, who I know have been talking with some of our farmers, but I know that there is an appetite in parts of the farming and agricultural community to move to more sustainable practices and actually the encouraging thing about that is that there is some evidence to suggest that does not need to mean compromising in terms of productivity or profit or profitability. But what it does need is support and that support needs resources and that is why I am really keen to get it resourced.

**The Bailiff:** Deputy Trott.

**Deputy Trott:** Thank you, sir. How nice it must be to be a core cheerleader. Something to aspire to. Deputy de Sausmarez talked about the housing sector and advised us that there had been, there are, rather, 180 applicants for partial ownership and a four-year waiting list. Does that mean that 45 new partial ownerships are expected to be built per year between now and then or has there, is there, movement within that sector that has hitherto not been the case and, if so, to what extent are people moving from partial ownership to full ownership outside of the Housing Association?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Yes, I mean, I think Deputy Trott is being a little bit unfair to say there has been no movement in it. I do not have the exact numbers to hand but this is something that we have asked a lot of questions about as a Committee and I can confirm that there is indeed that staircasing, as it is known in the trade, of people buying into partial ownership and then actually liquidating their asset and moving into the private sector, into the general housing sector.

So that is really good news. I would say that this scheme has not been around for very long so I think Deputy Trott just needs to give it time. The indications are that it is doing its job but, as I say, everything is on the table, everything will be looked at and if there are any improvements that can be made then certainly that is something that will come back to the Assembly with recommendations on.

**The Bailiff:** Deputy Taylor.

**Deputy Taylor:** Thank you, sir, and thank you to Deputy de Sausmarez for her update. Following on from Deputy Leadbeater's question around the blue economy, if we are going to be doing a blue economy plan, I am assuming that will be to encourage investment but I am wondering if you have any indication of what the current barriers are to investing in the blue economy that you might seek to address?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I think the main barrier is information, actually. Whereas on land we have land use plans and all sorts, we have got really quite a lot of data in some respects about what happens on land, but actually one of the main challenges in the marine environment is that there are lots of different competing uses but we do not really have any higher level strategies, sort of fitting in together like a jigsaw, and one of the key barriers to that is because we actually do not have enough data.

So one of the fundamental pieces of work is the marine spatial plan, which will give us the data that we need to build those high-level strategies. Once we have got those, then that is the point at which we might start looking at different opportunities, which might attract different types of investment, whether that is internal or external, but really we need that good, baseline data before we can do anything meaningful on it.

**The Bailiff:** Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** Thank you, sir. I think the President alluded to this inherent resistance from the community to many forms of development, especially if it takes form in your background and this is a balance the Development & Planning Authority actually is acutely aware of and is trying to balance any development with preserving what we long for. Would the President agree that if this Assembly, to achieve the aspirations for the developments that we all have, whether it is harbours, housing and so on, it is absolutely essential we have better tools through the green economy supporting plan to achieve that, because right now we do not have those tools?

**The Bailiff:** Deputy de Sausmarez.

1090

**Deputy de Sausmarez:** Yes, I wholeheartedly agree with Deputy Kazantseva-Miller and I think one of the problems that we have had and continue to have, is that planning applications tend to be looked at in isolation and not as part of a bigger picture and we know that sometimes it is the cumulative impacts that hurt the most or get the most traction within the community. So, I do agree that looking at a green infrastructure plan, for example, is one of the ways we can start drawing these things together, start looking at that bigger picture and start making decisions accordingly.

1095

**The Bailiff:** Deputy Oliver.

1100

**Deputy Oliver:** Thank you, sir. I am sorry if I have missed this but I know that tenders went out for the Fermain Wall and the Havelet; when is work going to actually start on them or has it started?

**The Bailiff:** Deputy de Sausmarez.

1105

**Deputy de Sausmarez:** Yes, I mean the work, obviously, certainly with respect, if I may, and I gave a relatively detailed update in the previous States' Meeting, that is three phases of work, so the first bit of work is absolutely underway as a tender and has been awarded to a local contractor. But we are not going to see any construction, because that is not in the first phase.

1110

It is a really complex bit of geotechnical engineering work, this, and it is actually much less about the wall and much more about the cliff behind. So it is all about the structural aspects, which really cannot have corners cut on them. So I am just trying to see, I think work on Havelet, I think I am right in saying that is going to start relatively soon, but certainly with respect to Fermain, I would advise Deputy Oliver not to hold her breath in terms of seeing a bit of wall go up. There is a lot of work that needs to be done ahead of that.

1115

**The Bailiff:** Deputy de Lisle.

1120

**Deputy de Lisle:** Thank you, sir. In terms of providing more efficiency in public transport several bus routes appear to be haemorrhaging money due to limited ridership. I speak particularly of the P2 route but there are others. Can the President provide the current change in bus ridership numbers, system-wide, and by route?

**The Bailiff:** Deputy de Sausmarez.

1125

**Deputy de Sausmarez:** Not in a minute-and-a-half! I will of course share that information with Deputy de Lisle and the rest of the Assembly as and when I can collate it. I would make the point that actually our bus ridership, our bus service, I do not know if people realise this, is actually the envy of many jurisdictions, for people who are into that kind of thing, which I appreciate is a niche audience.

1130

Our ridership levels were increasing year on year to record highs before lockdown. Obviously lockdown had a considerable impact but I am pleased to say that, especially following the latest lockdown, the ridership numbers have bounced back up, and I would also like to make the point in my remaining time that the bus service is an absolutely essential community service.

1135

We should not be looking to make a profit from it. It is not a profit-driving activity. It is an absolutely fundamental service to ensure that members in our community can access where they need to go; access education, access work, access recreational and social opportunities. We need to make sure it is accessible and affordable and community services, like the P2, which connect different community hubs at non-peak commuter times, are part of that essential service.

1140

**Deputy de Lisle:** I look forward to the numbers.

**The Bailiff:** Deputy Matthews.

1145 **Deputy Matthews:** Thank you, sir. There seems to have been a spate of road traffic accidents, including sadly some very serious fatal accidents. What could be done to improve the safety of our roads?

**The Bailiff:** Deputy de Sausmarez.

1150 **Deputy de Sausmarez:** Again, I am not sure I am going to get terribly far in the 90 seconds available to me. But I would first of all say that I agree with Deputy Matthews that we have witnessed some very sad and upsetting events but I cannot comment on any of those individual circumstances. It would not be fair and I am not in a position to do so.

1155 But I would say that road safety has got a number of different factors. A lot of it actually comes down to design and so that is one of the areas that we look at when we are looking to improve road safety and we are also in conversation, Deputy Prow and I actually discuss this quite a lot, and it is something that the two Committees are looking forward to working on. Not just road safety but road use as well, and a number of different issues. I cannot give Deputy Matthews any specific examples in the time available but I would be really happy to talk to him outside of this and obviously anyone else that is interested. It is an area that I feel particularly strongly about.

1160 **The Bailiff:** Deputy Gollop.

1165 **Deputy Gollop:** Thank you. I too am interested in the blue economy and the green economy and the inter-connection between environment and tourism and economic development. However, I would like to have an update, if I missed it, about how far Deputy de Sausmarez and the Committee are able to progress local produce of green food, fruit, vegetables, even niche markets in meat and poultry. Is there a real push coming out of COVID for Guernsey to be more sustainable and grow more of our own food and livestock?

1170 **The Bailiff:** Deputy de Sausmarez.

1175 **Deputy de Sausmarez:** I would say from a personal perspective that I think there is more of an appetite coming out of COVID, more of a focus on that. I think one of the side effects of lockdown, as well, was a focus on food security, which obviously is part of that same equation. Now, to manage expectations I would say I do not think many people would think it realistic that Guernsey can become entirely self-sufficient in terms of its food.

1180 But I would say that that should not be a barrier to us aiming to be more self-sufficient and some of the advantages of locally grown produce, if it is grown in a sustainable way, are that actually you have tastier food with lower food miles, obviously carbon footprint reduces, and the nutrient quality tends to be higher.

1185 So I think there are lots of local benefits. It is a workstream that is identified in our Climate Change Action Plan but again the resourcing is something that we will have to work out through the Government Work Plan process. It is something personally I am very keen on and I think there is a lot of support for it within the community as well. I think people are increasingly interested – especially through lockdown, as we are seeing this trend on a wider scale as well – in local sustainable growing.

**The Bailiff:** Deputy Dyke.

1190 **Deputy Dyke:** Thank you, sir. I live deep in the countryside in Castel and noticed that the lane next to my house has recently been resurfaced, beautifully resurfaced, a very nice job so congratulations on that. However, as we are considering rolling out full fibre broadband across the

Island that is going to involve digging up huge numbers of roads, should we defer resurfacing work unless it is urgent, until we know exactly which roads are going to have to be dug up for full fibre broadband? Is that in your programme to do that?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I think actually Deputy Dyke raises a good point and it is a question that I have asked as well. The problem is, officially I do not know what the fibre policy is because it has not been shared with us yet. I am really keen, I have made an approach to the working group to say that E&I has got a stake in this process and I am very much hoping that the information will be shared with us in good time. I did actually check up on this in the last couple of days and I understand that we can possibly expect a paper on it in the near-ish future but as it is not my paper I cannot give Deputy Dyke any assurances. But I do think it is a fair question.

**The Bailiff:** Members of the States, once again, because there seems to be widespread interest in asking the President questions, we will extend question time on the mandate of the Committee for the Environment & Infrastructure and I will turn next to Deputy Moakes.

**Deputy Moakes:** Thank you, sir. I would just like to ask the question, really, because I know you have expressed an interest in the blue and the green economy, one of the things that you have said has hampered progress is the lack of data. I did a bit of research of this. I am no expert by any stretch of the imagination, but there are dozens of very successful wind and solar farms in pretty close proximity to where we are here.

There is also lots of data, which these places produce, explaining how much they cost, what they generate, how many homes they power, etc. I would just like to ask, to help you get that data, how many of those organisations or companies or wind farms have you reached out to, to get data to help you develop policy?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Thank you, sir. The data I was referring to in answer to Deputy Taylor's question, or Deputy Leadbeater's question, I cannot remember which one was which, was more to do, the initial phase was marine spatial planning, so actually, I think Deputy Moakes is kind of conflating – and I can understand why – two separate issues here.

On the one hand, we need data to be able to properly plan what might go where. The issue around renewable energy is actually something that obviously sits in our energy policy and I would say that we have got a renewable energy team that has been reaching out to all kinds of organisations, universities, etc., existing companies and indeed commissioning work, gathering data on our renewable energy resource for probably 10 years now. So, in some respects and possibly in some of the respects that Deputy Moakes is referring to, we have fairly good data. But what we do not have is enough data to put together that bigger picture and start making strategic decisions.

**The Bailiff:** Deputy Leadbeater.

**Deputy Leadbeater:** Thank you, sir. I rise just in response to Deputy Dyke's question about the rollout of any other future broadband services, fibre service etc. and the fact that roads have been resurfaced. Would the President agree with me that if a road has been resurfaced and fibre was going to be put through that road, there is probably existing infrastructure ducts below that surface that cables can be pulled from point to point via manholes, so you do not need to dig up the nice, shiny new surface?

**The Bailiff:** Deputy de Sausmarez.

1245 **Deputy de Sausmarez:** Yes, that is something that I have questioned them on and I believe that  
is the case for at least some of it but until we see – I am getting a nod from Deputy Gabriel, who  
knows far more about it than I do – but, yes, I do have some hope that the ducting will negate the  
need for a lot of digging, or certainly digging on the kind of scale that Deputy Dyke is worried  
about. But I would still like as much warning as possible in relation to that strategy, so we can  
1250 properly co-ordinate any work that does need to be done.

**The Bailiff:** Deputy Taylor.

1255 **Deputy Taylor:** Thank you, sir. Following on from a question or a response to a question I am  
going to ask about planning applications only being considered as an individual application and  
not considering the cumulative amount of development, is the President suggesting that there may  
be changes in the Strategic Land Use Plan? After all it is the Strategic Land Use Plan that made that  
cumulative decision to direct the policies of the IDP, where development would be allowed?

1260 **The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I think Deputy Taylor and I are talking at different scales. The Strategic  
Land Use Plan is really high-level and actually I think that is really sensible and it works. The level  
that I am talking about is, for example, when you have three separate developments that all feed  
1265 into the same, very narrow lane. The cumulative pressure ... ah, I think Deputy Oliver is about to get  
up and ask me a question in the form of some information that might change this answer so I am  
looking forward to that!

Yes, certainly in response to Deputy Taylor's question I can confirm that I do not think the  
problem is at Strategic Land Use Plan-level. I think the problem certainly has been, in the past, about  
1270 that more local level, about the cumulative impact on certain stretches of infrastructure and certain  
smaller areas and I hope Deputy Oliver will now leap to her feet!

**The Bailiff:** Deputy Oliver.

1275 **Deputy Oliver:** Thank you, sir. Would Deputy de Sausmarez agree with me that last term we did  
have a problem where Planning, when you looked at a development, we would get a traffic  
assessment done and they would only look at that impact? Now they are looking at the cumulative  
impact on that site to make sure that they are actually giving more accurate results.

1280 **The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Yes, and that is absolutely great but I think it is not the whole picture. I  
still think it is the case, and I stand to be corrected, if this is not correct, but I still think it is the case  
that you cannot necessarily require an individual developer to address an impact, if they are the  
1285 sort of third development to get in there, you cannot necessarily, under Planning Law, direct them  
to or make it a planning condition that they have to list all those cumulative impacts. If that has  
been addressed, then I am absolutely delighted. If there is another tool with which we can address  
that problem, then so much the better.

1290 **The Bailiff:** Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** Thank you, sir. Last year the Assembly signed the Climate Change  
Plan. This year there is quite a seminal conference, international conference at Glasgow at COP26, I  
believe, where countries around the world are going to give national commitments in terms of their  
1295 emission reduction targets and their plans to transition to clean economies, which presents,

obviously, a huge economic opportunity for us. Could the President update us on what work has been done so far? Thank you.

**The Bailiff:** Deputy de Sausmarez.

1300

**Deputy de Sausmarez:** Certainly, there are conversations taking place right now with the Cabinet Office and also with Jersey and the Isle of Man in particular about our involvement in COP26, which is obviously taking place in September in Glasgow. We are also, internally, working with Guernsey Finance and actually there is a conversation scheduled in the next couple of weeks with Rt. Hon. Alok Sharma, MP, to get some more detail about the events itself.

1305

So we have not got finalised details but I can say there are a lot of conversations taking place both between Governments and internally with, for example, Guernsey Finance, who have got an interest in this, obviously, through the green finance sector. I think also, I am aware of conversations taking place within the community and the business community as well, so it will be a case of drawing those together. At the moment we are still waiting for a little bit more information before we can finalise any specific plans but it is very much on the agenda.

1310

**The Bailiff:** Deputy Falla.

1315

**Deputy Falla:** Thank you, sir. Could the President please tell me whether the normal protocol around road closures is to consult with businesses in the locality in advance of announcing the date of road closures in order to determine the least disruptive time for business? Thank you.

**The Bailiff:** Deputy de Sausmarez.

1320

**Deputy de Sausmarez:** I know some consultation does take place, or certainly some engagement. I do not know the answer to Deputy Falla's question but I am interested in finding out. I know that businesses within a road that is going to be closed are notified and I think that is in good time but I do not know to what extent businesses affected by the closure might be. I do not know to what degree that engagement is two-way. It is something I am keen to look into because I do appreciate that road closures can create impacts and they are a very sensitive topic in terms of their timing.

1325

**The Bailiff:** Deputy Gollop.

1330

**Deputy Gollop:** Yes, we were being interested in various presentations, both in the media and by planning officers, about reconsidering perhaps parts of the Town, from the Old Quarter to the South Esplanade and the Pollet. How dedicated will Environment & Infrastructure be in ensuring that we rebuild the Town better, in conjunction with other schemes from reviving and thriving to the ports programme and work that Planning and Economic Development might be ...? My question therefore is will Environment & Infrastructure make sure there is a strong environmental voice of change when we refashion the Town holistically?

1335

**The Bailiff:** Deputy de Sausmarez.

1340

**Deputy de Sausmarez:** Sir, in answer to Deputy Gollop's question, I can assure him that my Committee has or will be ... *has* met with the DPA and Deputy Oliver specifically, on the regeneration areas and we have met separately to consider our detailed response to that consultation. So the Committee will be putting it in its views, with respect of that consultation, and I imagine will also have a role to play at the other end of the process in terms of co-ordinating any Infrastructure changes that are taking place.

1345

**The Bailiff:** Deputy Vermeulen.

1350 **Deputy Vermeulen:** Thank you, sir. You mentioned, President, that you were talking about the planning and the housing crisis, how things had been improved and things had been changed. I feel that one of the prohibitors of local market buildings being constructed has been some of the laws and clauses which were put in, in particular DP11; has that been rescinded yet?

1355 **The Bailiff:** Deputy de Sausmarez, is that within the mandate of your Committee?

**Deputy de Sausmarez:** No, sir.

1360 **The Bailiff:** No, well I do not think it needs to be answered. Deputy Dyke.

**Deputy Dyke:** Thank you, sir. Could I ask Deputy de Sausmarez a question related to biodiversity? I am delighted to see the invasive species regulations and I note that they ban the pesky grey squirrel. My question is would Deputy de Sausmarez and her Committee consider an appropriate tree-planting programme for the Island, coupled with the introduction of red squirrels, which are a much endangered species in the UK? Thank you.

**The Bailiff:** Deputy de Sausmarez.

1370 **Deputy de Sausmarez:** Sir, squirrels are a highly contentious issue, either red or grey, in biodiversity circles! What I would say is although they may be indigenous in the British context I am not aware of the fact of any evidence to suggest they are sort of indigenous to Guernsey and I know there is some degree of nervousness about the idea that squirrels of either colour might be introduced.

1375 I have to say I am now speaking beyond my level of qualification in terms of expertise on this particular subject matter but I would be very happy to introduce Deputy Dyke to the people who really do know what they are talking about in respect of these specific questions. I will say that it has been given, in terms of invasive species, a lot of thought and I think I can probably fairly summarise that people are nervous about introducing anything that might have an impact on ecosystem balance that we might not be prepared for.

1380 So, although I completely agree in the British context, red squirrels are a wonderful thing that need to be supported, especially in relation to the grey invaders, I think there is some concern about what their impact might be, specifically, in the Guernsey context. But I would be happy to introduce Deputy Dyke to the relevant people.

1385 **The Bailiff:** Deputy Blin.

1390 **Deputy Blin:** Thank you, sir. Further to Deputy Matthews' question about road safety, it just leads me to ask this question of the President regarding where we are on the discussions and issues working on noise pollution. After some earlier meetings with Deputy de Sausmarez and Deputy Prow, it was sort of discussed that this could be regarded as anti-social behaviour and all these areas. In the vicinity or the area of this noise excess and pollution, is there anything being done?

**The Bailiff:** Deputy de Sausmarez.

1395 **Deputy de Sausmarez:** As Deputy Blin knows, it is a really complex area and there are no simple silver bullet solutions. There are a number of different factors relating to noise and noise pollution and he correctly identifies that a major component is not necessarily an engine, specifically, but the way in which it is used. It is something that cuts right across the mandates of both E&I and Home Affairs and it is one of the topics on which we are working with Home Affairs in that respect. I do



1400 not have any specific updates to give Deputy Blin beyond what I have already told him in the last couple of weeks but it is still something that we are very much aware of.

**The Bailiff:** Deputy Inder.

1405 **Deputy Inder:** Thank you, sir. In the update it was good to hear that there is a housing action group being put together by E&I, ESS and, certainly importantly, the DPA in the corner there. In that update Deputy de Sausmarez said the elephant in the room was the tension between developers and neighbours. Yes and possibly no. Might she agree with me that the other elephant in the room is the fact that Guernsey does not use its tracts and tracts of owned land for the betterment of a  
1410 decent, aspirational housing policy?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Sir, I think Deputy Inder was talking about States-owned property and  
1415 land, is that correct? I can confirm that is very high up on the agenda of the said action group, which we are not going to call HAG!

**The Bailiff:** Deputy Dudley-Owen.

1420 **Deputy Dudley-Owen:** Thank you, sir and apologies for another question but given that some of the questions today have centred on road safety and thinking about the use of our young people, especially on the small motorbikes around the Island, and a cause of a lot of the noise pollution and also a cause of some of the accidents that we see, tragically, play out in our Island community on occasion, has the Committee given any thought to raising the age limit that our youngsters are able  
1425 to access these types of vehicles?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Deputy Dudley-Owen is probably aware of the various sensitivities  
1430 around this issue. There are an awful lot of factors that come into play and she is quite right to cite some safety factors. We know from the Justice Review report last term that there are also some factors relating to the way in which ... the Children's Convenor, for example.

It is one of those things. We do do a lot of work. There is already quite a lot of focus in terms of young people on scooters and mopeds. So we do quite a lot of work in schools on specific safety  
1435 issues, relating to the vehicles. But it is one of those really difficult issues, because actually there are lots of different factors involved.

Some of them relate to health, some of them relate to safety, some of them relate to broader social issues and also when it comes to those social issues I think we need to be honest about why, I think the reason the age is 14 at the moment is a legacy related to our old school leaving age, so  
1440 arguably it is out of date. But there are certain cultural aspects that have grown up around that and I think one of the things we do need to be very clear about is in some quarters, although some parents are not happy about that –

**The Bailiff:** Deputy de Sausmarez –

1445 **Deputy de Sausmarez:** Ah, I was just getting into it!

**The Bailiff:** I am terribly sorry, I know you are! But the Rules say 90 seconds. Last question from Deputy Gollop.

1450

**Deputy Gollop:** Mine is another housing question and I appreciate, working with Deputy de Sausmarez on ESS, but it is this. How will Environment & Infrastructure and indeed the States as a whole resolve the dilemma of, on the one hand, wanting more high quality aspirational housing, but on the other hand conserving the countryside and biodiversity? Will there be new forms of housing considered that match those two, perhaps, disparate aims?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** As I said in my speech, I think there is real scope for innovation and in a number of different respects. Everything is on the table and I think we do need to look at doing things differently and now is a really good time to do that. Deputy Gollop was possibly driving at different ways of constructing housing, so for example modular housing and things like that and I think that is an area that is worth exploring, certainly.

But his question also focussed on protecting the natural environment as well and I would just use the opportunity to reiterate how useful a green infrastructure plan will be in that respect because I think that is the tool that will help us resolve some of these issues and avoid some of those issues in the first place, along with things like biodiversity net gain in terms of the planning process.

I think people would be wrong to assume that it is not developer friendly. Actually experience from where these kinds of systems have been introduced elsewhere is that developers will really like them because it gives them much more certainty, it de-risks that process, and it gives the community a lot more assurance as well, so we do not see some of the struggles that we quite often see played out in Guernsey about the heartache over losing a green field and things like that. So I think a green infrastructure plan would be a really useful tool in the planning process.

**The Bailiff:** Members of the States, once again, we have doubled questions to the President and I would quite like to get started on Question Time proper before we break for the luncheon adjournment.

## Questions for Oral Answer

### COMMITTEE FOR HEALTH & SOCIAL CARE

#### **Combined Substance Use Strategy and options for alternative and non-punitive approaches to the possession and use of small quantities of drugs**

**The Bailiff:** The first set of questions comes from Deputy Kazantseva-Miller to the President of the Committee for Health & Social Care. Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** Thank you very much, sir. The Committee for Health & Social Care is under Resolution to complete and present to the States at the earliest possible opportunity the Combined Substance Use Strategy. Could the Committee President give us an update on the progress to date and where the strategy is right now? Thank you.

**The Bailiff:** I turn to the President of the Committee, Deputy Brouard, to reply.

**Deputy Brouard:** Thank you, sir. A comprehensive joint strategic needs assessment on the use of alcohol, drugs and tobacco, was completed last term. This evidence informed the work of a cross-committee officer steering group who prepared a first draft of the Combined Substance Use Strategy. This draft was considered and its overall objectives supported in principle by the Committee in March.

The Committee then consulted with a number of Committees, the States of Alderney, the Health Improvement Commission, on the draft in the expectation that the Strategy would be presented to the Assembly in July. The consultation process took longer than initially anticipated and the Committee is due to consider the response at its next meeting in order that the Strategy itself may be finalised and published within the next six to eight weeks.

However, in the evolving context of the Government Work Plan and with the support of Policy & Resources Committee, the Committee is now satisfied that the Combined Substance Use Strategy is business as usual work at HSC and therefore it does not need to be formally debated by the States and can simply be published after approval by the Committee. The Committee is working with colleagues in P&R to develop the necessary recommendations to this Assembly to rescind this particular Resolution.

**The Bailiff:** There are no supplementaries, then, your second question please, Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** Thank you, sir. The Committee *for* Health & Social Care is also under joint Resolution with the Committee *for* Home Affairs to consider options for alternative and non-punitive approaches to the possession and use of small quantities of illegal drugs. Could the Committee President provide an update on the work done so far and where it sits right now? Thank you.

**The Bailiff:** The President, Deputy Brouard, to reply.

**Deputy Brouard:** Thank you, sir. Work commenced last term on exploring the options for alternative and non-punitive approaches to the possession and use of small quantities of illegal drugs, with an independent review commissioned from Professor Sumnall, of Liverpool John Moores University, to provide a review of the international evidence base on health orientated approaches into possession of small amounts of drugs for personal use.

This report has been published and provides a helpful summary of the approach in other jurisdictions, which were useful in developing the Bailiwick's specific proposal as appropriate. This term the Committee has met with the Committee *for* Home Affairs to discuss matters of mutual interest and the importance of progressing a proposed review. It is however a significant workstream which will require cross-committee engagement and support and therefore it has been separated out of the Combined Substance Use Strategy for prioritisation within the Government Work Plan, to ensure appropriate focus and we hope expediency.

The Committee is grateful for the reassurance for the Policy & Resources Committee that it will carefully consider any recommendation from the Government Work Plan subcommittee with regard to its timeframe, the delivery and resource requirement. However, until this is determined by the Assembly, the Committee is unable to provide an indicative timeframe.

**The Bailiff:** Supplementary question, Deputy Roffey.

**Deputy Roffey:** Can I ask the President if the workstream is given full priority by this Assembly when they will be able to report back on this matter?

**The Bailiff:** Deputy Brouard.

**Deputy Brouard:** Thank you, sir. I do not think I can give a commitment. It depends on what resources are provided by us and what direction we as this Assembly give to this particular issue. We have it down as a priority. I think it is something that our society wants to discuss and debate. But I think that the timescales and resources are in your hands.

**The Bailiff:** Deputy Gollop, supplementary.

**Deputy Gollop:** One area that I am not clear on from both the questions and the answers perhaps is substance misuse. Does that embrace not only illegal drugs, unless they are medicinal like cannabis, cocaine and others, but also alcohol and tobacco, which is illegal for under-18s, because they are all surely substances and additives that can be misused and so that takes us not just into a different realm, not just of justice, but of wider policy? Am I right in thinking substance embraces all substances and not just so-called illegal drugs?

**The Bailiff:** Deputy Brouard.

**Deputy Brouard:** Thank you. My understanding is that the Combined Substance Use Strategy covers both alcohol, drugs etc. But the particular nuances of the non-punitive offence for having drugs I think was looking at drugs such as LSD, cannabis, highs etc. It is not looking at someone who is illegally carrying cigarettes at the age of 10. I do not think that is the process.

**Deputy Kazantseva-Miller:** Supplementary please.

**The Bailiff:** Deputy Kazantseva-Miller, is it a supplementary question? Supplementary.

**Deputy Kazantseva-Miller:** The Committees for Health and Home Affairs are under Resolution to come back with these alternative options within six months of publishing the Combined Substance Use Strategy. If this work gets the necessary prioritisation and resourcing as part of the Government Work Plan, would the Committee be on track to complete this piece of work within six months, in other words by January/February next year?

**The Bailiff:** Deputy Brouard.

**Deputy Brouard:** I think so but with a very fair wind. It sounds very simple to say we will just look at alternatives for drug use. But you have to have engagement with the community and although we are lobbied from time to time from a particular group of our community, a lot of people who may have a completely different view have not yet lobbied us or come forward.

So I think when you actually start to unpick it, it is very easy to say no and have a very tight society where we do not allow drugs in. It is very difficult to open it up just a little bit. What do you do with the drug dealer? How do you allow the drugs to come in? Do you look at importation? Is it one strike and you are out? Very complicated and a lot of work will need to be done with a lot of Committees. So I think there is a possibility but realistically I think it will be slightly longer; if I am honest.

**The Bailiff:** Deputy Leadbeater, supplementary.

**Deputy Leadbeater:** Thank you, sir. Would the President agree with me that, based on the supplementary from Deputy Kazantseva-Miller, that the six months timeframe set by the *sursis* was probably a little optimistic, bearing in mind the period of consultation that needs to play up between the publishing of the Combined Substance Use Strategy and us returning to the States with alternative processes for dealing with small amounts of personal drugs?

**The Bailiff:** Deputy Brouard.

1595       **Deputy Brouard:** I totally agree with my colleague, Deputy Leadbeater, on that. I think also, as  
one starts to look at it, as I said in answer to Deputy Kazantseva-Miller's question is that there are  
more complex things. When you solve one problem you create some others and then you have to  
solve those and then that creates some more. Guernsey will be changing its position quite  
1600 we need to make sure that we take all the population with us and not just those that are in my  
inbox.

**The Bailiff:** Deputy Gollop, second supplementary question.

1605       **Deputy Gollop:** Yes, thank you very much. When you are looking at options for an alternative  
and non-punitive approach to the possession and use of small quantities of drugs, will you be  
looking at robust evidence as far as you can gather it from other micro-states, European countries  
and maybe even American federal states, or Canadian federal states, before coming to an  
adjudication of what might be best for Guernsey?

1610

**The Bailiff:** Deputy Brouard.

1615       **Deputy Brouard:** Thank you. Yes, that is partly what the initial work that was done by Professor  
Sumnall of John Moores University did. But we very much have to work together and with Law  
Enforcement and Home Affairs as to how we position ourselves, what we actually mean. Is it one  
strike and you are out? Is it two strikes and then you go to court? What is the sentencing level that  
you would then have or not? It gets quite complicated very quickly, so the initial position I can well  
understand but it does get quite complicated after that.

1620

**The Bailiff:** Deputy Roffey, second supplementary.

1625       **Deputy Roffey:** Thank you, sir. The President said that the initial piece of work by Professor  
Sumnall has been completed. In fact, he used the word published, although I am not sure where it  
has been published. Could that be shared with all States' Members so we can have an idea? Yes,  
thank you.

**The Bailiff:** Deputy Brouard.

1630       **Deputy Brouard:** Yes, it has been published. If States' Members would like a link to it, I will  
arrange for that to be provided. Not a problem at all.

**The Bailiff:** Is this a supplementary question? Second supplementary question, Deputy  
Kazantseva-Miller.

1635

**Deputy Kazantseva-Miller:** Thank you, sir. Given the complexity of the situation as the President  
of Health clearly stated, have considerations been made to break the policy into smaller chunks or  
taking a different approach to progress the strategy faster?

**The Bailiff:** Deputy Brouard.

1640

**Deputy Brouard:** That is one reason why we had this idea to separate out the possession of  
small amounts of drugs from the Substance Use Strategy. So we have parked the substance – well  
not parked it, we have taken it away, we will publish that anyway, and then we can concentrate our  
resources on this one particular issue, which is obviously something that is very important to a lot

1645 of people in the States and also to the Island community. In order to eat the elephant, we have taken this one bite-size chunk and we are putting it through the Government Work Plan for resources to make sure it is completed. So yes, exactly.

**The Bailiff:** There are no further supplementaries to that question. We will keep your third question, Deputy Kazantseva-Miller, until after lunch and we will now adjourn until 2.30 p.m.

*The Assembly adjourned at 12.33 p.m.  
and resumed at 2.30 p.m.*

## COMMITTEE FOR HEALTH & SOCIAL CARE

### Combined Substance Use Strategy and options for alternative and non-punitive approaches to the possession and use of small quantities of drugs – Question continued

1650 **The Bailiff:** Members of the States, we will now turn to the third question from Deputy Kazantseva-Miller to the President of the Committee for Health & Social Care. So, Deputy Kazantseva-Miller.

1655 **Deputy Kazantseva-Miller:** Thank you, sir. Given the sentiment for many in our community about the severity of sentencing and the perceived disproportionate damage caused to the lives of those involved, would the President of the Committee agree that this is an action area that requires urgent prioritisation under the Government Work Plan? Thank you.

1660 **The Bailiff:** Deputy Brouard to reply.

**Deputy Brouard:** Thank you, sir. The Committee is clear that a unified approach to substance misuse is required, balancing the need to tackle the harms caused by drugs, supporting people through treatment and recovery, as well as restricting supply. As detailed in my previous answer, the exploration of options for alternatives and non-punitive approaches to possession and use of small quantities of illegal drugs has been separated out into the Government Work Plan, which will be subject to prioritisation and allow a more detailed focus on this particular area of policy.

1665 I do not wish to pre-empt the outcome of that review but would note it is complex and the necessary cross-committee and cross-agency considerations, including how any changes interact with other legislative provisions, including those surrounding importation and questions about the practical implication of any proposals. Prioritisation through the Government Work Plan will allow these factors to be fully explored. From an HSC perspective, the focus will be on identifying options, which will best promote health, wellbeing and safety of people who use drugs, and that of the wider community.

1675 **The Bailiff:** Supplementary question, Deputy Kazantseva-Miller.

1680 **Deputy Kazantseva-Miller:** Thank you, sir. If the drug reform strategy does not end up being prioritised or resourced by the Government Work Plan in a manner which the President believes it should, would the Committee be prepared to fight the case for re-prioritising and resourcing it in the July debate? Thank you.

**The Bailiff:** Deputy Brouard.

**Deputy Brouard:** That is a very difficult question. So you are saying that we as an Assembly decide that it is not important, but you then want us as a Committee to make sure it is important and make it a priority against other Committees, which we all want to work together collegiately. I do not think I have an answer to that. I really do not.

We will take it piece by piece. It is for this Assembly to decide the Government Work Plan. Where we want to put resources in. We just cannot do everything all in one bite and that is what the Government Work Plan is looking towards. So it is really in your hands, ladies and gentlemen. If you want this work prioritised, make sure it is in the Government Work Plan. If you do not, leave it out. But it will still be there and we will have to work as best we can towards it but of course it will not be given the priority that you may or may not want.

## COMMITTEE FOR HEALTH & SOCIAL CARE

### The pandemic, its impact on mental health and vaccinations

**The Bailiff:** As I do not see anyone else rising, we will now move to the second set of questions. This time it is Deputy Queripel but once again to the President of the Committee for Health & Social Care. So your first question, please, Deputy Queripel.

**Deputy Queripel:** Sir, thank you. I am really concerned about the effect the pandemic is having on the mental health of Islanders, so can the President tell me if the suicide rate here in the Island has increased in the past year, since the pandemic hit us, as compared to previous years? And if it has increased, can he please tell me by how many?

**The Bailiff:** Deputy Brouard.

**Deputy Brouard:** Thank you, sir. Whilst I would normally be happy to share health and care data there are very particular sensitivities around suicide. In addition to the grieving friends and family who, obviously, we extend our sympathies, how we discuss suicide even today in the States can affect our community.

As detailed guidance by the Samaritans, regarding media reporting of suicides, using trend data can be inappropriate, particularly in a small jurisdiction where a single year may deviate from an overall trend. Statistics can normalise or exaggerate the prevalence of suicide, in turn creating the risk of increasing the number of suicides. The Samaritans therefore recommend looking at timeframes of three or more years to identify significant patterns. This approach guides how HSC releases information and therefore the period of 2020-21 is too small to reliably identify a significant pattern so far.

However, more broadly, the pandemic has of course affected individuals' mental wellbeing but support continues to be available. It is important to remember that suicide is extremely complex and most of the time there is no single event factor that leads someone to take their own life. It is usually a combination of lots of different factors but after every suicide in Guernsey there is a multi-agency case review to look at the circumstances to see if there are lessons learned.

Any sudden or unexpected death, such as a death suspected to have been due to suicide, is referred to the Law Officers in their capacity as Coroner. The role of the Law Officers is to direct the investigation of the death and the opening of an inquest if deemed necessary. This important legal process means that it is only possible to provide statistics once the inquest has concluded and a verdict delivered. I am unable to give any information on ongoing cases through this process.

**The Bailiff:** Supplementary question, Deputy Queripel.

1730 **Deputy Queripel:** Sir, I have a supplementary. Deputy Brouard said in response to HSC, the  
timeframes were three or more years to identify significant patterns and that the period from 2020-  
21 is too small to identify a pattern. Yet the question clearly stated as compared to previous years.  
So HSC could have provided the figures by simply adhering to their own policy approach and  
compared the figures from 2020-21 with figures from the previous three years. So my  
supplementary question is why did HSC not even comply with their own policy approach and  
provide me with the figures I asked for?

1735 **The Bailiff:** Deputy Brouard.

1740 **Deputy Brouard:** Thank you. I am going to answer that question in a roundabout way. I do not  
think it is appropriate for me today in this Chamber to give out figures but if Deputy Queripel or  
any other Member wishes to have a private chat with myself and with the Coroner and with our  
Public Health team, we will be happy to do so. I just do not want to make a bad situation worse by  
not following the guidance from the Samaritans.

1745 **The Bailiff:** Supplementary, Deputy St Pier.

1750 **Deputy St Pier:** Thank you, sir. I understand the basis of the response from Deputy Brouard and  
very much respect that but I was just wondering is there sufficient information available to his  
Committee to understand what the consequences are for his Committee as policy makers in seeking  
to ensure that the mental health services are right-sized in the post-pandemic world? In short, will  
additional resources be required, post-pandemic, to cope with some of the mental health impacts  
of the pandemic.

**The Bailiff:** Deputy Brouard.

1755 **Deputy Brouard:** Thank you. I think the answer is probably yes to that question. The issue is I  
think that mental health services, generally, over the years, have seen an increase in demand and  
we are trying to meet it. But as we continue going forward, not only just because of the pandemic,  
because of just generally in society, that mental health is being seen as an area where we need to  
put more resources in; so I think in answer to the question, yes, I think there will be a request for us  
for more resources. Whether we can provide them or not is another issue and part of that will come  
up in the Government Work Plan as well, as we try and identify where we have gaps in the service.  
We know we do have gaps in the service but we are trying to cover them as best as we can but  
there are more things that we can do.

1765 **The Bailiff:** Your second question then, please, Deputy Queripel.

1770 **Deputy Queripel:** Thank you, sir. Can the President please tell me if there has been an increase  
in demand for our mental health service here in the Island in the past year since the pandemic hit  
us? If there has been an increase in demand is the President able to give me an assurance that the  
service is able to cope with the increase and that everyone who asks for assistance and support  
from the service actually receives the assistance and support they ask for and is not just left to deal  
with their problems themselves?

1775 **The Bailiff:** And Deputy Brouard to reply please.

**Deputy Brouard:** Thank you, sir. COVID-19 has impacted our community significantly.  
Individuals have been affected practically, financially, emotionally and some individuals may have  
sought help from various sources across primary care or the third sector regarding their mental  
health. There has certainly been an increase in referrals to Healthy Minds. Overall, numbers to



1780 secondary mental health services have not increased, but the severity of presentations referred has worsened.

While services continued throughout lockdown by adapting working practices, in line with advice from Public Health Services, all mental health services are now back to pre-lockdown provision and referrals are being assessed as normal. As is good practice, referrals are triaged into three  
1785 categories – emergency, urgent and routine – and appointments arranged accordingly and the teams are coping with demand.

However, it is important that support and advice is tailored to the individuals' needs and provided in the right setting. As with any area of health care, there are inevitably occasions, where the care that someone would like is not aligned to their clinical need. But staff will work with these  
1790 individuals to ensure that they are signposted to the appropriate services for them at that time.

One in four of the population will present with mental illness at some point in their lives. The majority of these are treated within primary care setting. The States has previously recognised that there are gaps in community level mental health and wellbeing provision, which affect how and where and when Islanders access support and this is something which HSC looks forward to  
1795 progressing through the Government Work Plan and the establishment of a mental health and wellbeing centre.

**The Bailiff:** Deputy Gollop, supplementary question.

1800 **Deputy Gollop:** Yes, as a service user and supporter and campaigner, I am aware of the many good things Health & Social Care do, but I would like to ask the President to consider with his Committee two particular constraints. One constraint is staffing turnover and shortage of key personnel, especially because of the pandemic. The second constraint, I would suggest, is open access to medical training, health, educational core services, that perhaps due to demand only  
1805 certain clients or cases are able to go on these skills development courses or therapeutic interventions. Could the President open up access, given the resources, to a wider spectrum of the community who are looking for mental health improvement?

**The Bailiff:** Deputy Brouard.

1810 **Deputy Brouard:** Thank you. I think we have to go back a step. There is mental illness, which is where our secondary care and what we provide as a Government, where we provide our facilities at the Oberlands, etc. and there is also mental health wellness, which we all have in different degrees. Mine today has gone up a little bit too much to one side than I would like but that is just because  
1815 of the pressure of being here doing this. But it fluctuates day-to-day for the most of us but for some of us it becomes more than that.

Now our main gatekeeper that we have and the system we have inherited is that it is through GPs. With the best will in the world, with the GP practices, they cannot do a full mental health service in a 10-minute appointment. But as soon as you start moving forward from that what services do  
1820 you want me to stop in order to provide better mental health services? That is the dilemma that we face.

**The Bailiff:** Supplementary question, Deputy Queripel?

1825 **Deputy Queripel:** I do have one, yes, sir, thank you. Deputy Brouard said in his response that the service is coping with demand so can he tell me how much political oversight is employed by his Committee to ensure the service is coping. For example, do the Committee ever visit mental health establishments here in the Island and observe proceedings for themselves and do they ever ask for evidence to be provided to them to prove that the service is coping with demand?

1830 **The Bailiff:** Deputy Brouard.

**Deputy Brouard:** Thank you, sir. Yes, very much so, the Committee have been to visit, about three weeks ago, the Oberlands Centre and we had a look around with the professionals there at our secondary mental health provision. We also went, last week I think it was, to have a meeting with all our staff for an afternoon, of some of the senior management staff who look after mental health. There must have been 40 people around the room with myself and the Committee. So, we are absolutely looking at it continuously. We are asking the questions and we are trying to make sure that we have a service that provides for the needs of those who need it.

**The Bailiff:** Your third question, next, then please, Deputy Queripel.

**Deputy Queripel:** Thank you, sir. Do HSC have any plans to review the mental health services they currently provide here in the Island to establish whether they are fit for purpose or not? If the answer is yes can the President tell me when the review will be taking place and who will be undertaking it? If the answer is no, can the President tell me if HSC would welcome such a review and would they co-operate fully with whoever was tasked with undertaking the review?

**The Bailiff:** Deputy Brouard to reply please.

**Deputy Brouard:** Thank you, sir. HSC is committed to a culture of continuous improvement across its services and has a particular interest in ensuring that there are arrangements in place for proactive evaluation of mental health services, including engagement with providers. Also with service users and other interested parties.

We know that we have a dedicated professional staff committed to providing the best quality services they can so what we want to do is work with them to ensure they have access to the resources and support that they need to continue to do this. Discussions to support this through a review are ongoing as part of the Government Work Plan and has the full support of the Committee.

As I detailed in my previous answer, those mental health services directly provided by the States of Guernsey are just one part of the support available locally, which includes our valued partners in primary care and the third sector. To really support Islanders we need to understand Islanders' experiences and outcomes across the breadth of primary, secondary and third sector services available and any review would need to reflect this. This will enable us to collectively address the gaps in the community level mental health and wellbeing provision identified last term.

**The Bailiff:** So we move to your fourth question, now, do we, Deputy Queripel?

**Deputy Queripel:** I have a supplementary to that one, sir.

**The Bailiff:** A supplementary, well you can leap to your feet if you have a supplementary. So supplementary, Deputy Queripel.

**Deputy Queripel:** Thank you, sir. Deputy Brouard did not give a yes or no answer the question necessitated but has said that discussions regarding a review as ongoing as part of the Government Work Plan and has the full support of the Committee. So does he mean that a review of our mental health services will not actually happen unless it is given the go-ahead and the funding by this Assembly during the GWP debate? If that is the case, what will the Committee do if they do not get the funding to undertake a review? Will they then lay a requête in front of the States that seeks the necessary funding?

**The Bailiff:** Deputy Brouard to reply.

**Deputy Brouard:** Thank you. I think, whether we like it or not, we signed up to the Government Work Plan and that is the way that we are going to prioritise our spending. There will be competing

1885 demands all over the place for more and more services. From the Committee's point of view, we wish to have a full review of the mental health service in Guernsey, right from where you start to where you unfortunately may end up when you need extra care in our secondary services.

1890 To review that is going to be quite a big undertaking but the main benefit of doing so is it will then inform where the gaps are and what our wellness and mental health facilities should look like in the future. I am not going to predict whether or not we are going to put in any requests for extra funding if they are not successful in the Government Work Plan debate. I am crossing fences I do not need to cross yet. We will see what happens when that time comes. But there is a provision hopefully being made in that to do a review so that we can ensure that our services going forward start to close some of those gaps.

1895 **The Bailiff:** Deputy Soulsby.

1900 **Deputy Soulsby:** Thank you, sir. Would the President agree with me that there have already been reviews of secondary mental health services – two of those – and a review and a survey done by Guernsey Mind which helped to identify gaps and at least give us some evidence for where those gaps are, which ultimately led to requesting funding for a mental health and wellbeing centre last term?

**The Bailiff:** Deputy Brouard.

1905 **Deputy Brouard:** Deputy Soulsby is absolutely right. We have had two reviews of the secondary mental health care services and those will be part of the information gathering with regard to the review. But I think you all know from your own experiences during the election campaign that there are people who feel that they are not getting the services that they feel that they need. We need to try and address what that is, what that looks like and how we can address it. I think that is where the issue comes.

1910 There are some gaps in the services. We need to identify those and then see what is the best way to close them. I do not think it is going to be an easy task but I think it is one that we should take on.

1915 **The Bailiff:** Supplementary question, Deputy Queripel.

**Deputy Queripel:** Yes, my second one, sir, thank you. It is a simple question. Where does a review of our mental health service sit on the list of priorities for HSC?

1920 **The Bailiff:** Deputy Brouard.

1925 **Deputy Brouard:** I do not think I have got a list of where it sits. It is not number one or number two. We are running nearly a £200 million business of providing healthcare with 2,000 staff. There are many priorities on a day-to-day basis and long term. Mental health is a very important part of that and it is a service that we recognise needs to be given more resources in time and I think my team on Health very much recognise that mental health is a very important part of that.

1930 But I am not going to rank it one, two or three against all the other different provisions that we have because different people at different times ... mammogram radiology is very important for that day for someone else. For someone else it is mental health the next day. For someone else it is their broken leg being sorted out at A&E. We have priorities all the time coming through our organisation.

**The Bailiff:** Deputy Leadbeater.

1935 **Deputy Leadbeater:** Thank you, sir. Would Deputy Brouard agree with me that the Committee give equal weight to mental health and physical health?

**The Bailiff:** Deputy Brouard.

1940 **Deputy Brouard:** Thank you, Deputy Leadbeater. As it is written in the Partnership of Purpose, absolutely, and thank you for that reminder.

**The Bailiff:** Your fourth question now, please, Deputy Queripel.

1945 **Deputy Queripel:** Thank you, sir. Still on the subject of issues relating to the pandemic, can the President tell me if HSC ever put pressure on members of staff working in our Health Service to be vaccinated against COVID or are staff left to make that decision for themselves?

**The Bailiff:** Deputy Brouard to replay.

1950 **Deputy Brouard:** No members of HSC staff have been put under pressure to have a vaccination. Vaccination is of course encouraged so as to protect vulnerable service user groups but we recognise that there are situations where individual members of staff may be unable, due to underlying health conditions, or unwilling to be vaccinated.

1955 Managers have met with staff clinically unable to be vaccinated to understand their specific risks and any risk within their service area. Staff who have declined a vaccine are part of our surveillance programme and were there to be an increase in COVID infections and transmission, a risk assessment would be undertaken to ensure that the work environment remains appropriate. Overall the number of staff who have declined the vaccine is low.

1960 **The Bailiff:** Supplementary question, Deputy Queripel.

**Deputy Queripel:** Thank you, sir. Deputy Brouard said that any members of staff who have not been vaccinated will then form part of the surveillance programme and if there were to be an increase in COVID infection a risk assessment would be undertaken to ensure that the work environment remains appropriate. So, in saying that, does he mean that members of staff who have not been vaccinated at that point will then be put under pressure to be vaccinated or even relieved of their posts?

1970 **The Bailiff:** Deputy Brouard to reply.

**Deputy Brouard:** We have two duties of care. We have got a duty of care to the clients who come into our services. We have to make sure that they are in a safe environment. If we have a COVID outbreak and we have COVID infection running around, what we do not want to do is to infect our clients by our own staff for whatever reason they have not been able to be vaccinated.

1975 Likewise, we also have a duty of care to our staff who have not been vaccinated for whatever reason not to put them in danger. So it is both fighting at the same time. So what we do is we risk assess each place for each person and things like they may well have what we call passive surveillance, so they will have a test daily or whatever, just to make sure they have not got the infection because if they have there is a vulnerability that they might pass it on to another vulnerable patient.

1980 So it is a duty of care on both sides, both to them, to make sure that our staff are well looked after but also the patients who are using our services are well looked after.

1985 **The Bailiff:** As no one else is rising, I will turn to Deputy Queripel for his fifth question to the President please.

1990 **Deputy Queripel:** Thank you, sir. There are doctors, scientists and health advisers all over the world currently expressing their concerns about the COVID vaccines because they say the vaccines have not undergone sufficient testing. In fact, they are so concerned about the side effects in the long-term as well as the short-term that they are strongly advising people not to be vaccinated with the vaccines currently being used. Can the President tell me the views of his Committee on that issue please?

1995 **The Bailiff:** Deputy Brouard to reply.

**Deputy Brouard:** Thank you, sir. The Committee is following the evidence and would encourage all eligible Islanders to avoid misinformation and be vaccinated as soon as possible. (**Several Members:** Hear, hear.) The vaccines available reduce the risk of people getting seriously ill or dying from COVID-19 and this benefit far outweighs any known side-effects.

2000 The development of a COVID-19 vaccine has been a collaborative international endeavour, bringing together scientists, researchers and industry partners to safely accelerate the development and evaluation of vaccines while incorporating all the standard regulatory steps, including pre-clinical and clinical trials, production, licensing, deployment of vaccines and post-marketing surveillance.

2005 This rigorous, multi-stage testing process has allowed manufacturers to demonstrate that the vaccines meet internationally agreed benchmarks for safety and effectiveness. All vaccines and medicines have some side effects but national and international evidence confirms the safety profile seen in clinical trials shows that the vast majority of suspected adverse reactions reports are comparatively minor, reflecting a normal immune response to the vaccine. As with all vaccines, regulatory authorities will continue to monitor the use of COVID-19 vaccines to confirm that they remain safe for all those who receive them.

**The Bailiff:** Supplementary question, Deputy Queripel.

2015 **Deputy Queripel:** Yes, sir, thank you. Deputy Brouard says in his response that his Committee encourages Islanders to avoid misinformation and be vaccinated as soon as possible. Does that mean his Committee is saying that all the doctors and scientists and health advisers, some of whom are virologists, I referred to in my question, along with the 17,000 employees of the Federal Drug Administration in the USA, who have refused to authorise the use of the current COVID vaccines, are deliberately misleading the public and are 100% wrong in adopting their approach?

**The Bailiff:** Deputy Brouard.

2025 **Deputy Brouard:** I think I am going to turn that question around. There are just as many people on the other side of the fence, in fact there are more, saying the complete opposite. So I stress again, make sure you get your information from a reliable, reputable source. Of course it is voluntary. It is your choice at the end of the day, but people have died of COVID and people have become seriously ill with COVID. You have to make that very difficult choice for yourself but the encouragement from this Government and from the Health Committee is that you get vaccinated.

2030 **The Bailiff:** A second supplementary question, Deputy Queripel.

2035 **Deputy Queripel:** Yes, sir, thank you. Deputy Brouard said the development of COVID-19 vaccines has been safely accelerated but does he not accept that there is some double speak in his response. Because as far as I am aware the issue of blood clots was never raised as a potential side effect. And does he not also accept that the issue of longer term side effects and their possible severity has not been properly explored?

**The Bailiff:** Deputy Brouard.

**Deputy Brouard:** That is why the yellow card system is in place to make sure that if there are any adverse reactions to the vaccine that they are looked at and positions are changed. But that is the same with any vaccine that has come out. All that has happened in this particular case is that we have accelerated the whole process along. But when any other vaccine comes out exactly the same thing happens. People are evaluated for their side effects, the drug companies are then asked to change some of their formulae or whatever it is. It is just all part of the normal process.

**The Bailiff:** Deputy McKenna, supplementary.

**Deputy McKenna:** Thank you, sir. I would like to personally thank Deputy Brouard for the compassion he has shown in not releasing the figures of the suicide cases. I do not think that needs any explanation to most of us in this Assembly.

There are eight components to primary health care and there are some people in Guernsey who cannot receive the vaccine because they are either immune-compromised or have underlying health conditions but would the President agree with me that everyone in Guernsey should get vaccinated if they can to protect our community for what could happen, especially with all the mutations that are coming around the world.

I hope the President would agree with me, to talk about blood clots, you do not know the positions of the people – today in the paper it said that the first person who received the vaccine had died but they did not also say they had underlying health conditions and were immuno-compromised. So I would beg the President please to say once again, and he would agree with me, everyone in Guernsey should get vaccinated to protect our community.

**Several Members:** Hear, hear.

**The Bailiff:** Deputy Brouard.

**Deputy Brouard:** Thank you. I totally agree with Deputy McKenna. We should encourage as many people as possible in our community to get vaccinated. Not only for their own sake but also for the community at large. So thank you.

**The Bailiff:** And your sixth and final question to the President, please, Deputy Queripel.

**Deputy Queripel:** Thank you, sir. Can the President tell me if anyone here in the Island has been hospitalised with side effects caused by COVID-19 vaccines, such as blood clots for example, and how many of the deaths that have been recorded and attributed to COVID-19 here in the Island have been caused by side effects?

**The Bailiff:** The President, Deputy Brouard, to reply please.

**Deputy Brouard:** Thank you, sir. In any vaccination programme of this size there will be individuals who, by chance and unrelated to the vaccine, become unwell in the days and weeks after their vaccination. But no individuals locally have been admitted to hospital as a result of side effects caused by the COVID-19 vaccinations. No individuals have died as a result of the side effects caused by COVID-19 vaccinations.

To iterate my earlier answer, all vaccines and medicines have some side effects but for the vast majority of people these are minor. The safety of vaccines continues to be monitored and their expected benefit in preventing COVID-19 and the serious complications associated with COVID-19 far outweigh any current known side effects. Thank you.

**The Bailiff:** Supplementary question, Deputy Queripel.

2095 **Deputy Queripel:** Thank you, sir. Deputy Brouard referred to currently known side effects. Does he not accept that other side effects yet unknown could emerge and could we have a much more serious nature? If he does, how does this square with his saying the process of developing the vaccine has been safely accelerated when batches of the Pfizer vaccine were still released for use even though the European Medicines Agency revealed they were unstable and possibly unsafe?

2100 **The Bailiff:** Deputy Brouard.

**Deputy Brouard:** I am not going to go down the unknown known known argument. I cannot answer what is going to be happening in the future. What I can say, in the same breath as Deputy Queripel is concerned about unknown side effects of the vaccine, there will also be unknown side effects from having COVID and I do not know what *those* are. He may do, but I certainly do not.

2105 **The Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** Would Deputy Brouard agree with me that his staff have been magnificent in looking at all matters, including any possible side effects, that they are known about, that they do not possess foresight about things that they cannot be expected to know about? Would he also agree with me that overwhelmingly the people of this Bailiwick are grateful to his staff and the magnificent work that they have done in relation to COVID?

2115 **Several Members:** Hear, hear.

**The Bailiff:** Deputy Brouard.

2120 **Deputy Brouard:** Thank you very much indeed, Deputy Ferbrache. I think this week, one day, I think it was Monday, we had 1,000 vaccinations done through our centre, which is a tremendous achievement by the staff and I thank him for the comments.

## COMMITTEE FOR HOME AFFAIRS

### The wording of Police cautions

**The Bailiff:** We move to something completely different. We have a question from Deputy St Pier to the President of the Committee *for* Home Affairs. So, your question please, Deputy St Pier.

2125 **Deputy St Pier:** Thank you and I have one supplementary, sir. Current Police caution in Guernsey is:

You do not have to say anything unless you wish to do so, anything you say may be given in evidence.

2130 The Law in England and Wales was changed in 1994 allowing inference to be drawn if a suspect is silent when questioned under caution prior to charge and subsequently relies upon a relevant in court which they could reasonably have been expected to mentioned when questioned. Just because a suspect declines to answer questions does not automatically mean that that inference can be drawn, it is only when they later seek to put forward and add an account or explanation that the adverse inference provision can be triggered. The accompanying Police caution is:

You do not have say anything but it may harm your defence if you do not mention when questioned something in which you may later rely in court. Anything you do say may be given in evidence.

It is understood that similar changes in provisions were at one time considered in Guernsey but did not proceed. Can the Committee advise whether or not it is prepared to reconsider the applicability of such provisions in Guernsey?

**The Bailiff:** The President of the Committee, Deputy Prow, to reply please.

**Deputy Prow:** Thank you, sir. The Committee understands that differences exist between the Police Powers and Criminal Evidence (Bailiwick of Guernsey) Law, 2003, known as PPACE, and the UK equivalent legislation. We are now in a position where we can take advantage of the experience in the UK, where adverse inference cautions have been used for a significant period and the Committee is in agreement that its potential inclusion should be revisited.

In considering any change to PPACE, the Committee recognises that it will be essential to seek the views of the Judiciary, Law Officers and the Guernsey Bar so they might appropriately inform any legislative change. During the last political term, Bailiwick Law Enforcement identified the need for a full review of PPACE. However, it was not possible to resource such a review.

Given that it is not currently captured in the Government Work Plan the Committee is considering how it might be progressed in the context of the justice framework. The Committee is seeking advice as to whether work on the adverse inference caution could reasonably be progressed as a discreet piece of work outside a full review of PPACE, should resources allow. Thank you, sir.

**The Bailiff:** Supplementary question, Deputy St Pier.

**Deputy St Pier:** Thank you, sir, and I am grateful to Deputy Prow and other Members of his Committee for engaging with me and others on this issue prior to this question being laid and I am pleased that the Committee is in agreement that the adverse inference cautions should now be revisited.

In doing so, Deputy Prow said that his Committee considered that it would be essential to seek the views of the Judiciary, Law Officers and the Guernsey Bar, so that they might appropriately form any legislative change. I would be grateful if Deputy Prow could confirm that this consultation should and indeed will include victims and any victims' representative bodies.

**The Bailiff:** Deputy Prow.

**Deputy Prow:** Thank you, sir. I should have thanked Deputy St Pier for his question and I thank him for his supplementary question. The answer is an emphatic, yes. In proposals around the whole of the Justice Review piece we have put a great deal of store on consultation and in fact the Committee believes that both victims and witnesses of crime should continue to be at the centre of the criminal justice system, so yes indeed the views of victims and witnesses and those associations that represent them and all others involved in the criminal justice system should and will be consulted. Thank you, sir.

**The Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** Sir, has Deputy Prow been in a custody suite or a police cell with a defendant who is absolutely scared witless, who has the prosecution who give limited or no disclosure and the defence advocate is given limited time to consult with their client? Has he ever been in that situation whereby he will then favour what Deputy St Pier is suggesting that adverse inferences drawn against somebody who has not – if you are looking at justice purely because you have got to consider the defendant as well – not had the rights and time that he or she should have before you start drawing adverse inferences?



**The Bailiff:** Deputy Prow.

2185 **Deputy Prow:** Thank you, sir. In my former career I spent a lot of time in custody suites but not  
as somebody under arrest. I think the best way I can answer Deputy Ferbrache's question is that I,  
like him, absolutely adamantly believe and support Article 6 of the Human Rights, which is a right  
to a fair trial. What the Committee is saying is that the adverse inference caution has been in play  
2190 in England and Wales for nearly three decades and the whole system of arrest and putting people  
before the courts is also about convicting the guilty.

I am sure that the Committee *for* Home Affairs do not want to prejudge what its considerations  
would be after it has consulted. I have already said in the main answer to the question that we will  
consult with the Judiciary, the Law Officers and the Guernsey Bar. Thank you, sir.

## COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

### Speed of assistance for electrically assisted pedal cycles

2195 **The Bailiff:** No further supplementaries on that topic so it is now Deputy Taylor who has a set  
of questions to the President of the Committee *for the* Environment & Infrastructure, so your first  
question please, Deputy Taylor.

2200 **Deputy Taylor:** Thank you, sir. In April 2016, the Environment Department laid an amendment  
to the Motor Vehicles (Electrically Assistant Pedal Cycles) (Exemption) Guernsey Law, 2002,  
increasing the maximum speed of assistance on electrically assisted pedal cycles from 15mph to  
15.5mph. What were the primary considerations when determining the amended maximum speed  
of assistance?

2205 **The Bailiff:** The President of the Committee, Deputy de Sausmarez, to reply please.

**Deputy de Sausmarez:** Sir, the primary consideration for the 2016 changes for the power output  
levels and the electrical assistance cut-off point for e-bikes in Guernsey Law was regulatory  
alignment with the UK, which had recently updated its 1983 Law to bring it in line with the relevant  
EU directive. This regulatory harmonisation brought benefits to manufacturers, supply chains,  
2210 retailers and consumers, across the UK and Europe and aligning Guernsey Law in these respects  
brought with it the same benefits.

**The Bailiff:** Is this a supplementary question or your second question?

2215 **Deputy Taylor:** It is a supplementary, sir.

**The Bailiff:** Supplementary, Deputy Taylor.

2220 **Deputy Taylor:** Thank you to Deputy de Sausmarez for her answer. For my first supplementary  
can I simply clarify then that the safety of locals was not the primary consideration for the  
amendment?

**The Bailiff:** Deputy de Sausmarez.

2225 **Deputy de Sausmarez:** As I said in my original answer it was an exercise in regulatory alignment  
to bring Guernsey Law into line with UK Law and, by definition, EU Law. I think actually Deputy  
Burford might be in a better position to answer because she is the one that signed it but as far as I

was aware that was the primary consideration, it was a regulatory alignment issue because not having that alignment had been causing some grey areas of anomalies and a few problems.

**The Bailiff:** Deputy Gollop, supplementary.

**Deputy Gollop:** Sir, I sit on Living Streets and used to sit on Deputy Burford's Environment Committee and my question is has there been any evidence that Environment & Infrastructure or the President know about adverse issues of e-cyclists going above a certain rate, causing difficulties that the Committee might consider to readjust policy or legislation?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I am not sure I entirely understand Deputy Gollop's question. I am wondering if he might be able to give me an indication whether he is asking about e-bikes that fall outside of the regulations. That is, I have to speak in a personal capacity here, this is not something that has been discussed as a Committee. I am aware, through conversations with retailers, that there could be some vehicles that correspond to that description in the Island and it is something I would like to look into.

**The Bailiff:** Deputy Inder.

**Deputy Inder:** I think I will ask a more direct question, I think Deputy Gollop was getting to. We are at 15.5mph and I am wondering if the Committee might consider raising that to something like 20mph, for the assisted version of the electric bikes?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I think Deputy Inder's question is actually going to be answered in the next one so I do not know whether to give him a spoiler. I will sit down – I invite him to stand up and ask me again if it does not do the trick in the next question!

**Deputy Inder:** I am happy to wait, sir.

**The Bailiff:** Deputy Falla.

**Deputy Falla:** Thank you, sir. Would Deputy de Sausmarez agree with me that there are many sports cycles ridden by so-called MAMILS that can easily exceed even the most powerful e-bike on Guernsey?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I would like to confirm to Deputy Falla that I am not one such Lycra-clad person. My own pushing is very much sit up and beg, but I do agree. I think something that people perhaps do not appreciate about e-bikes is they are typically much heavier than a standard bike but again I think Deputy Taylor might be touching on some of these topics later on.

**The Bailiff:** Supplementary question or second question, Deputy Taylor?

**Deputy Taylor:** Supplementary, of course, sir.

**The Bailiff:** Second supplementary.

2280 **Deputy Taylor:** Not wanting to sound like my mother, but if the EU or UK jumped off a cliff – that does not sound anything like my mum! – if the EU or the UK increased their maximum speed to 20mph assistance, would Deputy de Sausmarez seek to our legislation with that?

2285 **The Bailiff:** Deputy de Sausmarez. Sir, certainly, that is something we would have to consider, depending on the circumstances at the time. Again, I think he is providing the spoiler to his own next question here. The point is that those jurisdictions have the resources to data to make much better informed decisions than we have the ability to here. Absolutely, I can give him absolute confirmation of the fact that if there are changes, we would take those into consideration in the local context and make a decision about whether or not we should align accordingly. I hope that  
2290 answers his question.

**The Bailiff:** Having spoiled your next question, Deputy Taylor, would you now like to ask it!

2295 **Deputy Taylor:** I certainly do, sir, thank you. With the constant advances in cycling technology, do the Committee feel that the current maximum speed assistance for electrically assisted pedal cycles is appropriate?

**The Bailiff:** Deputy de Sausmarez to reply.

2300 **Deputy de Sausmarez:** Thank you, sir. The Committee does not think it is in a position to make a better informed decision on this issue than the regulatory authorities in the UK and EU and sees no practical benefit in diverging from the harmonised regulations that govern our local retailers' supply chains.

2305 **The Bailiff:** Deputy Leadbeater, supplementary question.

**Deputy Leadbeater:** Thank you, sir. Would Deputy de Sausmarez agree with me that if you did look at increasing the speed limit of electrically assisted bikes, it would assist towards easier traffic flow because they would go at more similar speeds to vehicular traffic and it would also encourage  
2310 more people to take them up?

**The Bailiff:** Deputy de Sausmarez.

2315 **Deputy de Sausmarez:** Well, it might be a surprise to Deputy Leadbeater that actually we do, one of the very small bits of data that we collect in Guernsey is journey travel time. So he might be surprised to know that the e-bike was the fastest commuting method and actually, this is a personal observation, I think generally speaking the greatest constraint on e-bike journey times is traffic. So I think it is possibly as often the other way around.

2320 I have to say that the suggestion, I think, is that people are currently maybe being a little bit constrained, maybe the take-up is being restricted in terms of e-bike take-up because we do not have a few more miles an hour on this limitation. I would say that does not appear to be the case at all. They are absolutely flying. So I do not think we are witnessing any constraints on their take-up beyond supply, I really do think supply outweighs demand.

2325 I think also we would have to consider the flip side of what Deputy Leadbeater suggests and have to look at the impacts of what if speeds were higher and the possible barrier effects of that on other road users. When you get beyond 15.5mph, or 25kmh, different regulations kick in, for example insurance, registration, tax and motorcycle helmet laws. So those are the safety considerations at the moment considered appropriate by those jurisdictions, which have looked at this in some detail, and done detailed consultation about it.

2330 **The Bailiff:** Second supplementary, Deputy Leadbeater.

**Deputy Leadbeater:** Thank you, sir. I thank Deputy de Sausmarez for her comprehensive answer to the question I did not ask. Sorry, not the question that I did not ask, what I meant was, what I am saying about the benefits of having a closer correlation in speeds to traffic and e-bike users is it would speed up the flow of traffic and it would stop a lot of the rhetoric by motorists against cyclists because they hold up the traffic, etc. That was the benefits of the faster speed that I was referring to.

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I do understand the question and again my answer is I think that is a common myth but I do not think the reality bears out. I actually think in practice, certainly from the data that we have, and I think you will probably also find a lot of anecdotal evidence to support this, that e-bike journeys are faster anywhere where there is any degree of traffic or congestion, e-bike journeys are quicker than car journeys. So I do not think that logic really holds.

**The Bailiff:** Deputy Taylor, is this a supplementary question?

**Deputy Taylor:** It is a supplementary and I have had to reword it slightly. Deputy de Sausmarez, she said in answer to my first question, that the Committee sees no practical benefit to diverging from the harmonised regulations. She then went on to say that e-bike users are always faster as a form of commuting. But most of the time you seem to be looking at if you are commuting in traffic. I would say that an increase of 4.5mph in assistance on a short journey, such as Portelet to Cobo, would reduce the travel time from 20 minutes and eight seconds to 15 minutes and 30 seconds, so could that reduction in travel time be considered a practical benefit to the e-bike users?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Sir, first of all I did not say that e-bike journeys were always quicker but I think you will find that in many cases, especially where there is other traffic on the roads, they often are, where there is any congestion. I would also say that actually that goes across the board, speed on paper is a very different thing from journey time in general and the journey time data that we collect does show that.

I also say again that the limit is set at 15.5mph for reasons that the UK and the EU consider to be the appropriate standard, based on the evidence they considered at the time. I am not saying they will never consider it again in the future, I am not saying that they will never come up with something different but at the moment these jurisdictions, which have got access to many more resources than we do, consider that there are additional safety features required above that speed.

**The Bailiff:** Deputy Oliver.

**Deputy Oliver:** Does the President agree with me in relation to the last question that although the motor will only go to 15, you can still pedal to 20, so therefore you can still do it in the same time?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I do agree with Deputy Oliver and join her in suggesting that Deputy Taylor pedals faster!

**The Bailiff:** Is this another supplementary question?

**Deputy Taylor:** I think it is a supplementary question, I hope I have got this, number two. But absolutely, I take Deputy Oliver's challenge and put it back on her, I challenge her to cycle an e-bike along the coast road at an additional 4.5mph hour. Because the very nature of e-bikes, as Deputy de Sausmarez says, they are heavier so up to 15.5mph they are brilliant but to go faster than that, which you can on a regular bike without breaking any laws, is incredibly difficult.

So, if we have these big heavy bikes that can theoretically travel over the speed limit and they have big powerful races up and down the hill, why might it be dangerous on a big open coast road in the Guernsey context?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I am not sure I really got the question. I think again it comes back to what problem are we trying to fix? It is really that few miles an hour over 15.5mph, which is by the way the most common standard in the world, is that really a significant barrier to uptake. If people really want to go a bit faster, maybe they are getting mopeds and putting on additional safety gear and all that kind of thing. But we also do have to consider – and would if we had the resources and all the rest of it and I am sure the UK and the EU have – what the potential negative effects of people going faster are.

While it is absolutely true that you can pedal faster than the e-assist, because that is the limit at which the electrical assist cuts off, so you can travel faster, it is also true to say that if you raise that limit, chances are more vehicles will be going faster so you have to consider both sides of the equation. You have to consider what benefits you might be getting for that extra speed compared against potential risk and I am afraid we just do not have the resources to make those calculations, so we have to go on the regulations as decided in those other jurisdictions at the moment.

**The Bailiff:** Now your third and final question to the President, please, Deputy Taylor.

**Deputy Taylor:** Apologies because I think this one has been asked! Do the Committee acknowledge that electrically assisted pedal cycles are capable of exceeding the 15.5mph without assistance, i.e. down a hill or along a flat road?

**The Bailiff:** And Deputy de Sausmarez to reply.

**Deputy de Sausmarez:** Yes, I apologise to Deputy Taylor because I probably should have warned Deputy Oliver that she was asking a spoiler question too. Yes, of course, the restriction of 15.5mph is simply the cut-off point for the electrical assistance, as stipulated by the UK and EU regulations. This harmonised approach provides a clear legal framework for manufacturers and retailers of e-bikes across the whole region and is in fact probably the most common standard internationally as well.

**The Bailiff:** Supplementary question, Deputy Taylor.

**Deputy Taylor:** Thank you, sir. I had not even turned my microphone off. I am inclined to say that I hate to be pedantic but I am under oath, so being pedantic I am unsure if Deputy de Sausmarez is stating that our current maximum speed of assistance is in fact probably the most common standard internationally; is that stating a fact or is it something she believes to be probable? So I would like to ask if the 20mph speed of assistance that is available in New Zealand, Canada, and the United States of America and Australia, were included in her international comparison?

**The Bailiff:** Deputy de Sausmarez.

2435 **Deputy de Sausmarez:** Yes, I should caveat this by saying that very sadly the officer who knows this Law inside out suffered a bereavement in the last week and so I have been doing this research myself and so it does come with that health warning. But yes, when I looked up the relevant laws, North America has different, and I might say very complicated, layers and layers of different regulations to the point that every single state in the USA, for example, has got different regulations that you must abide by.

2440 But in terms of the power and in terms of the speed cut-off point, the 15.5mph and 250watt ratings – other way around – are common across, as far as I can tell, Australia, New Zealand, and many other big jurisdictions as well. I looked at an international list and it did appear to me – I did put the word probably in because it was my research and not supported by the relevant officer –  
2445 that the 250w metric and the 15.5mph or 25kmh was the most standard and common feature of all of the international regulations that I could find.

**The Bailiff:** Second supplementary, Deputy Taylor.

2450 **Deputy Taylor:** Thank you, sir. Final one, I promise. So, although a harmonised approach is claimed Deputy de Sausmarez has informed me that the current weight limits prohibit the use of certain non-trike e-cargo bikes on our roads. So whilst they are readily available through EU/UK distribution networks for legal use on EU and UK roads, they are not available on Island. How might the President address that?

2455 **The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I might say thank you very much for raising it to Deputy Taylor. It is indeed by coincidence, actually, an issue that was raised with me in the week that we received his questions and was something that I then checked out and again it comes with the same caveat as before, that I have not had the benefit of the normal officer support on this particular issue.

2460 But it does seem to be an anomaly that was just not harmonised at the same time as the other aspects and it is something that I would look to address, if possible. It seems to me to be fairly straight forward but I do not want to hold myself hostage to fortune on that one. At the moment it  
2465 does seem to be an unnecessary barrier to retailers and indeed consumers for the full range that would otherwise be available to them if they were shopping in the UK or Jersey or whatever.

## COMMITTEE FOR ECONOMIC DEVELOPMENT

### Sea Fisheries vessel *Leopardess*

**The Bailiff:** There being no more supplementary questions, we turn to the next suite of questions and this time it is Deputy Gabriel who is asking questions of the President of the Committee for Economic Development. So your first question please, Deputy Gabriel.

2470 **Deputy Gabriel:** Thank you, sir. Given that the Economic Development Committee are mandated to look after the Sea Fisheries department, given the recent unusual activity in Channel Island waters, how many hours' use and over how many expeditions has the Sea Fisheries vessel *Leopardess* seen active service in the last 12 months, during what type of activities?

2475 **The Bailiff:** And the President of the Committee, Deputy Inder, to reply please.

**Deputy Inder:** Sir, thank you. The question, in the last 12 months, *Leopardess* has put to sea 30 times, which equates to approximately 150 hours of use undertaking tasks for Sea Fisheries, the

2480 Guernsey Border Agency, the Police and Prison Service. These journeys included the transfer of personnel and equipment, the transfer of prisoners and detainees, the transfer of firearms and explosives and the recovery of bodies.

2485 None of these journeys relate to routine fisheries patrols, which were suspended due to COVID-19 and restrictions on the ability to board vessels from outside of Guernsey. The monitoring of fishing vessels' movements continued electronically, using the vessel monitoring service system, VMS, for fishing boats over 12 m. Under normal circumstances sea fishery patrols would constitute another 100 journeys and approximately 500 hours of use.

**The Bailiff:** Supplementary question, Deputy Gabriel.

2490

**Deputy Gabriel:** Yes, please, sir. In your reply, Deputy Inder, you mentioned that the vessel monitoring system was used. Is this system, remote, the use of this system then a better use of resources?

2495

**The Bailiff:** Deputy Inder.

2500 **Deputy Inder:** Not particularly. I think if anything it gives you a better indication of what activity there is in our zero to 12 miles and actions can effectively come from that, whereas before VMS, before AIS, I would imagine that the patrol vessel had to be out more often. But now we have AIS and we have VMS, it is almost acting somewhat like a radar and gives the officers more efficiency and better use of their time.

**The Bailiff:** Second supplementary question, Deputy Gabriel.

2505

**Deputy Gabriel:** Yes, please, sir. Again, in your response you said that all of the journeys in the last 12 months have been for other purposes than sea fisheries. Would you agree with me then that the use of the vessel is more like a glorified sea taxi than its original intention?

**The Bailiff:** Deputy Inder.

2510

**Deputy Inder:** I take somewhat offence to that question because it is fairly clear in my statement that the Sea Fisheries vessel is an important part of our fisheries protection vessel and I also said in my response that the reason the vessel has not been out has been due to COVID and its inability to board vessels.

2515

**The Bailiff:** Deputy Leadbeater.

2520 **Deputy Leadbeater:** Thank you, sir. Would Deputy Inder agree with me that the multi-use that we can use for the *Leopardess* is an advantage rather than a disadvantage? For example, repatriating prisoners to the UK. The cost of that if we did not have the *Leopardess* would be pretty substantial.

**The Bailiff:** Deputy Inder.

2525 **Deputy Inder:** I am not too sure how other jurisdictions work but I think the multiple use of our Fisheries Protection Vessel for customs enforcement and general patrols can only be a good use and efficient way of using public money in multiple areas. Effectively it is a multi-agency vessel, even though we call it a fisheries protection vessel, quite clearly it is a multi-agency use vessel and a very good one.

2530

**The Bailiff:** Deputy Le Tocq.

**Deputy Le Tocq:** Would Deputy Inder agree with me that when it was commissioned it was agreed at that time that it would have multiple uses, so as he has just alluded to before, perhaps it is a bit of a misnomer but it was certainly the intention right at the start?

**The Bailiff:** Deputy Inder please.

**Deputy Inder:** I do agree with Deputy Le Tocq and if I remember the plate on the sideboard used to get changed for whatever the uses were. I think I have seen Customs on the side and Fishing Patrol Vessel written on the side, or similar. So yes, I do agree with Deputy Le Tocq.

**The Bailiff:** Your second question then, please, Deputy Gabriel.

**Deputy Gabriel:** The expeditions that went out then, what, if any, resulting actions were realised from them?

**The Bailiff:** The President, Deputy Inder, to reply please.

**Deputy Inder:** There are two parts to this and I will get to the direct question towards the end. Now since the introduction of the *Leopardess* and regular fishing patrols, the number of illegal incursions into Bailiwick waters has greatly reduced. Routine boardings entail catch inspections, gear inspection and checks on vessel paperwork. Patrols have proved to be an effective deterrent against unauthorised fishing activity in Bailiwick waters.

If a vessel was found to be fishing illegally then it is detained to port and the matter is dealt with through the courts. The last vessel to be detained was a UK scalloper, which was caught fishing within the six-mile limit with an illegal set of fishing gear. In the last 12 months, there have been no actions taken against fishing vessels at sea, as routine patrols are suspended due to COVID-19. Fishing activity has continued to be monitored using the VMS and no unusual activity was detected during this period.

**The Bailiff:** Supplementary question, Deputy Gabriel?

**Deputy Gabriel:** Yes please, thank you. As Deputy Inder stated, there have been no fisheries based actions, then, and given the advances in the monitoring of activity, would he agree with me that the presence of the vessel is an accurate deterrent.

**The Bailiff:** Deputy Inder.

**Deputy Inder:** Yes, I would agree that the presence of the vessel is an accurate deterrent.

**The Bailiff:** Second supplementary question? Deputy Gabriel.

**Deputy Gabriel:** My third question, sir, if no one else is rising.

**The Bailiff:** Your third question. Third question, Deputy Gabriel.

**Deputy Gabriel:** Given that the successful *sursis* in 2013 delayed the replacement of the vessel, what is the expected useful remaining lifespan of the vessel?

**The Bailiff:** Deputy Inder to reply, please.

**Deputy Inder:** The *Leopardess* came into service in June 1998, with a planned service life of 20 years. As part of the States' capital investment portfolio, a proposal was brought to the States in



2585 2015 for a replacement vessel but a *sursis* was successfully raised, which halted the proposed plan for a replacement.

The *Leopardess* is now in its 23rd year and is currently fully serviceable. The vessel is operational. In order to remain in service, the *Leopardess* must meet the requirement of a Maritime and Coastguard Agency survey to ensure that she maintains the standards laid down in the small commercial vessel code under which she is operated.

2590 The next survey is due to be undertaken later this year. There is currently nothing to suggest the *Leopardess* will not meet the requirements of the next survey and be able to remain in service until a decision on its future or that of a replacement has been made. However, operating ageing machinery brings with it the increased risk of mechanical failure and reduced serviceability.

2595 **The Bailiff:** Supplementary question, Deputy Gabriel.

**Deputy Gabriel:** Thank you. Since we are now six years after a replacement vessel was first mooted and, if not for the *sursis*, it may well have been replaced by now, is it indeed on its last sea legs and fit for purpose? Will the operation of the ageing machinery and associated maintenance of it and the vessel be considered throwing good money after bad?

**The Bailiff:** Deputy Inder.

2605 **Deputy Inder:** I get the distinct impression that Deputy Gabriel does not like our fishing patrol vessel. To answer his question, having had boats, like a few of us have had in this world, the serviceability of a boat is often an accounting function. You buy something at the zero year and by 25 years the accounts say basically the boat is broken and you must throw it away.

2610 Now, I think the *sursis* was the right thing to do, absolutely the right thing to do. Because it is not the first time, I remind you that the *Sarnia* had a similar problem where there was an amendment there where the accounting function said after 25 years the boat was broken and had to be thrown away, the fact it was sitting off the Platte Fougère at the time, servicing buoys, seemed to have passed the accountants by. So it is the right decision to do, to carry on using the vessel, making do, mending, and as long as she is functional, as long as she passes the survey that boat will carry on functioning as a multi-agency vessel.

2615 **The Bailiff:** Deputy Gollop, supplementary.

**Deputy Gollop:** Yes, I am kind of not sure. Will Economic Development therefore be considering at some point during this term the continued maintenance/refurbishment of the *Leopardess* or a replacement to come before the Chamber as part of their plan?

**The Bailiff:** Deputy Inder.

2625 **Deputy Inder:** That is in part answered by the next question but I will answer the first part of Deputy Gollop's question. There has been regular Maritime and Coastguard Agency surveys. She is fit for purpose. She is regularly maintained, but as I explained, I think it was in question two, it is just a fact that technical equipment gets older. So do engines. A full survey will determine what path with take.

2630 **The Bailiff:** Your fourth question then, please, Deputy Gabriel.

**Deputy Gabriel:** On 16th December 2020, in a Rule 14 reply, an update on a replacement vessel was given by Policy & Resources Committee stating that:

The project has stalled due to a lack of resources. However a Committee paper will be taken to the Committee for Economic Development in quarter one, 2021, with a view to progress this workstream.

As we are now into quarter two of 2021, my question is what is the update for the Assembly on this workstream?

**The Bailiff:** Deputy Inder to reply, please.

**Deputy Inder:** Sir, Sea Fisheries were directed to produce a paper for the Committee for Economic Development in January 2021 to review the project. The production of this paper has been delayed by the second lockdown and the redeployment of some staff members within Sea Fisheries. However it is anticipated that a paper will be presented to the Committee for Economic Development within the next three months.

**The Bailiff:** Supplementary question, Deputy St Pier.

**Deputy St Pier:** Yes, a supplementary question to that last response, which seemed to conflict with previous responses to previous supplementary questions. Deputy Inder seemed to be suggesting that he did not feel the vessel was likely to need replacing. Make do and mend, I think was a phrase he used. Therefore surely that project is not subject to further papers but actually is dead and buried?

**The Bailiff:** Deputy Inder.

**Deputy Inder:** ... Sorry, sir, my microphone was off. To answer Deputy St Pier's question, I do not believe there is a conflict there. It is part of normal maintenance to survey the boat regularly and she will go through a full survey at some point and my hope is that where possible I will not use the accounting process of the zero-25 years to just decide that that boat is finished. If that survey comes back and says it might need just more equipment on the bridge, or possibly a change of engines, we will look at it in its entirety then. So there is no conflict in my answer whatsoever.

**The Bailiff:** Deputy Soulsby.

**Deputy Soulsby:** Thank you, sir. As the person who laid the *sursis* that meant that the *Leopardess* was not replaced at the time, I was pleased to hear the responses of the President of Economic Development. But would he agree with me that now, as we look at potentially where we are in terms of Brexit and what we need to do with our coast that other solutions might be in order and just considering a like and for like replacement might not be the best solution.

**The Bailiff:** Deputy Inder.

**Deputy Inder:** Well again, I thank Deputy Soulsby for the very sensible *sursis* that got us to this point and saved the Island an awful lot of money. What comes out of the survey will be what comes out of the survey and it will be via the Committee and possibly this Assembly to determine what the likely route for a new vessel will be. I do not really know if it is going to be fixing the current vessel if there are problems with it, buying a brand new vessel of the same size or possibly working with 10-metre RIBs with two big *[inaudible]* on the back. I just do not know at the moment.

**The Bailiff:** Your fifth and final question to the President, please, Deputy Gabriel.

**Deputy Gabriel:** Thank you, sir. I would like to correct Deputy Inder's assumption, first, that I have got something against the *Leopardess*. I certainly have not. I just was not aware of it and wanted to know if it was an asset or a liability. I am right behind him and his Committee in the protection of our sea fisheries. My question is how well resourced is the Sea Fisheries department to operate the vessel and fulfil its other mandated responsibilities simultaneously?

**The Bailiff:** Deputy Inder to reply.

**Deputy Inder:** I am glad Deputy Gabriel has confirmed he is behind the role of the multi-agency vessel. To answer his question, during the past 18 months the Sea Fisheries department had two vacancies, which have now been filled, to bring the department back up to its current complement of four Sea Fisheries officers. The *Leopardess* requires a crew of three to operate the vessel and an additional two crew to act as boarding officers.

For fisheries tasks, the boarding officers would be Sea Fisheries officers but for other tasks, such as Border Agency or Police there would be officers of those departments. In short, you have got a management crew of three and boarding officers, depending on what kind of activities are being deployed at the time.

So in order to ensure availability of the *Leopardess* there is a pool of part-time crew who can be called upon to support the department. This pool is made up of four part-time crew, five police officers and four Guernsey Border Agency officers. Therefore the vessel is capable of being operated even if the workload of the department requires some fisheries officers to be tasked elsewhere. There is no evidence to suggest that Sea Fisheries cannot fulfil its mandatory responsibilities, but Brexit and the introduction of foreign vessel licensing may introduce the need to review the staffing levels within the department in due course.

**The Bailiff:** Supplementary, Deputy de Sausmarez.

**Deputy de Sausmarez:** Thank you, sir. Building on that last point, would Deputy Inder agree with me that one of those potential staffing levels – actually it is more about staffing function, building on Deputy Soulsby's point – might be crew or staff that can do more of the analysis to build the evidence base that I know both he and I take an interest in and is particularly relevant post-Brexit – not post-breakfast, any time of day! – with relation to making evidence-based decisions on sustainable fisheries?

**The Bailiff:** Deputy Inder.

**Deputy Inder:** I do have a memory of this. I cannot remember if this was in this Assembly or a conversation myself and Deputy de Sausmarez had with a Sea Fisheries officer. What they are not ... certainly two or three of them are effectively enforcement officers, but I understand and I will get confirmation because I do not want to mislead the Assembly, I am fairly sure we have both jointly been in a conversation where one of the new staff is likely to have evidence-based or evidence-driven skills that would assist both our joint committees in extracting better data out of that resource. But I will get confirmation for her and find out exactly where we are by email.

**The Bailiff:** Deputy Gabriel, supplementary.

**Deputy Gabriel:** Will the part-time resourcing aspect pass the International Maritime Organisation's instruments implementation code's Red Ensign audit in September 2021 if the resourcing part of it falls as part of that audit?

**The Bailiff:** Deputy Inder.

**Deputy Inder:** I cannot answer that question right now but if Deputy Gabriel basically transcribes that question and sends it to me, I will get an answer for him.

**COMMITTEE DEVELOPMENT & PLANNING AUTHORITY**

**The work of the Development & Planning Authority**

2735 **The Bailiff:** No-one else is rising. We come to our final set of questions – it would not be question time, would it, without Deputy Gollop? – and these are questions by Deputy Gollop to the President of the Development & Planning Authority. First question, Deputy Gollop.

2740 **Deputy Gollop:** Thank you very much, sir. My first question to Deputy Oliver is, is the new Development & Planning Authority committee proceeding with the June 2018 Action Plan framework?

**The Bailiff:** And the President, Deputy Oliver, to reply.

2745 **Deputy Oliver:** Sir, the Action Plan, which was prepared and adopted by the previous DPA, related to priorities of that Committee and was very largely implemented before the elections. The current DPA has identified its own priorities, which are being actively pursued. These include supporting the enhancement and revitalisation of the main centres, facilitating appropriate residential developments, in particular affordable housing, promoting green infrastructure and local sustainable growing and using section 46 of the Land and Planning to address abandoned buildings and eyesore sites.

2750 The DPA has aligned these policy priorities with the current emerging States' priorities of the Government Work Plan. Meanwhile, digitalisation of the Planning and Building Control application process is well underway and, thanks to those efforts, the DPA realised a saving amounting to 10% of its budget last year.

**The Bailiff:** Supplementary question, Deputy Gollop?

2760 **Deputy Gollop:** I would like to ask two supplementaries. The first is Deputy Oliver has already delivered on plans for revitalisation of elements of the main centres but does revitalisation of the main centres specifically include Revive and Thrive initiatives for both St Sampson's and St Peter Port in terms of enhancing their appeal as residential or retail and tourism centres?

2765 **The Bailiff:** Deputy Oliver to reply.

2770 **Deputy Oliver:** Within the regeneration development frameworks, it is not just the development frameworks. We are also doing section 46 and we are also increasing the exemptions so therefore we are making it easier for people to build in those areas. We have the development framework for Leale's Yard but as Deputy Gollop well knows, Planning can only go so far. We can only produce the plans, we cannot make people actually build and that is where potential incentives might need to come from the States.

**The Bailiff:** Second supplementary, Deputy Gollop.

2775 **Deputy Gollop:** The answer includes the phrase 'affordable housing', which we on Employment & Social Security have given a particular historic meaning to relating to what amounts to intermediate housing and social housing. Does the Planning Authority consider affordable housing also to include first-time initiatives and more market-based initiatives?

2780 **The Bailiff:** Deputy Oliver.

**Deputy Oliver:** The short answer is yes it does. We are working closely with ESC and Environment to try and get the best out of it. We are also looking at GP11 as well.

2785 **The Bailiff:** Deputy Inder.

**Deputy Inder:** As a supplementary to that question, splitting both Government-owned land and private-owned land, would Deputy Oliver and her committee find it easier had this States decided that a number of parcels of Guernsey-owned land, with a policy direction attached to it, would have  
2790 been easier for her and her Committee to determine what type of housing would be on it?

**The Bailiff:** Deputy Oliver.

**Deputy Oliver:** I do not think I really understand the question but I am going to answer a  
2795 question that I think you are trying to say. Before the IDP, we already had a set amount of parcels of land for housing. The IDP continued those and also added to it. So I assume you are talking about the King Edward Hospital, if it can be built upon. The short answer is, yes it can if you can find a developer and subject to the normal planning applications.

2800 **The Bailiff:** Deputy Vermeulen.

**Deputy Vermeulen:** Thank you, sir. Would Deputy Oliver care to enlighten me into how she is looking at GP11? I believe it has stymied development of housing on the Island from actually being built. Permissions might have been granted but those sites that had permissions granted have not  
2805 come to fruition. Are you thinking about binning it?

**The Bailiff:** Deputy Oliver.

**Deputy Oliver:** We have discussed what needs to go on our priority area but the committee has  
2810 not discussed it in great detail, so what I am about to say is just my opinion and I am sure the other Members will have very different opinions. At the moment GP11 is if you build more than 20 houses then you have to do, after that, a percentage of affordable housing.

Now that has produced no sites as to date. However, a caveat of that is Pointues Rocques, which is still within the planning process and that will produce some affordable housing. But having  
2815 spoken to a number of developers there is a plethora of ways that you could do it differently, which would come up with a similar result, i.e. you could give a cash sum to the GHA, and there are many others, so there are different ways and we are just looking at it at the moment.

**The Bailiff:** Deputy Inder.

2820 **Deputy Inder:** Supplementary, sir, thank you. Would it not suggest then that if developers are finding ways around GP11, there is a problem with GP11 in itself?

**The Bailiff:** Deputy Oliver.

2825 **Deputy Oliver:** Can I just confirm people are not finding ways around it, people are just not building houses, not building developments more than 20 houses, so therefore it is not getting around it all, it is just the building on a larger scale is not happening?

2830 **The Bailiff:** Deputy Roffey, supplementary.

**Deputy Roffey:** Would the President agree with me that there are at least two developments in the pipeline, one of which is referred to, which will yield the affordable houses under this policy and

2835 that there is a real risk of endangering those if they are to think, with things flagged up in this Assembly, that that policy may be changed in the near future?

**The Bailiff:** Deputy Oliver.

2840 **Deputy Oliver:** When I say that we are looking to change it, that would have to go through a large consultation period and whether it would be done this term would be debatable, but we are looking at it.

**The Bailiff:** Deputy Taylor.

2845 **Deputy Taylor:** Would the President agree with me that there are probably some rules and restrictions within the Land Planning Law that will put some shackles on the Development & Planning Authority being able to make some of the changes that some Members of this Assembly might want to see?

2850 **The Bailiff:** Deputy Oliver.

**Deputy Oliver:** Yes.

**The Bailiff:** Deputy Meerveld.

2855 **Deputy Meerveld:** Thank you, sir. Would the President agree with me that effectively putting a tax on larger building sites may be discouraging larger developments from going ahead because it affects their commercial viability? If they do go ahead, then effective tax, that giveaway of land has to then be passed on by the commercial developers to the first-time buyers and effectively increase the price of those houses to make those sites commercially viable? Thank you, sir.

**The Bailiff:** Deputy Oliver.

2865 **Deputy Oliver:** Yes, I do, but as a responsible States the money needs to come from somewhere for affordable housing and unless the States are just willing to stump up the money all the time it makes sense that the larger developers will contribute a certain percentage of that.

**The Bailiff:** Deputy Leadbeater.

2870 **Deputy Leadbeater:** Thank you, sir. I wonder if Deputy Oliver would agree with me that even so, as pointed out by Deputy Roffey and herself there are one or two sites where a GP11 might actually realise some affordable housing, putting that to the side, if we got rid of GP11 now the other sites that have been given permission for that developers are not proceeding with because of GP11 would actually come online, so we would have more housing stock as a result of it?

2875 **The Bailiff:** Deputy Oliver.

**Deputy Oliver:** As Deputy Leadbeater knows, there are laws to follow within the IDP that, although we are trying to streamline it, you cannot always get around and that is going to take time to sort out.

**The Bailiff:** Deputy Moakes.

2885 **Deputy Moakes:** Thank you, sir. I would like to ask the President of the DPA, we are in the middle of a housing crisis. I think most people agree that that is the case. Does she agree with me that

something needs to change and it needs to change quickly or this is going to go from very bad to even worse?

**The Bailiff:** Deputy Oliver.

2890

**Deputy Oliver:** The DPA are not stopping people from building houses. We are facilitating the plans as quickly as possible and we are getting them ready for building. We cannot make them build. That is something that the States as a whole maybe needs to look at and potential subsidies or incentives.

2895

**The Bailiff:** Deputy Ferbrache.

2900

**Deputy Ferbrache:** I am sure most of the public and certainly most of this Assembly welcome the proactive approach of Deputy Oliver and under her presidency in relation to the DPA, compared with its predecessors, but in relation to that, because we do have the housing crisis, would it not be worth a consideration that we say to a developer, whether it is five houses, 10 houses or 20 houses, whatever the limit is set, you can build your unit but you have got to provide another site somewhere else where affordable housing is built and you have got to build it?

2905

**The Bailiff:** Deputy Oliver.

**Deputy Oliver:** That is something that we will be looking at.

2910

**The Bailiff:** Deputy Inder.

**Deputy Inder:** Sir –

2915

**The Bailiff:** Ah, no, you have already had two supplementary questions, so Deputy Queripel. I do apologise.

**Deputy Queripel:** Sir, thank you. Deputy Oliver said the DPA are looking at GP11, which has not provided a single unit of affordable housing since the policy was introduced, almost five years ago. Does that not prove the policy is not working to benefit the community and because the proof is already there, would a planning inquiry still be needed?

2920

**The Bailiff:** Deputy Oliver.

**Deputy Oliver:** Unfortunately, yes.

2925

**The Bailiff:** Deputy Dyke.

2930

**Deputy Dyke:** Thank you, sir. Would Deputy Oliver mind if I contrived a question in such a way that it would inform the Assembly that our Committee is considering proposing a very small amendment to the Planning Law, which would allow this Assembly, by Resolution, without going through the two and three-year planning process, to agree to small changes, small specific changes to the Island Development Plan? Would you mind if I said that?

**The Bailiff:** Deputy Oliver.

2935

**Deputy Oliver:** I can agree with Deputy Dyke that that is happening. The other thing that I can say is that we are using the minor departures, which the IDP allowed, to its maximum capacity, as well.

**The Bailiff:** Deputy Meerveld, second supplementary.

2940 **Deputy Meerveld:** Thank you, sir. Picking up on Deputy Oliver's earlier statement about the shortage of supply of housing and that States may have to subsidise or help support housing development, we have had suggestions like that come before the Assembly or be presented to Members in the instance of, say, for Leale's Yard, which is asking for tens of millions of pounds' worth of support.

2945 How does she reconcile the suggestion on one hand the States should be subsidising or helping to underwrite schemes or possibly supporting the development of housing to increase housing stock, at the same time as going to other developers and saying if you develop a large site we are going to effectively tax you or take away part of that site or require you to provide something to the States free of charge to help supplement social housing? Surely the two are mutually exclusive?  
2950 Either the States is supplementing housing and subsidising it and incentivising it, or they are taxing it? I cannot see how the two tally. Thank you.

**The Bailiff:** Deputy Oliver.

2955 **Deputy Oliver:** I do get your point. One thing that I would say is that I think if developers wanted to negotiate to make pragmatic views then perhaps we should have joint meetings with the DPA and ESS to see if we can come up with some kind of solution.

**The Bailiff:** Deputy Kazantseva-Miller.

2960 **Deputy Kazantseva-Miller:** Would the President of the DPA agree with me that there is a comprehensive Housing Strategy, Housing Action Group I am told – HAG or not hag – which is looking at all of the issues right now underpinning the housing supply market from key worker accommodation, affordable housing, affordability of housing. The DPA is currently working with a group of people. DPA is there to enable them, the decisions that are taken at that policy and strategic level, to then enable those decisions. DPA is not responsible for coming up with market solutions. Would the President agree with that observation?  
2965

**The Bailiff:** Deputy Oliver.

2970 **Deputy Oliver:** Yes, I do.

**The Bailiff:** Your second question to the President, please, Deputy Gollop.

2975 **Deputy Gollop:** Yes, sir. I have two brief supplementaries to this one. My first question – and thanking Deputy Oliver and the Authority for their answer – are there plans to publish shortly the Annual Monitoring Report?

**The Bailiff:** Deputy Oliver to reply.

2980 **Deputy Oliver:** Data for each year's AMR cannot be gathered until the year has ended. The next AMR, which will cover both 2020 and 2019, is currently being compiled by officers and will be published in quarter three of this year.

2985 **The Bailiff:** First supplementary, Deputy Gollop.

**Deputy Gollop:** My first supplementary is that will indeed be useful to have the debate. But would it not be possible to publish sooner the 2019 AMR so we can at least see trends that existed pre the pandemic?



2990 **The Bailiff:** Deputy Oliver.

**Deputy Oliver:** No, because the States agreed that it would be done in one, when there was also the five-year review report. It was all wrapped up in that.

2995 **The Bailiff:** Second supplementary, Deputy Gollop.

**Deputy Gollop:** My second supplementary is there was an illuminating release or article in the *Guernsey Press* recently, which suggested there were 35, roughly 9% of applications, that were taking more than six months to go through the system. In fact one or two of them dated back to my time as President. But we will not get onto that. Would Deputy Oliver agree that it would be useful for the States to be assured that Planning is able to deliver as speedy as possible service, despite the difficulties of the past year, in terms of work organisation, to ensure that we have no delays in Planning, which then affect the housing crisis and the economy?

3005 **The Bailiff:** Deputy Oliver.

**Deputy Oliver:** Planning application length time has gone down considerably from the last lockdown. We now have the fast-track enhancement where planning applications only take four weeks. We are also doing some other mitigating where we are adding to the exemptions, so people will not even have to come to Planning and the development frameworks is also increased. So, therefore, officers will have more time to consider the current applications.

**The Bailiff:** Supplementary, Deputy Trott.

3015 **Deputy Trott:** Yes, sir. Notwithstanding earlier answers given by Deputy Oliver, is she able to advise us approximately, roughly, how many units of accommodation have permissions but are at this time yet to be built?

**The Bailiff:** Deputy Oliver.

3020 **Deputy Oliver:** That is something that I will have to come back to you on. I do not know the figure.

**The Bailiff:** Your third question to the President, then, please Deputy Gollop.

3025 **Deputy Gollop:** Yes, thanking you. Although we have already touched on this, my third question is when will the five-yearly review for the Island Development Plan due this autumn, this year, now be likely to take place?

3030 **The Bailiff:** And the President, Deputy Oliver, to reply.

**Deputy Oliver:** Sir, in April 2020, Billet X, 2020, the States agreed to pause the five-year review of the IDP, in order to assure the review focusses on matters which are critical to the strategic recovery and support future States' priorities, to ensure that land use policies do not stand in the way of States' Recovery Strategy.

3035 The DPA have identified a number of policy areas, which may require IDP amendments, following the forthcoming Government Work Plan debate and, in light of related States' strategies, for example the change of use of visitor accommodation, such review will be brought forward by the DPA as a priority when the need for and specific nature of the required IDP amendments are known.

3040 **The Bailiff:** Supplementary question, Deputy Gollop?

**Deputy Gollop:** Yes, given the committee has identified conversion of visitor accommodation as a priority and we have also been discussing about the social housing covenant, GP11, will those policies be brought to the Assembly within a year for reconsideration, including perhaps the obligatory planning inquiry to reconsider those policies?

**The Bailiff:** Deputy Oliver.

**Deputy Oliver:** Many of the policies which the IDP will have amendments for actually rely on other committees' work and then it will pass down to us and then we will do it, so I cannot guarantee it will be only a year.

**The Bailiff:** And your fourth question, then, to the President, please Deputy Gollop.

**Deputy Gollop:** Thank you very much. Question four. Will there be statutory instruments or policy letter Propositions being brought forward for adding additional exemptions and change of use regulations/relaxations?

**The Bailiff:** Deputy Oliver to reply.

**Deputy Oliver:** Sir, yes. Engagement with States' Committees, States' Members and other external stakeholders on proposals for new and extended planning exemptions including in relation to certain change of use will be taking place very shortly. The DPA would actively encourage feedback from these proposals from all States' Members. Following this engagement the proposal will be presented to the States in a policy letter in quarter three of this year.

**The Bailiff:** So your fifth and final question to the President next, please, Deputy Gollop.

**Deputy Gollop:** Thanks very much. Saving the best till last, maybe. Will the development brief criteria and timelines and preparatory guideline methods be streamlined to ease delays in development of sites for housing and other uses?

**The Bailiff:** Deputy Oliver to reply.

**Deputy Oliver:** Thank you, sir. Yes, the DPA has already published its decision not to require development frameworks for smaller housing projects comprising of less than 10 units in local centres and less than 20 units in main centres. The DPA has also reserved the ability to waive the requirement for DFs for other types of development if a DF would not provide a benefit.

**The Bailiff:** Supplementary question, Deputy Gollop.

**Deputy Gollop:** My question is, assuming this policy change takes place immediately, will it free up applicants to make a planning application without the need for a development brief, although I assume ambitious applicants may include their own development framework or issues relating to a development framework, in order to facilitate the planning process?

**The Bailiff:** Deputy Oliver.

**Deputy Oliver:** Sir, if a person has a development of less than 10 houses he or she does not require a development framework, from last week. So therefore they can get on with it. The same with main centres. Units under 20, they can get on with it. They do not need development frameworks.

**The Bailiff:** Second supplementary, Deputy Gollop.

3095

**Deputy Gollop:** Whilst being pleased to hear that, to put the other case, is it not true though that development frameworks are useful in identifying environmental habitat, living pathways and other potential benefits to a site, whereby the site can be developed more efficiently or economically or environmentally friendly.

3100

**The Bailiff:** Deputy Oliver.

**Deputy Oliver:** Having been around a number of architects, developers and other people, the development frameworks on smaller units, all they have done is hold them up. They are of no more benefit than the normal planning application process that people will go through.

3105

**The Bailiff:** Supplementary, Deputy de Sausmarez.

**Deputy de Sausmarez:** Thank you, sir. Would the President agree with me that there are other ways of meeting that particular concern that Deputy Gollop raised in his supplementary question than through development frameworks, for example through the supplementary guidance appended to the IDP in the form of the Strategy for Nature?

3110

**The Bailiff:** Deputy Oliver.

3115

**Deputy Oliver:** Yes, I would. They can also be enhanced within the conditions of the planning application as well.

**The Bailiff:** And that concludes Question Time. It has been quite a long Question Time, Members of the States, so we now turn to the business of the Meeting.

3120

## Billet d'État XII

### ELECTIONS AND APPOINTMENTS

#### COMMITTEE FOR HOME AFFAIRS

##### 1. Police Complaints Commission: Re-appointment of a member – Mrs Bonita Hamilton re-appointed

*Article 1.*

*The States are asked to decide: -*

*Whether, after consideration of the Policy Letter entitled "Police Complaints Commission: Re-appointment of Member" dated 15th March 2021, they are of the opinion:*

*1. To re-appoint Mrs Bonita Hamilton as a member of the Police Complaints Commission for a further term of four years with effect from 1st July 2021.*

**The Deputy Greffier:** Elections and Appointments, Article 1, Committee for Home Affairs – Police Complaints Commission – reappointment of member.

**The Bailiff:** And I turn to the President, Deputy Prow, if he has anything he wishes to say.

3125 **Deputy Prow:** Thank you, sir. Just briefly, I have nothing to add to the brief policy letter other than to thank on behalf of the Committee the members of the Commission for their time and dedication and I would ask the Assembly to support this reappointment.

3130 **The Bailiff:** I do not see anyone rising, so I am going to put to you the Proposition to reappoint Mrs Bonita Hamilton as a member of the Police Complaints Commission for a further term of four years. Those in favour; those against?

*Members voted Pour.*

**The Bailiff:** I declare her duly reappointed to that position.

## **POLICY & RESOURCES COMMITTEE**

### **2. Election of Mr Julian Winser as an ordinary member and future Chairman of the Guernsey Financial Services Commission – Propositions carried**

*Article 2.*

*The States are asked to decide:-*

*Whether, after consideration of the Policy Letter dated 29th March 2021, of the Policy & Resources Committee, they are of the opinion:-*

*1. To elect Mr Julian Winser as an ordinary member of the Guernsey Financial Services Commission for a three-year term with effect from 1st June 2021.*

*2. To elect Mr Julian Winser as Chairman of the Guernsey Financial Services Commission with effect from 31st December 2021 until 31st May 2024, to succeed the current Chairman, Drs Cees Schraauwers who retires on 30th December 2021.*

**The Deputy Greffier:** Article 2, Policy & Resources Committee – election of Mr Julian Winser as an ordinary member and future chairman of the Guernsey Financial Services Commission.

3135

**The Bailiff:** I turn to Deputy Helyar, I am told, to open debate on this matter. Deputy Helyar.

**Deputy Helyar:** Thank you, sir. I do not have anything to add to the brief policy letter but I am happy to answer questions from Members if they wish to raise any. Thank you.

3140

**The Bailiff:** Deputy Trott.

**Deputy Trott:** Yes, sir, there are three questions that I think are worthy of asking. I have not given Deputy Helyar advance notice of them but I know that they will be easy for him to deal with. The first question is: are there no existing commissioners capable of undertaking the role of Chairman? Second question is: how many of the off-Island commissioners had the privilege of meeting or working with Mr Winser?

3145

And my third question, which is probably the most relevant – and I ought to say for governance purposes that I know Mr Winser and he is a capable man, I have no doubt he will do a very good job – but that is not the import of this question, which is why is it considered necessary to adopt a governance process at the regulator in a manner that appoints the Chairman of the future prior to any conventional bedding in process, because we are being asked today not only to appoint

3150

Mr Winsor as a commissioner, something that I have no issue with whatsoever, but also to appoint him as Chairman.

3155 As I say, that is in advance of conventional wisdom, which would suggest that there should be a period of, if not an apprenticeship because I do not think Mr Winsor requires that, but a period of bedding in to make sure that there is the appropriate harmony around the commissioners' table, with everyone pulling in the same direction.

3160 **The Bailiff:** As no one else is rising, I will invite Deputy Helyar to reply, if he can, to the questions raised by Deputy Trott.

**Deputy Helyar:** Sir, thank you. I will attempt to respond to them. In terms of members of the Commission competent to take the part of Chairman going forwards, I do not know the answer to that one. It is not something that we have reviewed as part of the process. But I will explain the process because I think that probably helps.

3165 This started slightly before the latest lockdown, over Christmas time I think, just before Christmas. There was an invitation in the *Press* for those who wished to apply for the position of member of the Commission, not Chairman and that is the point I think which Deputy Trott is raising. 3170 There were several applicants and I have to say it was remarked by the current Chairman of the Commission, Mr Schrauwers, that they were all very high quality candidates and there were several of them. I cannot remember the exact number but there were more than half a dozen, which is quite unusual.

We went through the process with officers and with the Chairman and myself of selecting and narrowing down the candidates and then an interview process was conducted, in which Deputy 3175 Soulsby took part, myself and Mr Schrauwers. Formal interviews. They had to be conducted online due to lockdown.

There was guidance from Policy & Resources that we would like to see a local Chairman going forwards, because there is some concern that having a Chairman who is not present in the Island makes communication difficult. I do not know whether that is a legitimate concern or not but that 3180 is something that has been raised with the Committee.

None of the current members of the Commission were considered for that role, as far as I am aware, but I would consider that to be a governance issue within the Commission for raising with P&R. It is not something that we have discussed.

3185 As for the second one, I cannot really answer that because I do not know the factual basis whether Mr Winsor has worked with any of the current members, I cannot answer that question. I am very happy to ask whether that is the case and to come back to Deputy Trott at a later time.

In terms of the governance process, P&R is responsible for the nomination but it has very much been taken up with the guidance of the current Chairman and other members of the Commission 3190 itself. It is clearly a very important role. It is our major industry and its leadership is vitally important to that industry going forwards, particularly at the moment, where we are looking to recover from COVID and where that industry has been incredibly supportive for our economy.

So I have endeavoured, insofar as I am able to –  
Would you like me to give way.?

3195 **Deputy Trott:** They are honest answers, I am grateful to you. There is another question, though. We are advised that quite understandably Mr Winsor has a number of directorships of primarily financial services companies. There will of course be occasions when he has the potential to be conflicted and therefore an understanding as to who might deputise in his stead is relevant, hence 3200 the reason I asked the question about are none of the other commissioners considered to be competent in this role? Because I am sure they are but it would appear that none of them sought the office.

**Deputy Helyar:** Thank you. Deputy Chairman at the moment is Advocate Howitt and my understanding is that he will continue to fulfil that role going forwards. I hope that answers Deputy Trott's question. Thank you.

**The Bailiff:** Members of the States, there are two Propositions. I am going to put them to you separately, given what has just been said, and the first one is whether you are minded to elect Mr Julian Winsor as an ordinary member of the Guernsey Financial Services Commission for a three-year term. Those in favour; those against?

*Members voted Pour.*

**The Bailiff:** I declare him duly elected. The second Proposition is as a prospective Chairman for when the current Chairman retires at this end of this year. So on the second Proposition, those in favour –

**Deputy Trott:** Sir, may we have a recorded vote on that?

**The Bailiff:** Of course. Greffier, we will have a recorded vote in respect of Proposition 2 only please.

*There was a recorded vote.*

*Carried – Pour 32, Contre 2 Ne vote pas 6, Absent 0*

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>ABSENT</b>
Deputy Haskins	Deputy Parkinson	Deputy Queripel	None
Deputy Helyar	Deputy St Pier	Deputy Taylor	
Deputy Inder		Deputy Trott	
Deputy Kazantseva-Miller		Deputy Bury	
Deputy Le Tissier		Deputy Falla	
Deputy Le Tocq		Deputy Gabriel	
Deputy Leadbeater			
Deputy Mahoney			
Deputy Matthews			
Deputy McKenna			
Deputy Meerveld			
Deputy Moakes			
Deputy Murray			
Deputy Oliver			
Deputy Prow			
Alderney Rep. Roberts			
Deputy Roffey			
Alderney Rep. Snowdon			
Deputy Soulsby			
Deputy Vermeulen			
Deputy Aldwell			
Deputy Blin			
Deputy Brouard			
Deputy Burford			
Deputy Cameron			
Deputy de Lisle			
Deputy de Sausmarez			
Deputy Dudley-Owen			
Deputy Dyke			
Deputy Fairclough			
Deputy Ferbrache			
Deputy Gollop			

3220 **The Bailiff:** Members of the States, in respect of Proposition 2, there voted Pour 32, Contre 2, six abstentions. Therefore I declare the Proposition carried and therefore Mr Winsor is prospectively elected as the future Chairman.

**PRESIDING OFFICER**

**3. Election of members of the Ladies' College  
Board of Governors –  
Ms Cathryn Perkins elected and Mr Peter Miller re-elected**

*Article 3.*

*(1) To re-elect Ms Cathryn Llywella Perkins as a member of the Ladies' College Board of Governors who has been nominated in that behalf by the Chairman, the two States-appointed Governors and the two Governors appointed by the States on the nomination of the Committee for Education, Sport & Culture, and whose term of office will expire on the 31st May 2021.*

*(2) To re-elect Mr Peter Miller as a member of the Ladies' College Board of Governors who has been nominated in that behalf by the Committee for Education, Sport & Culture, and whose term of office will expire on the 31st May 2021.*

**The Deputy Greffier:** Article 3 – Election of members of the Ladies' College Board of Governors.

3225

**The Bailiff:** Members of the States, there are two people to deal with here. The first one is Ms Cathryn Perkins. Who is proposing this? Deputy Soulsby, I think it is you.

**Deputy Soulsby:** I would like to do that, sir.

3230

**The Bailiff:** A seconder for Ms Perkins?

**Deputy Ferbrache:** That is me, sir.

3235

**The Bailiff:** Thank you very much. This is one of those nominations, Members of the States, where it is not permissible to nominate anyone from the floor of the Assembly. There is a particular group that have put forward Ms Perkins, so I am simply going to put forward her candidature to you, proposed by Deputy Soulsby, seconded by Deputy Ferbrache. Those in favour; those against?

*Members voted Pour.*

3240

**The Bailiff:** I declare Miss Perkins duly elected as a member of the Ladies' College Board of Governors. The second one is Mr Peter Miller, who has been nominated by the Committee for Education, Sport & Culture. So Deputy Dudley-Owen, are you proposing Mr Miller?

**Deputy Dudley-Owen:** Yes sir, I am.

3245

**The Bailiff:** And is somebody seconding?

**Deputy Murray:** I second, sir.

3250

**The Bailiff:** Deputy Murray, well done! So once again this is a discreet election of Mr Peter Miller, who has been proposed by Deputy Dudley-Owen and seconded by Deputy Murray. Those in favour of his candidature; those against?

*Members voted Pour.*

**The Bailiff:** I declare Mr Peter Miller duly elected as a member of the Ladies' College Board of Governors.

#### LEGISLATION LAID BEFORE THE STATES

**Financial Services Commission (Bailiwick of Guernsey) Law, 1987  
(Amendment) Ordinance, 2021;**

**Land Planning and Development (Emergency Procedures) Ordinance, 2021;**

**The Social Insurance (Benefits) (Amendment) Regulations, 2020;**

**The Social Insurance (Benefits) (Amendment) Regulations, 2021;**

**The Social Insurance (Contributions) (Amendment) Regulations, 2021**

3255 **The Bailiff:** Next we come to some legislation to be laid, so can we just run through that please, Greffier?

3260 **The Deputy Greffier:** The Financial Services Commission (Bailiwick of Guernsey) Law, 1987 (Amendment) Ordinance, 2021; Land Planning and Development (Emergency Procedures) Ordinance, 2021; The Social Insurance (Benefits) (Amendment) Regulations, 2020; The Social Insurance (Benefits) (Amendment) Regulations, 2021; The Social Insurance (Contributions) (Amendment) Regulations, 2021.

3265 **The Bailiff:** Members of the States, we note that all of those measures have been laid before this Meeting of the States of Deliberation. I have not received any motions seeking to annul any of them.

## Urgent Propositions Pursuant to Rule 18

#### CIVIL CONTINGENCIES AUTHORITY

**Emergency Powers (Coronavirus) (General Provision)**

**(Bailiwick of Guernsey) (No. 6) Regulations, 2021;**

**Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No. 6)**

**(Bailiwick of Guernsey) Regulations, 2021 –**

**Propositions carried**

*The States are asked to decide whether they are of the opinion to approve the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 6) Regulations, 2021.*

*The States are asked to decide whether they are of the opinion to approve the Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No. 6) (Bailiwick of Guernsey) Regulations, 2021.*

**The Bailiff:** We have two Propositions under Rule 18 from the Civil Contingencies Authority and as in previous Meetings, what I am going to do is propose that we take both of them together and just put that to you briefly, rather than having two discreet debates. Those in favour; those against?



*Members voted Pour.*

**The Bailiff:** That is duly carried. So Greffier if we can just mention the two, please.

3270

**The Deputy Greffier:** The Civil Contingencies Authority. Emergency Powers (Coronavirus) (General Provisions) (Bailiwick of Guernsey) (No. 6) Regulations, 2021; and the Emergency Powers (Coronavirus) (Vaccine) (Limitation of Liability) (No. 6) (Bailiwick of Guernsey) Regulations, 2021.

3275

**The Bailiff:** I invite the Chairman of the Civil Contingencies Authority, Deputy Ferbrache, to open debate.

3280

**Deputy Ferbrache:** Sir, hopefully briefly, in relation to the Vaccine Limitation of Liability Regulations, that is just a continuation until the substantive legislation can be formulated and there will be substantive legislation brought to the States. In relation to the General Provision No.6 Regulations, again that is part of the regular update because the Law applies amendments and regulations limited for a period of time. I ask the States to approve.

3285

**The Bailiff:** Deputy St Pier.

3290

**Deputy St Pier:** Not strictly related to the Regulations but I have given notice to Deputy Ferbrache and I am sure he will be happy to deal with the matter because I know that after the first lockdown there was some consideration to establishing some form of memorial garden or similar quiet space for reflection and remembrance for those lost during this period and of course subsequently there has been a second lockdown. Can Deputy Ferbrache whether this is being or will be considered when he sums up?

**Deputy Ferbrache:** Sir, I –

3295

**The Bailiff:** We have got to wait and see if there is any ... it is not Question Time any more! Any other contributions to the debate? No. You are absolutely right, Deputy Ferbrache, that is the sum total of the debate and therefore I invite you to reply to it.

3300

**Deputy Ferbrache:** As Deputy St Pier has been so courteous I wanted to give an instant reply. The matter is under consideration but I cannot put it any higher than that.

3305

**The Bailiff:** Members of the States, we will take the first set of Emergency Regulations that have been made by the Civil Contingencies Authority and I ask you whether you are minded to approve the Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No.6) Regulations, 2021. Those in favour; those against?

*Members voted Pour.*

**The Bailiff:** I declare that Proposition duly carried. Secondly, relating to the Limitation of Liability (No. 6) Regulations, those in favour; those against?

*Members voted Pour.*

**The Bailiff:** I declare that Proposition duly carried as well.

**LEGISLATION FOR APPROVAL**

**COMMITTEE FOR ECONOMIC DEVELOPMENT**

**4. The Companies (Guernsey) Law, 2008 (Insolvency) (Amendment) Ordinance, 2021 – Approved**

*Article 4.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Ordinance entitled "The Companies (Guernsey) Law, 2008 (Insolvency) (Amendment) Ordinance, 2021", and to direct that the same shall have effect as an Ordinance of the States.*

3310 **The Deputy Greffier:** Article 4, Committee for Economic Development – The Companies (Guernsey) Law, 2008 (Insolvency) (Amendment) Ordinance, 2021.

**The Bailiff:** I turn to the President of the Committee for Economic Development. Is there anything you wish to say, Deputy Inder?

3315

**Deputy Inder:** I do not, sir. No.

**The Bailiff:** Is there any debate in relation to this? In that case, Members, I will put ... Oh Deputy Gollop.

3320

**Deputy Gollop:** Yes, we actually looked at this at the Legislation Select Committee, but it has a particular extension, and what does it say the 'onerous property'. We used to talk about onerous tasks, meaning I suppose very difficult or Herculean, but this extends the definition of onerous property away from just any unprofitable contract and any other personal property, which is unsaleable or not readily saleable, to now include any real property situated outside the Bailiwick of Guernsey, so it does not include Alderney or Sark, which is unsaleable or not readily saleable or might give rise to liability.

3325

I think, having listened, the purpose of this is to actually make bankruptcy proceedings more easy and more readily accessible but I think really this is a piecemeal approach to something that requires a really up to date, modern insolvency law for both personal consumers and companies and I hope Economic Development along with other Committees, perhaps Home Affairs, Policy & Resources, will prioritise this. I remember it was mentioned during the election campaign, particularly by the Citizens Advice Bureau and it is a problem that Guernsey's laws and culture is perhaps half a century behind the times and needs to modernise.

3330

I could quite understand why property in the UK is onerous and it is not in Guernsey or whether that is property that you could knock down quickly in auction or it might be factories that you could not sell or nuclear power plants would be difficult to sell, I am not sure.

3335

**The Bailiff:** I do not see anyone rising to engage in the debate. Deputy Inder is the President ... Oh, Deputy Matthews.

3340

**Deputy Matthews:** Thank you, sir. I was just going to add for Deputy Gollop that there is a personal insolvency law review in progress and I have sat on the subcommittee for that for Economic Development and Policy & Resources.

3345

**The Bailiff:** Deputy Moakes.

3350 **Deputy Moakes:** Thank you, sir. This is actually more of an answer, I think, to Deputy Gollop's question, which is this is a small amendment to an existing Law only. So it is not a great big major change or anything like that. So I hope that answers your question.

**The Bailiff:** Anyone else? Deputy Inder, do you need to reply to the debate at all as the President?

3355 **Deputy Inder:** No, sir, thank you very much.

**The Bailiff:** In that case, Members of the States, I will put to you the single Proposition, whether you are minded to approve the draft Ordinance amending the Companies (Guernsey) Law, 2008 in respect of insolvency. Those in favour; those against?

*Members voted Pour.*

3360 **The Bailiff:** I declare that Proposition duly carried.

### COMMITTEE FOR HOME AFFAIRS

#### 5. The Road Traffic (Speed Limits and Trials) (Amendment) Ordinance, 2021 – Approved

*Article 5.*

*The States are asked to decide:-*

*Whether they are of the opinion to approve the draft Ordinance entitled "The Road Traffic (Speed Limits and Trials) (Amendment) Ordinance, 2021", and to direct that the same shall have effect as an Ordinance of the States.*

**The Deputy Greffier:** Article 5, Committee for Home Affairs – The Road Traffic (Speed Limits and Trials) (Amendment) Ordinance, 2021.

3365 **The Bailiff:** And Deputy Prow, as the President of the Committee for Home Affairs, is there anything that you wish to say in opening debate?

3370 **Deputy Prow:** Yes, sir, thank you very much. Very briefly, this Ordinance is the result of a decision of the Assembly in November last year about the responsibility for granting permission to stage motor racing events such as hill climbs and speed trials on public highways should be transferred from the Committee for Home Affairs to the Committee for the Environment & Infrastructure. Sir, I would ask the Assembly to support this Ordinance. Thank you, sir.

**The Bailiff:** Deputy Taylor.

3375 **Deputy Taylor:** Thank you, sir. I want to sneak in before Deputy de Sausmarez, because I am hopeful that she can respond to the points that I raise. I know when this was brought up when we had Deputy Matthews' incredible maiden speech supporting motorsport ... Deputy Gabriel, sorry! There was a lot of support and it was good to see that from E&I.

3380 I have had an email recently from the local Land Rover club, who were seeking to arrange an event on one of the beaches where they could drive their Land Rovers very slowly and I am not entirely sure if it would even fall into this, because under the description it is speed trials and they

are not really speeding and they are not really time trials. But it was met with a fairly unfavourable response from Agriculture and Land Management.

Now they are free to drive on the beach slowly any time, perhaps not in the summer, I think there are rules there, but they want to do an organised event. If that was something that came to Environment & Infrastructure, would it necessarily be liable, would this be the legislation where it would be agreed or disagreed on? Would the President for the Environment & Infrastructure give her view on how she might deal with such an event that I mentioned? Thank you.

**The Bailiff:** I will call Deputy de Sausmarez next. She is not obliged to speak in this debate, of course.

**Deputy de Sausmarez:** Sir, I have not had any prior warning of this question so I am going to go with what I think but the title of this Ordinance is the Road Traffic Ordinance and so I think the situation that Deputy Taylor describes falls outside of the scope of this particular Law and therefore the answer to the other part of this question is that the relevant authority – good, I am getting the nod from HM Comptroller as well, so that is correct – I think Agriculture, Countryside and Land Management probably would be the relevant authority because it is they who have responsibility for the beaches and so I would suggest to any interested parties to have a conversation, and of course they are free to contact the Committee as well.

**The Bailiff:** Deputy Inder.

**Deputy Inder:** Sir, in Deputy de Sausmarez's update we have seen a number of occasions how resource-light she was; her Committee was. Yet here we have another responsibility being transferred from the Home Department, who have been doing it satisfactorily for years, to an unknown quantity.

What I would like to hear from Deputy Prow and I am not entirely sure I am going to agree this, and it is connected in some way, I am going to make mention of London House and the Parrot, something that has been going on for quite a few years, they put a truck along the side of the road, bands have played, Liberation Day has happened. Suddenly Environmental Health get involved in it and suddenly you are going to have high visibility jackets, sound monitors, cost of thousands to do something that has been going on for 15 years.

I am not drawing a straight comparison but why, if something has worked well under one department or one Committee's role, why would we want to move it to another Committee who has no experience in it and has complained about the lack of resources?

**The Bailiff:** Deputy Gabriel.

**Deputy Gabriel:** Sir, I would like to ask Deputy Prow, through debate, whether it is correct the transfer of the function is because the Home Department, in the event of an accident at a speed trial or a speed event could not therefore investigate –

I will give way to Deputy de Sausmarez.

**Deputy de Sausmarez:** I thank Deputy Gabriel for giving way. I did not mean to cut him off mid-sentence, because that is a very valid point. But I will use the opportunity to answer Deputy Inder's question in that this is really more of a formality. So, it is not the case that the Committee *for the* Environment & Infrastructure, or their officers, more specifically, because it is not a political thing, it is at officer level, have not been doing this. In reality it has been like this for years, it has just been that the legal responsibility was sort of sitting in the wrong place and exactly for the reason that Deputy Gabriel describes, it was a bit of an anomaly that needed tidying up. So in practice there will be no real change, as far as I understand it, to the day-to-day sequence of events in terms of these events being granted. Thanks.

**Deputy Gabriel:** Thank you, sir. Deputy de Sausmarez finished my sentence for me!

3435

**The Bailiff:** As no one else is rising, I will turn to the President, Deputy Prow, to reply to that short debate. Deputy Prow please.

**Deputy Prow:** Thank you, sir, and I thank Deputy de Sausmarez for her interjections which completely explains it. I would again remind the Assembly this was debated in November of last year. As far as the question from Deputy Taylor, as far as my reading of the Ordinance, his question falls outside of it and I just quote the substitution of subsection one, which is:

... a person shall not promote or take part in any race or trial of speed between motor vehicles on the public highway other than a race or trial of speed held ...

– and then it goes on. Thank you, sir.

3445

**The Bailiff:** Members of the States, there is a single Proposition asking you whether you are minded to approve the draft Ordinance. Those in favour, those against?

*Members voted Pour.*

**The Bailiff:** I declare that Proposition duly carried.

## POLICY & RESOURCES COMMITTEE

### 6. Schedule for Future States' Business – Proposition carried

*Article 6.*

*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 16th June 2021 and subsequent States' Meetings, they are of the opinion to approve the Schedule.*

**STATES OF DELIBERATION SCHEDULE for FUTURE STATES' BUSINESS**

*(For consideration at the Ordinary Meeting of the States commencing on the 26th May 2021)*

*Items for Ordinary Meeting of the States commencing on the 16th June 2021*

*(a) communications by the Presiding Officer including in memoriam tributes;*

*(b) statements;*

*(c) questions;*

*(d) elections and appointments; Committee for Economic Development – Appointment of an Ordinary Member of the Guernsey Competition and Regulatory Authority*

*(e) motions to debate an appendix report (1st stage);*

*(f) articles adjourned or deferred from previous Meetings of the States;*

*(g) all other types of business not otherwise named;*

*The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (Privileges and Immunities) (Bailiwick of Guernsey) Ordinance, 2021*

*No. 131 of 2020 – The Marriage (Bailiwick of Guernsey) Regulations, 2020*

*No. 135 of 2020 – The Marriage (Bailiwick of Guernsey) Law, 2020 (Commencement and Transitional Provisions) Regulations, 2020*

*No. 33 of 2021 – The Motor Vehicles, Licensing and Traffic (Fees) (Guernsey) Regulations, 2021*

No. 37 of 2021 – *The Control of Poisonous Substances (Fees) (Guernsey) Regulations, 2021*  
No. 38 of 2021 – *The Health and Safety (Fees) Order, 2021*  
No. 46 of 2021 – *The Income Tax (Approved International Agreements) (Implementation) (Common Reporting Standard) (Amendment) Regulations, 2021*  
No. 47 of 2021 – *The Income Tax (Approved International Agreements) (Implementation) (United Kingdom and United States of America) (Amendment) Regulations, 2021*  
P.2021/42 – *The Public Functions (Transfer and Performance) (Bailiwick of Guernsey) (Amendment) Law, 2021\**  
P.2021/43 – *The Long-term Care Insurance (Guernsey) (Rates) (Amendment) Ordinance, 2021\**  
P.2021/44 – *The Charities etc. (Guernsey and Alderney) Ordinance, 2021\**  
P.2021/40 – *States' Trading Supervisory Board – Change to the Composition of the Guernsey Pilotage Board\**  
P.2021/45 – *States' Trading Supervisory Board – Future Harbour Development\**  
P.2021/46 – *States' Assembly & Constitutional Committee – General Election 2020: Reports from the CPA BIMR Election Expert Mission and the Registrar General of Electors\**  
P.2021/47 – *Scrutiny Management Committee – Freedom of Information: Evaluation of the States of Guernsey's Code of Practice on Access to Public Information\* Amendments to the proposed meeting dates and order are permitted only for those items marked with an \*. Items for Special Meeting of the States commencing on the 16th June 2021*  
P.2021/xx – *States' Accounts Items for Special Meeting of the States commencing on the 21st July 2021*  
P.2021/xx – *Government Work Plan – Stage 2 Items for Special Meeting of the States commencing on the 2nd November 2021*  
P.2021/xx – *States' Budget*

3450       **The Deputy Greffier:** Article 6, Policy & Resources Committee – Schedule for Future States' Business.

**The Bailiff:** I ask the President of the Committee is there anything that needs to be said about this?

3455

**Deputy Ferbrache:** No, sir.

**The Bailiff:** We have not received any amendments to it. So I am simply going to put the Proposition to you whether you are minded to approve the Schedule. Those in favour; those against?

3460

*Members voted Pour.*

**The Bailiff:** I declare that Proposition duly carried. That concludes this month's Meeting, Members of the States, so I will now invite the Greffier to close the Meeting.

*The Assembly adjourned at 4.42 p.m.*