



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Wednesday, 15th December 2021

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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 | J. P. Le Tocq |
| C. P. A. Blin | M. P. Leadbeater |
| A. H. Brouard | D. J. Mahoney |
| A. Cameron | L. J. McKenna |
| H. L. de Sausmarez | C. P. Meerveld |
| A. C. Dudley-Owen | N. G. Moakes |
| J. F. Dyke | R. C. Murray |
| S. P. Fairclough | V. S. Oliver |
| S. J. Falla | R. G. Prow |
| P. T. R. Ferbrache | L. C. Queripel |
| J. A. B. Gollop | P. J. Roffey |
| S. P. Haskins | H. J. R. Soulsby |
| M. A. J. Helyar | A. W. Taylor |
| N. R. Inder | L. S. Trott |
| A. Kazantseva-Miller | S. P. J. Vermeulen |

Representatives of the Island of Alderney

E. A. J. Snowdon

The Clerk to the States of Deliberation

S. M. D. Ross (States' Greffier)

Absent at the Evocation

Deputy A. D. S. Matthews, (*relevé à 9h 33*); Deputies Y. Burford, D. de G. de Lisle, A. Gabriel, C. N. K. Parkinson, G. A. St Pier (*relevé à 9h 45*); Deputy T. L. Bury, (*relevée à 9h 56*); Alderney Representative S. Roberts (*relevé à 10h 22*)

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States of Deliberation

The States met at 9.30 a.m.

[THE BAILIFF *in the Chair*]

PRAYERS

The States' Greffier

EVOCATION

CONVOCATION

The States' Greffier: Billet d'État XXV and Billet d'État XXVI of 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 Court House on Wednesday 15th October 2021 at 9.30 a.m. to consider the items listed in this Billet d'État which have been submitted for debate. Billet d'État XXVI is convened pursuant to the provisions of Rule 2(4) of the Rules of Procedure.

Procedural – Order of business

The Bailiff: Deputy Matthews, is it your wish to be relevéd?

10 **Deputy Matthews:** Yes, sir.

The Bailiff: Thank you.

Deputy Meerveld, do you have a motion that you want to put to the States?

15 **Deputy Meerveld:** Yes please, sir.

I would like to put to the States that we change the order of debate, to debate Billet XXVI in advance of Billet XXV, so that if the Assembly approves it, Members may participate in a hybrid Meeting, from remote locations.

Thank you, sir

20 **The Bailiff:** Thank you very much.

Members of the States, I am going to simply put that motion to you as to whether we take that Item of Business first before we turn to the Statements. Those in favour; those against?

Members voted Pour.

The Bailiff: I declare that motion carried.

Billet d'État XXVI

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

1. Rules of Procedure of the States of Deliberation: 'Hybrid' Meeting on 15th December 2021 – Proposition carried

Article 1.

The States are asked to decide:

Whether, after consideration of the policy letter entitled "Rules of Procedure of the States of Deliberation: 'Hybrid' Meeting on 15th December 2021" dated 3rd December 2021, they are of the opinion:-

1. To agree to adopt the 'Rules of Procedure of the States of Deliberation' as attached as Appendix 1 of the policy letter in respect of the Meeting of the States of Deliberation on the 15th December 2021 to enable States' Members who wish to attend the Meeting remotely to fully participate.

25 **The Bailiff:** Greffier, please.

The States' Greffier: Billet d'État XXVI. Article 1, States' Assembly & Constitution Committee – Rules of Procedure of the States of Deliberation: 'Hybrid' Meeting on 15th December 2021.

30 **The Bailiff:** I invite the President of the Committee, Deputy Meerveld, to open debate.

Deputy Meerveld: Thank you, sir.

 The Committee is bringing this Proposition to the States to enable a hybrid Meeting of the States of Deliberation to take place for this Meeting, given the circumstances prevailing in the Island at
35 this time. I ask Members to support this Proposition.

The Bailiff: Does anyone wish to speak?
 Deputy Roffey.

40 **Deputy Roffey:** Yes, sir. Can I ask what the etiquette is? Do I remain masked for speaking?

The Bailiff: It is really up to you.

Deputy Roffey: I will, then, as long as people can hear me.

45 I support this absolutely. I just wonder, having heard the advice from the CCA yesterday, asking everybody who can in Guernsey to work from home, whether or not should be thinking – look, there is nobody that hates remote Meetings more than me – but whether, to be consistent, we should actually have a period, it may be too late, I do not know, for today's Meeting, but certainly for January's Meeting of actually, rather than having a hybrid Meeting, going back to the situation
50 where we all meet from home.

 We do not know how serious it is going to be in terms of hospitalisation, but we are expecting, sadly, a bloom of, I am going to call it Omicron – because I think that is the proper way to pronounce that letter – cases. And I just think there has been all sorts of news coverage in the UK about double standards, we absolutely have to try very hard not to be accused of that ourselves. We are asking
55 everybody who can to work from home and we know that it is possible, suboptimal I believe, but it is possible for us to do that. It may be slightly going further than the policy letter but I just wanted to use this opportunity to raise that as a question mark.

The Bailiff: Deputy Gollop.

60 **Deputy Gollop:** Deputy Meerveld will know, and Members of SACC, I did suggest a month ago that possibly as an alternative to the hybrid concept we would indeed meet on Teams. I have to say I dislike meeting on Teams for two reasons. One is, despite the very best efforts of the parliamentary team, who go beyond the call of duty, I am technically very challenged with much of this material and so it is not particularly inclusive in that sense. Secondly, not all of us live in houses or homes
65 really equipped with the right level of home offices, Wi-Fi, no interruptions and so on.

I put those points out there, but if we meet on Teams, we do. I understand the incongruousness that Deputy Roffey put across. Only on my way here today, they said, 'Where are you going, Deputy Gollop?', and I said to the States' Meeting. They said, 'Shouldn't you be working from home?' Of course, other things have been going on. The Presiding Officer was in Court yesterday
70 with Jurats swearing in, as is the customary duty, Douzeniers and Constables, and other functions are still going on.

You have to somehow balance issues and I will also say that the States of Jersey met yesterday and are meeting today in their customary hybrid mode. More senior members than usual in the Chamber, because of the importance of the Government Plan, but unfortunately their hybrid
75 concept has led to perhaps less people doing parliamentary work and more outside. My feeling is hybrid should be reserved for those who have a really good reason not to come in. I am satisfied that very much is the case in Guernsey.

So with those reservations, I do support the policy letter and maybe, for January, if things do not change rapidly, we may have to meet on Teams. But I think we had good news yesterday from the
80 CCA inasmuch as we were with 900 cases a week ago and now we are down to over 600. So we have to be optimistic but stay safe.

The Bailiff: Deputy Taylor.

85 **Deputy Taylor:** Thank you, sir.

Firstly, I just need to point out that Deputy Roffey is not the person who hates Teams the most. As the youngest Member of this Assembly, I hate meeting, sitting on my sofa. It is the worst thing and I just do not find it possible to engage in the same way and listen. I will be opposing this, though, on the grounds that the sort of double standards. If my understanding of the Rules at the
90 moment, I would not be able to attend remotely via Teams. I do not think I am in a high-risk category, I do not think I have got any grounds that I would be able to attend a hybrid Meeting from home to protect myself, even though I do not feel I need protecting.

I am not really happy that some Members are able to protect themselves while I, in theory, have to put myself on the front line, in this dangerous room, with all these dangerous people in here, because I do not believe anyone in here is dangerous at all. I am not worried about that one bit. I
95 probably will eat those words at some point in the next few days.

So I will be voting against this move to hybrid. I hope other Members will vote against it but I am not particularly confident.

Thank you.

100

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

Just a very quick response to Deputy Taylor's points that he raised. I appreciate that he does not
105 feel as though he is vulnerable but other Members may be. I think it is very important that we do approve this Proposition, not just for selfish reasons, but for the best possible outcomes for the most people.

The Bailiff: Deputy Queripel.

110 **Deputy Queripel:** Sir, in an attempt to truncate debate, I would remind Members what the Proposition says:

To agree to adopt the 'Rules of Procedure of the States of Deliberation' as attached as Appendix 1 of the policy letter in respect of the Meeting of the States of Deliberation on the 15th December 2021 to enable States' Members who wish to attend the Meeting remotely to fully participate.

115 It has got nothing to do with future hybrid Meetings or future Meetings of any kind. It is to do with today. I really wish Members would read the Proposition and just speak to the Proposition. They did the same thing at St James. Seven Members spoke, five of whom spoke about future hybrid Meetings, nothing to do with the Proposition in front of them. The question is do Members want a hybrid Meeting to take place today or not? Nothing else relates to the Proposition. Future Meetings are irrelevant.

Thank you.

120 **The Bailiff:** As no one else is rising, I will turn back to the President, Deputy Meerveld, to reply.

Deputy Meerveld: Thank you, sir.

125 As Deputy Queripel pointed out, what we are discussing today is whether we should have a hybrid Meeting today and that is a vote we will be taking shortly. But I do share the concerns of Members such as Deputy Roffey etc. who expressed their dislike for the hybrid structure.

130 Obviously, this Meeting could not be arranged as a totally remote Meeting because the CCA announcement was only last night. As regards January or February or future, potentially, online Meetings, that will be up to a decision of the CCA to use their powers to bring that in, but I am sure they will do that if they believe that the circumstances justify. But, as of today, we are just simply deciding whether or not we should allow some Members who feel they wish to isolate, for whatever reason, to participate in this Meeting and I hope Members will endorse that.

Thank you, sir.

135 **The Bailiff:** Members of the States, we go to the vote on the single Proposition. Those in favour; those against?

Members voted Pour.

The Bailiff: I will declare that carried.

Procedural – Remote attendance

140 **The Bailiff:** Now, there necessarily has to be a brief pause, as you will recall from last month's Meeting. What the adoption of the replacement Rules for this Meeting that is attached to the Billet means is that no one who I already recorded as present today has to stay. So anyone who wants to go home, or go somewhere else, to sit somewhere else, if you have got Wi-Fi or whatever, can participate and you will be counted as participating if you are in the Meeting using Teams.

145 I simply make that point so that, bearing in mind the number of people we have got in here, if there are people who want to ... if you even wanted to, somebody could suggest that we break for half an hour to allow people to go home and then we start again. The thing I have got to do, Members – and I do apologise, I cannot do more than one thing at a time and even when I do one thing it is not particularly good – is get into the meeting to see who is not here but wants to be able to be relevéd and we will do that so that they are in if they are.

I am going to start with Deputy Parkinson and ask if he wishes to be relevéd? Deputy Parkinson?

I will turn to Deputy de Lisle. Do you wish to be relevéd?

150

Deputy de Lisle: Yes, please, sir.

The Bailiff: Thank you very much. We will mark Deputy de Lisle as present.

155

Deputy Parkinson: Sir, I would like to be relevéd.

The Bailiff: And Deputy Parkinson as well. Thank you very much.
Deputy Gabriel also wishes to be relevéd. Yes, Deputy Gabriel?

160

Deputy Gabriel: Yes, please, sir.

The Bailiff: Thank you very much. So we will mark Deputy Gabriel as present.
Deputy Burford wishes to be relevéd?

165

Deputy Burford: Yes, please, sir. Thank you.

The Bailiff: Thank you. So we will relevée Deputy Burford.
Deputy St Pier also wishes to be relevéd, if he is there?

170

Deputy St Pier: Yes, please, sir. Thank you.

The Bailiff: Thank you very much. So we have got Deputy St Pier, as well.

Do you remember the football results on a Saturday afternoon, where you would have the teleprinter going? It is almost like watching that at the moment to see who is typing and what they are doing.

175

I think what we will do, bearing in mind that the Meeting is open and there are other people out there, I will turn to Deputy Soulsby, who has my permission to make a Statement on the Government Work Plan. So we will listen to that, we will relevé any people at the end of that before it is question time on the Statement, rather than wait any further.

STATEMENTS

POLICY & RESOURCES COMMITTEE

Progress on the Government Work Plan – Statement by the Vice-President of Policy & Resources

180

The Bailiff: So Deputy Soulsby, please.

Deputy Soulsby: Sir, in the summer, this Assembly, a new Government, agreed our Government Work Plan; a single, focused and integrated plan. It is designed to invest in Islanders, our Island, and our future, and represents a new way of thinking and a new way of working.

185

In shaping it, we asked ourselves: 'Where do we want the Island to be in four years' time? And how do we get there with limited resources and in the context of COVID and Brexit?' That resulted in a Plan focusing resources on our immediate needs while positioning us for a thriving, sustainable future. It acts on what Islanders need to flourish and prosper. It also invests in the Island that sustains us, regenerating its economy, improving its connectivity and protecting its environment.

190 That is a lot for a Plan to achieve when financial and human resources are stretched. But we have
done it through de-prioritising some activities established by past Resolutions; working out a
phased timeline and resourcing for actions put forward by Committees; and, critically, considering
the interdependencies among strategies and actions to maximise efficiency and effectiveness. That
is thinking differently. And we agreed to deliver by making in-principle decisions where to invest
195 time, people and money, by clearly directing Committees on their core work to develop and
implement policies to achieve the outcomes we had agreed, and by empowering the Policy &
Resources Committee to release funding we agreed in principle through delegated authority. That
is working differently.

Thinking and working differently is working. We promised the electorate that we would hold
200 ourselves to account on progress within six months, but, as a Government of action, we are starting
seven weeks early and providing an update now because there is lots to say. Let's lift spirits and
celebrate success in progressing our critical recovery actions.

This Assembly acted quickly to resource digital infrastructure. The first fibre connections to
homes under this infrastructure investment programme are already complete. With a five-year
205 implementation plan, it was essential this decision was made swiftly.

We have, through a cross-committee group, negotiated the purchase of Kenilworth Vinery,
drawing on the delegated authority of the Policy & Resources Committee to progress quickly so
plans can be submitted soon, building the first homes by summer 2023. Attention is now turning
to other initiatives that are, in the main, policy levers and, all going well, implementation should be
210 anticipated towards the start of quarter 3 next year, subject to any legislative requirements.

We have, through the Committee *for the Environment & Infrastructure*, started planning for the
implementation of the General Housing Law we recently passed and today we will consider
proposals from the Development & Planning Authority regarding redundant hotels and permitting
alternative use of office space for housing.

215 This improvement and regeneration theme is reflected in the frameworks completed by the
Development & Planning Authority, necessary before commencing the seafront masterplan. A draft
policy letter will be finalised this month so that the Assembly can debate how to take this forward
in 2022. Regeneration provides opportunity to do things differently.

We are all too aware that children have been disproportionately impacted by COVID-19 and
220 progress in education is now essential. The difficult decisions in a very long-running story have been
made on the reorganisation of education to deliver and improve non-selective secondary education
and post-16 provision. Transformation can now be led by the Committee *for Education, Sport &
Culture*, with £6.25 million being provided to fast track initial work that is needed.

Health recovery is another critical response to our wellbeing as we navigate living responsibly
225 with COVID-19 and is something this Assembly cares a lot about. The Committee *for Health & Social
Care* recently announced additional wellbeing support over the festive season for individuals
experiencing low to moderate stress, distress and isolation, recognising that this can be a difficult
time of year, even without the relentless COVID headlines. This will support the envisioned
partnership approach with the third sector to provide out-of-hours drop-in crisis support on a pilot
230 basis, which the Committee has already agreed in principle.

Our human capital – the knowledge, skills and health of our people – is critical to our future
wellbeing. We need to invest wisely to remain an attractive and competitive place to live and work,
and with which to do business. It starts with statutory education provision but needs to be lifelong
for the challenges ahead.

235 To help us do that, a Human Capital Development Plan will be published jointly by the
Committees *for Education, Sport & Culture* and *Economic Development* in mid-2022, with work
under way to establish data on skills gaps to enable the States to consider evidence-led proposals.
A pilot to improve adult literacy and numeracy has also been commissioned.

Investment in human capital starts with how well we look after our Island's children. The Work
240 Plan supports vulnerable children through revising the Children Law in alignment with the recently
extended United Nations Convention on the Rights of the Child. The newly established cross-

committee group is taking forward amendments to the Children Law and reducing delays in determining positive outcomes for children and young people.

245 Another key priority for this Assembly was tourism. The 2022 campaign is advancing well, and the Committee *for* Economic Development is progressing its longer-term Tourism Strategy together with a cross-industry Tourism Recovery Task Force. It will ask for the Assembly's support in delivering cross-committee initiatives to improve the Island as a destination, essential investment in an economic enabler with impact broader than its GDP contribution.

250 Something else that will support the Islands' tourism offering is the seafront enhancement and earlier this year Members provided direction on the regeneration of our ports. The work to support that is being led by the Policy & Resources Committee Seafront Enhancement Area sub-committee and the States' Trading Supervisory Board and, as already mentioned, Members can decide in quarter 1 of next year their approach to managing this significant investment

255 The Committee *for* Economic Development has finalised a report on a runway extension and the Airport is developing a land use and infrastructure masterplan. These will be co-ordinated through the review group established within the air policy framework agreed just recently by the States.

260 Working with the Committee *for* Economic Development, the Policy & Resources Committee has confirmed funding for the finance sector promotion plan through to 2024. This economic engine now will rely on the wider interdependencies of our policy and investment decisions across education, skills, health, population management and housing to encourage productivity and growth.

Work is on track to determine what the Island's future population policy must deliver to meet social and economic needs. Given today's pressing economic challenges, it will also establish what can be done under the existing Law to help the situation in the short/medium term.

265 This Plan is indeed laying the foundations to deliver our vision of where we want to be by the end of this political term. The Plan also remedies the previous trend of underinvestment in Island infrastructure. We must now complete what we have started against a backdrop of having to deal with COVID whether we like it or not. Addressing the pandemic remains non-negotiable, as is navigating Brexit's impact.

270 We have come a long way, working together to make real change happen. Now is the time to take a New Year's resolution approach, to refresh the Plan and to make it more meaningful to our community. To consider the global movements – including climate change – that are changing our relationship with the economy from a GDP focus to a more sustainable approach.

275 It is one thing having a vision. It is far harder making positive change real. We have done so much in such a short space of time, but we can do more. The Government Work Plan has already made a difference but we need to refine and develop it, focusing even more on what matters most to Islanders. The Government Work Plan we have now is just the start. If we continue as we have done, we can really make a positive difference to our Islands and our Islanders in a way those before us have not been able to do.

280 Thank you.

The Bailiff: Members of the States, before I invite questions to be asked within the context of that Statement, Deputy Bury, you wish to be relevéd?

285 **Deputy Bury:** Yes please, sir.

The Bailiff: Thank you very much. We will mark Deputy Bury also present.
Deputy Falla.

290 **Deputy Falla:** Thank you, sir.

Simply, sir, I would like Deputy Soulsby to comment on whether she believes there is sufficient flexibility and priority within the Government Work Plan to adequately address the housing crisis? I am very keen to have the opportunity to debate the work of the Housing Action Group at some

295 point and I think this is a bit of a problem in the sense that it is not owned by one particular
Committee, as a cross-committee initiative, which does not provide the normal opportunity to
challenge, question and contribute to potential solutions, although I do not mean to use that word
glibly because I understand there are no easy solutions.

Really, it is a case of where does HAG, the work of HAG and addressing the housing crisis fit in
with the Government Work Plan?

300 Thank you.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Thank you, sir.

305 The creation of the Housing Action Group was part of one of the top priorities which I have just
gone through. That was the start, understanding it was cross-committee that was needed and that
is why we put a group of people together representing those Committees to make things happen.
They have started on affordable housing, I think, and they will be looking at types of construction
and then going on to look at other policy levers early next year.

310 I get the frustration. We all want to be part of something. I would have liked to have been on
the Housing Action Group because housing was something that is very dear to my heart and I have
spent a lot of my political term trying to make things happen on that. But we cannot all be involved
in the day-to-day development of the direction that we are going. I do take on board Deputy Falla's
315 comments and I will have to refer back to Policy & Resources but there may well be an opportunity
earlier next year to do that as the Housing Action Group starts looking at what those various, what
they are calling 'policy levers' or means to get things moving outside of just building houses. I hope
that helps.

The Bailiff: Deputy Burford.

320 **Deputy Burford:** Thank you, sir.

With regard to the £6.25 million that was mentioned fast-tracking education, could you tell me
does that just relate to secondary education and is it actually part of the originally agreed Budget?

325 **The Bailiff:** Deputy Soulsby.

Deputy Soulsby: Yes, it is absolutely directly linked to the policy letter that came to the States
earlier this year.

330 **The Bailiff:** Deputy Fairclough.

Deputy Fairclough: Thank you, sir. I thank Deputy Soulsby for her update.

Could she advise us when the terms of reference will be published for the review of the
Machinery of Government?

335 **The Bailiff:** Deputy Soulsby.

Deputy Soulsby: Yes, I can confirm we had our first meeting yesterday. It was very productive,
very useful and the terms of reference and the details on that will be published imminently.

340 **The Bailiff:** Deputy Oliver.

Deputy Oliver: Thank you, sir.

345 Most of us within the Committees had a meeting with Deputy Soulsby regarding the
organisational target operating model (OTOM) and a number of other people were there. Since, we

have heard nothing furthermore on the OTOM, which is a Government priority. But things are happening without actually bringing Deputies up to speed. Will there be an update on this at some point?

350 **The Bailiff:** Deputy Soulsby.

Deputy Soulsby: Thank you, sir.

 An update was given and I believe it was talked about, Members were provided with details of the process involved. At the moment we are going through an appeals process in relation to people
355 that are in scope and that will very much determine what we end up with for the future months.

 What we are looking at probably doing for Members is, in the middle of January, providing a presentation to talk about where we are going now. But it is very much because of the process we are going through, which Members can understand, that there are people who are in scope as part of the changes. It will be unsettling for them, it is understandable that they might want to talk to
360 Deputies about their concerns, but this is very much a process that has been written down, set out and agreed with the unions about how we approach this. We are not doing anything that is not already understood within the whole process, but we will be giving an update in January in the new year.

365 **The Bailiff:** Deputy Trott.

Deputy Trott: Thank you, sir. Compliments of the season to you.

 Deputy Soulsby spoke of regenerating our economy. Now real-terms growth of 2% per annum will require nominal growth of over 6.5%, due to the inflation pressures our economy faces. With
370 significant inflation in wages, construction costs and property in particular, what does the Policy & Resources Committee believe should be done to alleviate material labour constraints across the care sector, hospitality, construction and financial services in particular, in the short term?

The Bailiff: Deputy Soulsby.

375 **Deputy Soulsby:** Sir, a very much cross-States approach is the way to do it. It is not just the Policy & Resources Committee and I hope I have set out within my update what is going on in terms of how we can move things forward; through the Housing Action Group, immediate changes that they are looking at making; the Population Management Review that has been undertaken. He is
380 right, there is pressure all over the place. I know in particular we have got absolute problems in health but it does mean, because of that, we have to look at how we can do things differently. As they say, necessity is the mother of invention and I think we are probably in a phase where we need to do just that.

385 **The Bailiff:** Deputy Dyke.

Deputy Dyke: Thank you, sir.

 Could I ask Deputy Soulsby what exactly the plan is regarding the size of States' accommodation for the Civil Service, relative to the numbers in the Civil Service. The two Committees I am sitting
390 on, Development & Planning and Scrutiny, it appears that the set-up is going to be such that the number of civil servants we have cannot possibly fit in the space allocated, meaning that 40% or 50% of them are going to have to be working from home.

 Reports from across the world suggest that working from home is at least 20% less effective than working with your colleagues in an office. That being the case, how can this contribute to
395 economising on Civil Service costs, if we are setting up a system whereby they have to work at home long term because there simply are not enough seats for them in the States' offices?

 Thank you.

The Bailiff: Deputy Soulsby.

400 **Deputy Soulsby:** Thank you, sir.

I would challenge the result, whatever research that Deputy Dyke put forward. I do not know the credibility of the sources of it so I would question anybody using that as an example of what works or what does not. We are implementing, as part of the property target operating model (PTOM), hybrid working. So it is not about people always working from home. There are people who work
405 partly from home and partly in the offices and that is a means – we have had debates about people making savings and we need to make savings and everything is all about how it is fine, we cannot raise taxes, we need to make savings first – this is the way we can make significant amounts of savings.

It has already begun. I think the start of that has been moving people from Raymond Falla House and people have been relocated. Shortly there will be people moving from other offices to Edward T Wheadon and Charles Frossard House. But you cannot have it both ways. The important thing is to understand that a lot of work has gone into this and we have found that it will make a difference. Certainly, over the last year, where a lot people and most people were working from home, we have probably found that the work was very productive indeed.

415

The Bailiff: Deputy Prow.

Deputy Prow: Thank you, Mr Bailiff, and I thank Deputy Soulsby for her Statement and agree we should be celebrating the success so far.

420 I just want to pick up from Deputy Oliver's question and Deputy Soulsby's reply around the arrangements around the Civil Service, which she adequately explained and I am happy that she is going to update Members sometime in January. But I would also ask Deputy Soulsby, all these issues will impinge upon Committees and the Committees' ability to deliver, so will there be an opportunity for Committees to become involved in the final process?

425 Thank you, sir.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Sir, I think it is one thing being involved and another being in the weeds. We
430 have always got to be careful as politicians we do not get stuck in the detailed, operational stuff. For Committees, it is to be satisfied that what is being proposed will work and that the services that are provided through them will work, essentially.

So from my point of view, I think what Committees need is assurance that we are doing things appropriately and hopefully that is what we can start doing once we have got the appeals process
435 out the way. We can start providing that assurance to Committees, advising them what is happening and start giving them a run-through of where things are. I think first versions of the IT work have been produced and are now being tested and we are getting into that next phase. But, as I say, this appeals process is a very important part of this that we need to get through first.

440 **The Bailiff:** Deputy Gabriel.

Deputy Gabriel: Thank you, sir. Thank you, Deputy Soulsby, for the update.

Given that Policy & Resources have only five Members and they now have delegated authority of over £500 million and the flexibility and appropriate reassurance that they consult, as just
445 explained, to the flexibility of new projects coming into the Government Work Plan, what scrutiny or controls will be in place? What threshold will there be *[inaudible]* threshold and coming back to the States?

Thank you.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Thank you sir.

A very good point. I know there are concerns amongst some about the fact that P&R have got delegated authority but I suppose it is about a balance, isn't it? We have had a whole process for years and years where nothing has got built. Now we are trying to have a process where we can do that and we are making sure that we have got the scrutiny within Policy & Resources through our Treasury team, the capital team. There are enough people, checks and balances within there. We have got the scrutiny.

Also, we talk about we have got all this authority, but remember a lot of these things are already going to come back to the States. We have got stuff on the seafront enhancement coming back to the States. Education came to the States. It is not as if everything that is going to be decided is never going to come back to the States and where there are major pieces which need a policy direction, they will come back to the States.

The Bailiff: Deputy Inder.

Deputy Inder: Sir; Deputy Soulsby, thank you for the Statement.

I entirely agree with her. What she actually said will divide the opinion columnists that we have in Guernsey, a couple of them being Members of this States. I think Government is getting on and doing things. However, one bit that has been mentioned, and she will know I have got concerns about the poor performance of it, is Future Digital Services and I am wondering if, through you, sir, Policy & Resources might consider a single statement at some point in the future, hopefully quicker, where we could actually challenge what is happening under the Future Digital Services programme?

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Sir, if you talk about scrutiny and oversight, I can assure Deputy Inder and others there has been a lot of scrutiny over this and certainly in the last few months in particular, as I think I have alluded to previously, we have put in a whole new structure of political oversight with an overarching portfolio board and sit on the MyGov programme and the revenue services programme and I think Deputy Mahoney is deeply involved in this as well. We have oversight seeing what is happening.

I understand that the Scrutiny Management Committee are looking at the contract, which I think will be really valuable, to be honest with you. This Committee did not put forward the proposals for the new structure. It does not mean we disagree; we agree, but we have inherited what we have and I think it would be very helpful to see what Scrutiny think of it. But we are happy to provide an update of where things stand. There is a lot going on and with that come various tensions. But I can assure Deputy Inder that from a Committee point of view we are ... is it 'holding their feet to the fire'? I do not know if it is the right phrase. We are not just forgetting about it and letting it go away.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Thank you, sir.

Building on Deputy Gabriel's points, the States have delegated authority to P&R Committee to open capital votes for all schemes in the Capital Portfolio, so I just wanted to make sure my understanding is clear that the delegated authority is in relation to the schemes only as outlined in the capital portfolio and that any capital votes or discussion about alternative delivery arrangements are in relation to those schemes that are within the Government Work Plan. I just wanted to get Deputy Soulsby's assurance that that was the case.

Thank you.

500 **The Bailiff:** Deputy Soulsby.

Deputy Soulsby: We are following what was agreed by the States from the Government Work Plan that we debated in July, so it links directly to that.

505 **The Bailiff:** As Members still have some questions to ask in the context of this Statement, I am going to extend the 15-minute question time, because this week is not as packed as it might otherwise have been.
Deputy Leadbeater.

510 **Deputy Leadbeater:** Thank you, sir.
It is just following on from talking about the property target operating model. Deputy Dyke's concerns taken on board, are there any other jurisdictions or any other examples around the world that Deputy Soulsby can point to where a model such as this has been successful?

515 **The Bailiff:** Deputy Soulsby.

Deputy Soulsby: Sir, I think all around the world people have been using such a model over the last two years. Whether various jurisdictions want to stick to them or not, I think it is too soon to tell. But I certainly think it has changed people's thought process about how we can work. I know
520 in certain areas of the States, very early on, it was said the staff there were really enthused by it because they are working from various different parties in having to move around but they did not have people going back to their one office where they were every day and it meant that they could get more work done, were more productive and focused on the service users that they were supporting. It will vary across the whole and what different people are doing as well.

525 **The Bailiff:** Deputy Mahoney.

Deputy Mahoney: Thank you, sir.
Just picking up on a couple of the Members' points re the PTOM. Would Deputy Soulsby agree
530 with me that consultation was undertaken, re the PTOM, with all political Committees and all the senior officers at all those political Committees and everyone agreed that this was the way forward and confirmed that this should go ahead?

The Bailiff: Deputy Soulsby.

535 **Deputy Soulsby:** I am very happy to agree with Deputy Mahoney.

The Bailiff: Deputy Burford.

540 **Deputy Burford:** Thank you, sir.
I just wondered if the Vice-President could confirm the membership of the Seafront Enhancement Area sub-committee, please?

The Bailiff: Deputy Soulsby.

545 **Deputy Soulsby:** Sir, I am not actually on the seafront sub-committee. I understand that Deputy Helyar is on it, but it varies. Stuart Falla is on it, ... I can provide the details, sir. It is a –

The Bailiff: Perhaps the answer could be found by you, Deputy Burford, somewhere else or
550 Deputy Soulsby will let you know outside of the Meeting?
Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you, sir.

555 Would the President be interested to know that some years ago I worked in recruitment and
tried to encourage businesses to work flexibly and that the cost a decade ago of housing an
individual at a desk in St Peter Port was in the region of about £8,500 per year, and that could be
increased now by inflation substantially? If we reflect that into the States and the cost now of
housing civil servants down at Frossard House or various places in Town, we could be looking at a
560 substantial bill and that flexible working, actually, and hybrid working style is the way to start saving
money in this area.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: I am very interested to hear from Deputy Dudley-Owen on that and we do
565 know that we can make substantial savings, in a seven-figure sum, by doing what we are doing. I
think the idea that because somebody cannot be seen they are not productive is absolutely
incorrect. We think people are going to be more productive in their office, there is such a thing as
presenteeism and I think you have seen that amongst some people and some for people it is
different.

570 For some people we need to look out for the fact that we want to make sure that they do have
breaks. I know for some they have been very concerned if they are not at their desk they might be
seen as not working. But that is what management should be – good management. One thing that
we need to do as part of this is really help support the managers within the service to support their
staff and understand the role of the manager in the workplace, whether it be real or virtual.

575

The Bailiff: Deputy Gollop.

Deputy Gollop: Thank you, sir.

580 Deputy Soulsby spoke a lot about managing change and working through things. I know we are
going to have a policy planning debate in July next year but how flexible is the Government Plan to
take account of policy changes or changing circumstances? Even on the Committees I am on, we
sometimes come across an issue that does need some urgent attention that perhaps may or may
not be classified as business as usual. So when does an issue go outside business as usual and
become a priority?

585

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Thank you, sir.

590 I just like to believe in the phrase common sense and make sure what we do ... does it make
sense that we do it? Should we be doing it? Is it stupid if we do not do it? Of course there is flexibility.
There has to be flexibility in the Plan. We all know that a plan is only as good from the day that you
sign it; it is going to change. There will be little changes that need to happen. You do work on
something that is part of the Plan, you see that things need to be tinkered with to change things
along.

595 Of course, then, we will have the update next year, where we are looking to try – and I think this
is probably worth Members knowing – to help get more views from Members as individual
Members, that they would like to see in the Plan and to see if we can bring those to the fore, so
people do not feel like they are disenfranchised from the process. Just trying to add to make it more
inclusive as part of the general evolution of what we are doing.

600

The Bailiff: Deputy Queripel.

Deputy Queripel: Sir, a lot of focus has been put onto scrutiny during this debate, with the focus being put on P&R to scrutinise, but would Deputy Soulsby agree with me, as individual Deputies we all have a responsibility to scrutinise every issue right across the States and not just sit back and expect colleagues to do what we should all be doing?

The Bailiff: Deputy Soulsby.

Deputy Soulsby: I am surprised that Deputy Queripel is asking that question. I thought everybody knew what their role was. But saying that, I do know that SACC is going to be looking at the role of the Deputies. Deputy Queripel, I would have thought knew, being on SACC. So I look forward to seeing what comes out of it.

The Bailiff: Deputy Haskins.

Deputy Haskins: Thank you, sir.

I understand that there is going to be a policy letter for the Seafront Enhancement Group in January. But going on from Deputy Burford, how she queried the membership of the Seafront Enhancement Group, from my understanding, only P&R are the political representatives, even though this will affect many Committees, or has the potential to. Can I ask for assurances that other Committees will be consulted and engaged?

Thank you.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: I thought there were Members of STSB on there as well. At least they have got a non-political member of STSB on it. I hear what Deputy Haskins is saying, he is not political, but there will be, obviously, opportunity when the policy letter comes to the States to discuss it. I see Deputy Helyar might want to ask me a question about this, as well.

The Bailiff: Deputy Helyar.

Deputy Helyar: Sir, thank you very much.

Would Deputy Soulsby agree with me that the policy letter, which I am aware has been completed, has not yet been to the Policy & Resources Committee, but it does, in accordance with the Resolution of the States in relation to the harbour areas, include, and should rightly include, the process by which States' Members will have the opportunity to choose the membership of what I think will be proposed as the Regeneration Board, rather than the seafront committee, because it is not just about the seafront, it is about the whole of the eastern seaboard from the north of the Island, right from the Bridge, right down to La Vallette swimming pools will give States' Members a complete opportunity to choose its membership and its form of operation?

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Thank you.

Yes, I agree with that, Deputy Helyar, and I think it is important to emphasise here that the situation we have got now is and should be – unless the States determine otherwise – a temporary situation as we move to another development board. So hopefully that gives assurance.

The Bailiff: Deputy Inder.

Deputy Inder: Thank you, sir, for a second question.

I think sometimes the Quay Street is often the most fought-over piece of land next to the Kashmir, the Hindu Kush and the Golan Heights.

655 Deputy Fairclough mentioned about the Machinery of Government. Could Deputy Soulsby assure us that the same mistake will not be made again when we design a new Machinery of Government from the Committee up and we might be looking at designing a new structure from topics down? For example, we may need an infrastructure minister, we may need a tourism minister, we may need a harbours minister.

660 I think my general view, now, and I am looking forward to seeing the terms, my fear is we will make the same mistakes time and time again, split mandates and everyone will have a view on absolutely everything.

The Bailiff: Deputy Soulsby.

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Deputy Soulsby: Thank you, sir.

I can confirm that no Members come with preconceived ideas about what we are trying to do. We are trying to make an effective and efficient Government. That is the overriding aim. I know people get obsessed with whether it is committee or it is executive – it is about making sure we have got a Government model that works. We know that there pluses with the system we have got, but there are also downsides and we need to see what it is that will actually make things work better in the scheme of where we are.

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The Bailiff: I am just going to pause very briefly because Alderney Representative Roberts is requesting to be relevéd.

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Alderney Representative Roberts: Yes please, sir.

The Bailiff: Excellent. I am glad you can join us.

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Alderney Representative Roberts: I had technical problems, I am very sorry.

The Bailiff: That is all right, do not apologise for technical problems!

We will continue with a few more questions to Deputy Soulsby, but hopefully you are starting to exhaust your topics.

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Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Thank you, sir. It is never exhausting to ask Deputy Soulsby questions!

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Building on from Deputy Oliver's question on the changes to the target operating model of the States, we have had one presentation and we were made recently aware actually of some major potential changes that will be happening to Planning, with up to 30% of people being in scope, but this is bearing in mind we are also undergoing some major changes to the committee from digitisation, exemptions policies. We have got a feeling that this OTOM ... the Committee was being done to.

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We would really appreciate much more engagement because there are some important details of how, operationally, a department like Planning operates and we would like to have much better engagement with OTOM. My question is seeking assurance from Deputy Soulsby that perhaps we need to review how the OTOM process is currently being conducted and delivered with much more engagement with Committees?

700

Thank you.

The Bailiff: Deputy Soulsby.

705 **Deputy Soulsby:** Sir, I hear Deputy Kazantseva-Miller, but as I have said, we are going through a process we have already set out, as we have done with the PTOM as Deputy Mahoney has said. It can be unsettling for those people impacted and it is quite understandable if they have been making representations to Deputies about their concerns. But we are doing the process properly, the independent appeals process that is being undertaken. Once that is done, in the next week or two, then we can start presenting to Committees the impact that that will have on their service there. It is very much not to *do*, and I am very conscious of that. We had an update meeting on the whole MyGov process yesterday and it is very much not the intention just to do things *to* the Committee. I am very conscious of how that has happened in the past. It is just at this present moment in time, part of that process that needs to be undertaken before we can do the next bit.

715 So I will just ask for Deputy Kazantseva-Miller, DPA, to just give a couple of weeks until after Christmas and we will be able to provide you with more detail on that. Just rest assured that we really will not be doing *to* Committees. We are talking with Home Affairs as well because I know of their concerns regarding population and immigration. We do not want things not to work but we know where things really can work better and that is what our aim is.

720 **The Bailiff:** Deputy Oliver.

Deputy Oliver: Thank you, sir.

Just to assure Deputy Soulsby that actually no one from the DPA has actually come and spoken to Deputies and complained about the process. There is an appeal, so I do thank them for that. Can I just say that when you do know a date, can it be sent out as soon as possible so that as many Deputies can attend?

Thank you.

730 **The Bailiff:** Deputy Soulsby.

Deputy Soulsby: Thank you.

Yes, my comment was made on the back of ... I never assumed that anybody directly went but clearly there was unsettling ... which Deputies on that Committee were concerned about and which has then led to communication with me. We have yet to work out the best way of doing it. I think we probably need to look and talk to Committees separately, because it will impact different Committees in a different way. Some not at all, some that restructuring might be more complex. Just rest assured we are very well aware of the need to keep the communication going and that will happen.

740 **The Bailiff:** Deputy Leadbeater.

Deputy Leadbeater: Thank you, sir.

Deputy Soulsby, in answering a question from Deputy Mahoney earlier on about the PTOM, agreed that everybody across the Principal Committees had agreed that this was the way forward. How can she be so certain in agreement with that, when considering HSC have not considered the matter and formed a collective opinion?

The Bailiff: Deputy Soulsby.

750 **Deputy Soulsby:** I would be surprised if HSC have not. If that is the case, I am quite happy to have a discussion offline. Deputy Mahoney is the one leading on PTOM and I would trust him that that would have happened. How that was disseminated within your Committee and discussed, I do not know, but everybody should be aware of what is being planned, particularly as a lot of it impacts the work at Raymond Falla House which is of benefit for Health & Social Care and the movement

755 of various services to there, which I thought you all should have been aware of. But we will follow that up.

The Bailiff: Deputy Leadbeater again.

760 **Deputy Leadbeater:** Thank you, sir.

I do not think Deputy Soulsby understood me. I was not saying that HSC were not aware, I was saying that HSC had not formed a collective view and had not lent support. So how could she be certain, when answering to Deputy Mahoney, that everybody had given their full support this was the way forward? That was the point I was making.

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The Bailiff: Deputy Soulsby.

Deputy Soulsby: I am surprised by that but if HSC as a Committee either have not a view or disagree, I think they can discuss that with Deputy Mahoney in the first instance. That would be much appreciated.

770

COMMITTEE FOR HEALTH & SOCIAL CARE

General update – Statement by the President of Health & Social Care

The Bailiff: We now turn to the first of two general update Statements on behalf of Committees and this time it is the President of the Committee *for* Health & Social Care, Deputy Brouard, to deliver the Statement on behalf of that Committee, please.

775 **Deputy Brouard:** Thank you, sir.

It has been quite a year in the world of health and social care. Nearly one year ago to the day, on 17th December 2020, the first COVID-19 vaccine in the Bailiwick was given in the Emma Ferbrache Room at the Princess Elizabeth Hospital. One-hundred-and-five thousand doses later and thanks to the sustained efforts of the team, there can be no doubt of the success of the vaccination programme in protecting our community and allowing us to focus how we can live responsibly with COVID-19, albeit that the pandemic continues to keep us on our toes.

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The winter season is usually a busy period that sees an increase in the clinical activity at the PEH and for our community services, particularly due to seasonal respiratory illnesses such as flu. The pressure on the whole system this year has been constant throughout 2021 no matter the season. We are fortunate that the high rate of vaccination uptake is reducing the number of people that might otherwise require hospital treatment for COVID-19.

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However, as health and care systems nationally and internationally have been put under increasing strain, the operating context has changed significantly, and this is impacting our ability to recruit staff to fulfil roles. The Committee is doing all it can to think creatively about how to recruit staff for our essential services, and how we can best protect our infrastructure over winter months is kept under continual review. In particular, we will be increasing staffing through the use of agency and temporary staff to improve our resilience in the coming months.

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We know that our efforts to prioritise urgent surgeries, to care for those 30 patients who are awaiting discharge from the PEH, while also managing the small number of admissions with a COVID-19 diagnosis in the Hospital, is having an impact on surgical waiting lists.

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Regrettably, we cannot access off-Island providers as we could in pre-pandemic times and now have to paddle our own canoe for anything but the very urgent cases. I know that delays and postponements cause distress and upset for those affected and their families, but I am hopeful that

recent decisions of the Committee – to recruit additional resources to the community care teams; to extend the opening hours of the Day Patient Unit; and to increase the total number of beds in the PEH – will see a reduction in the number of people waiting for their procedures. We can make inroads into the waiting lists when beds are available, but this remains a significant challenge for us at this time.

I would like to take opportunity to update on other initiatives which have progressed over recent months. With the introduction of low-cost appointments for children less than three weeks away – thanks to the reallocation of a proportion of family allowance – we are taking important strides in improving the accessibility of healthcare, and I would like to thank GPs and dental practices for actively engaging in this important change. However, we know that this alone is not enough. All Islanders need to be able to access good-quality healthcare when they need it and at rates they can afford. It has been shown that, when healthcare systems are configured around primary care, the system yields a healthier population at a lower cost – the system is more effective, equitable and efficient.

Work on a review of the model and funding of primary care is ongoing, and I am grateful to Deputies Roffey and Falla, along with HSC's non-voting Members for their participation as members of the working party. We are in active conversation with primary care colleagues and remain on course to report to the Assembly next year.

There are no easy solutions, but I anticipate that a range of options will be presented in our final report, ranging from the cost-neutral reallocation of existing funds to provide greater value for money, right through to how we could make primary care free at the point of access. But we as an Assembly, of course, need to be mindful to make policy decisions that create an environment that supports the wellbeing of our community.

Turning now to the Government Work Plan and to HSC's priority areas, I am pleased to report that a cross-committee political oversight group – the Children & Young People's Board – has been established to lead the review of the Children Law. Stakeholder workshops took place earlier this week and will further inform the recommendations for changes to remove delays in determining outcomes for children, and this important piece will also be reported to the States next year.

Recognising that the festive period can be a difficult time of year for some Islanders, especially for their mental wellbeing, I announced last week that arrangements have been made to introduce additional wellbeing support over Christmas and New Year. This will be available in the evenings when other forms of support may not be readily available and is intended to help Islanders who are feeling particularly isolated or stressed. While this pilot of a pilot will not initially go as far as we intended when the Government Work Plan was being put together, we will build upon this further and discussions surrounding a partnership approach with the third sector to provide out of hours 'drop in' crisis support also continue in parallel.

I would reiterate, though, that support is available for those who need it and I would encourage people to speak to their GP if they are struggling, who will refer them to the appropriate services if necessary.

Progressing the Capacity Law is one of the top legislative priorities of the Government Work Plan and I am pleased to advise Members that the Ordinance for Lasting Powers of Attorney has recently been approved by the Committee and will be making its way to the Assembly in the New Year. This is an important development for our community and we will be doing further work to raise awareness of this development with members of the public and with key stakeholder groups.

I am also pleased to advise that the first year of the implementation of NICE TA drugs and treatments is almost complete, thanks to the hard work and diligence of our pharmacy team.

Continuing the theme of the Government Work Plan, and working closely with the Committee for Home Affairs, a cross-committee steering group has been established to examine alternative and non-punitive approaches to the possession of small amounts of illegal drugs for personal use. This piece of work will consider all drugs, not just cannabis. Meetings of the steering group are under way and will deliver Propositions and a supporting policy letter for consideration by the Assembly.

As a positive action for the future physical health of our population, the Committee made Regulations earlier this year to introduce a legal requirement for the plain packaging of tobacco. Working alongside our colleagues in Jersey, this legal measure will see cigarette packets, from 31st July 2022, without companies' branding on them, so they will by and large look exactly the same from one brand to another. Experience from elsewhere suggests that we should see fewer children starting to smoke in the coming years across the Channel Islands as a direct result of this initiative.

As always, I have only been able to touch upon a small part of HSC's work in my Statement today. As we look ahead to 2022 it is important to acknowledge the good work that goes on on a day-to-day basis to support the community. I would like to take this opportunity on behalf of the Committee to thank everyone working across Health & Social Care and also to thank those and in the private and third sectors too for their tireless and enduring commitment this year. And finally, I would like to thank you, States' Members, on behalf of the Committee, for your support with our budget, our build programme, and just being there when we need help. So thank you very much.

Thank you, sir.

The Bailiff: Members of the States, there is an opportunity to question the President on any matter falling within the mandate of the Committee.

Deputy Queripel.

Deputy Queripel: Thank you, sir.

A leading health professional working within the mental health service said in the media last Friday she would welcome a review of the service, yet the President has repeatedly said, in response to questions I have asked recently, HSC have no intention whatsoever of undertaking a review and that the focus of the Department will be on establishing a crisis centre. Bearing in mind what was said in the media last Friday, can the President tell me if his Committee were aware that statement was going to be made and are his Committee now of the view that a review of our mental health service needs to take place?

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you, sir.

We are, of course, aware of the statement that was made by one of our professionals. I think the professional was right to make the point that the secondary acute mental health service has been reviewed many times. What was being discussed was whether we need to review all the services, right the way through from GPs to the third sector and everyone else in between, all the way up to secondary mental health services. This particular topic came out as well in the Scrutiny review and I think our head of hospital services also made a similar point.

We are not opposed to a review from that point of view. We will continue to keep it under review but it is an expensive operation to undertake and we would very much like to get on with the pilot and review that and work together with our third sector to put in place some extra provision before we go on to a full review of all mental health services in the Island.

Thank you.

The Bailiff: Deputy Meerveld.

Deputy Meerveld: Thank you, sir. Will the Committee be publishing in full or in part the memorandum of understanding signed with the UK's Home Office in relation to the cultivation of cannabis? Thank you, sir.

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you.

That is a very opportune question. I do not know if it is a secret or not, but we have had a Rule 11, which was disallowed, and then Rule 14 questions posed by Deputy St Pier. I have just seen almost a final draft on that particular item so there will be full information coming up. We have no particular issue with publishing the memorandum with the UK. However, it is with the Home Office.

It is more of an agreement of how we work together between their island and our Island rather than the specific details of licensing a particular operation and whether they need two security locks on the door. It is at a much higher level and forms our obligations under the 1961 Narcotics Convention. But the actual review, we do not have any problem with publishing. We are just waiting for confirmation from the Home Office in the UK that they are also content to do so.

Thank you, sir.

The Bailiff: Deputy Gabriel.

Deputy Gabriel: Thank you, sir.

I would like to ask the President about National Institute for Health and Care Excellence, and up to the present NICE TAs. It is my understanding that there has been a less than expected uptake of the NICE TA drugs. How modest has the uptake been and does HSC have a look at the data to indicate where any expectation of need versus uptake differ the most? Is it really a cause for concern? If he has not got that data to hand, if he could communicate it in writing it would be very useful.

Thank you.

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you for that question.

We had exactly the same questions that we were asking in the summertime when NICE TAs were being discussed as part of the Government Work Plan. We do not exactly know the full details as to why the uptake is not quite as high as was predicted in the previous workload. There is a considerable delay in the processing of paper work, especially from other parts of the organisation outside of our control, with discounts and drug company invoices, etc.

We hope to have, by quarter 1 of next year, a reasonable appraisal of the first year of operation, so we are very much looking at this space. We also understand from our pharmacy team that they are prioritising the drugs that are most needed to the people who actually need them on the ground today. They are moving their operation to providing the ones that are needed rather than the whole gamut of everything on day one.

Also, the most drugs issued at any one time will be at the end of the period. On day one, at the beginning of the year, none were issued under the 30 QALY. We are now working our way round up. So as we go forward, the expense per month will in fact be increasing. A very opportune question and we should have some more information around the end of quarter 1 of next year.

Thank you.

The Bailiff: Deputy Oliver.

Deputy Oliver: Thank you, sir.

Can HSC please tell me when home births will be allowed again? There have been no home births since March 2020. This can be a very personal time for women and some women feel so let down by the system they are actually talking about free birthing.

The Bailiff: Deputy Brouard.

Deputy Brouard: I am awfully sorry, sir, I did not hear the question.

The Bailiff: When will home births recommence?

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Deputy Oliver: Shall I repeat it, sir?

Deputy Brouard: Please.

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Deputy Oliver: Can HSC please tell me when home births will be allowed again. There have been no home births since March 2020. This can be a very personal time for women. Some women feel so let down by the system they are free birthing.

The Bailiff: Deputy Brouard.

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Deputy Brouard: I am awfully sorry to the Assembly, I have got no information on that particular topic. I will certainly ask my staff to have a look at it and we can send an email around to Members. I just do not have that information. I am very sorry.

Thank you.

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The Bailiff: Deputy de Lisle.

Deputy de Lisle: Thank you, sir.

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There are concerns and complaints from the public with respect to repeated cancellations and delays in orthopaedic operations. Waiting lists appear to have grown, extended from 600 at the end of last term, into the thousands today. What is being done to remedy these cancellations and delays in orthopaedic operations?

The Bailiff: Deputy Brouard.

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Deputy Brouard: Thank you, Deputy de Lisle, for that question.

I think that represents well over 1,700 of our community, in that boat. I am one of them as well. It is a problem and the difficulty is that as we prioritise and as everybody prioritises in their own lives, we prioritise the items that are most urgent: the cancer care, etc. Going through the pandemic, unfortunately, the place where it gives is in orthopaedics.

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The difficulty that we have is that we have some members of the public who are well enough to go home or well enough to go on to residential care but, unfortunately, either we cannot provide the package for them to go to their own home because we just have not got the staff or the nursing homes have not got the beds, or where they have got the beds they may not have enough staff to accommodate them.

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That is one of our key issues. As soon as we can make some more room in the Hospital, we can crack on with the elective surgery and orthopaedics in particular. But, if anything closes down, if we have more COVID cases, the first thing that we stop is non-urgent elective and I know non-urgent does not sound much but it is very important for the person who has got pain in their legs or their hips or whatever. We fully appreciate that. It is just one of those particular awkward decisions –

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The Bailiff: Your time is up, Deputy Brouard.

Deputy Brouard: Thank you.

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The Bailiff: Deputy Prow.

Deputy Prow: Thank you, sir.

I would like to thank Deputy Brouard for his update. Can I just build on the question put by Deputy Gabriel? In the update Statement, with regards NICE TAs, Deputy Brouard said the work is

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well under way. Could perhaps Deputy Brouard give us a bit more detail on the progress regarding staffing, the physical infrastructure and the amendments to the guideline documents?

Thank you, sir.

1010 **The Bailiff:** Deputy Brouard.

Deputy Brouard: Yes, a new post has been created and taken on board into the pharmacy department. I am very happy to provide, early in the New Year, an update as to where we are after the first year. I just do not carry that type of detail with me, unfortunately.

1015 Thank you.

The Bailiff: Deputy Burford.

Deputy Burford: Thank you, sir.

1020 Following on from Deputy Queripel's question, should the Committee decide to do a comprehensive review of our mental health services, can the President confirm it would be undertaken by an independent organisation such as the UK Health and Care Policy Commission, who inspect the services in the UK? Could he also give a firm undertaking that such a review would be published in full and not as a summary three years later?

1025 Thank you.

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you.

1030 Just picking up on that last point first. I think some people have forgotten the narrative with regard to the Gedze Report that we had. It was done as an operational tool for the mental health services that we provide through our secondary care. It was never intended to be published. It was purely that, through this Assembly, you asked to have more details around it that we went back to the author and asked the author if they would kindly allow us to have a summary that we could then put out and Dr Gedze is hopefully coming back early in the new year to update. That is the reason why it was published three years later. It was not because we decided that was the way it was going to work, it was us trying to be helpful to this Assembly to provide the extra information that you wanted.

1035 I am awfully sorry, Deputy Burford, I am not going to be in a position to give you any commitment with regard to the hows or the whys or any full major review of mental health facilities in GPs, third sector and secondary care at this time. We have got so many other issues on our plate that, just with the day job, at the moment, that is not some item that is under some active consideration by the Committee.

1040 Thank you.

1045 **The Bailiff:** Deputy Taylor.

Deputy Taylor: Thank you, sir.

1050 Apologies for being a bit of a jack in a box this morning. It is only a simple question for Deputy Brouard. I am wondering if he is able to tell me how many staff are employed in the vaccination programme?

The Bailiff: Are you able to answer that question, Deputy Brouard?

1055 **Deputy Taylor:** Roughly.

Deputy Brouard: A lot! We have just recruited another 30 more as we are moving up the programme. I just do not have the exact numbers. Of course, if I gave you the number, would that be full-time equivalents? There is a new manager there, I can certainly ask them and we can circulate that, to get a flavour of how many people are involved. But it is a lot and we are very grateful to them because a lot of them are doing this on top of their day job as an extra help to the community. Thank you.

The Bailiff: Deputy St Pier.

Deputy St Pier: Thank you, sir.

Following from Deputy Meerveld's question, I am conscious that it is the subject of Rule 14 but I will take the opportunity to ask it anyway. That is whether Deputy Brouard can explain how the cannabis industry are expected to develop the appropriate standards when they do not have full visibility of the memorandum of understanding and its operational appendices with the UK?

The Bailiff: Deputy Brouard.

Deputy Brouard: Yes, thank you.

Being quite blunt, you are fishing in the wrong pond with that particular piece of information. The memorandum of understanding is how the two Governments work together, how we set fees, all that sort of thing. The actual detail of how you, as a grower of cannabis ... we may say that we need to see that your security is up to scratch, we are not going to tell you that you need an eight-foot fence electrified for 95 days of the year. All that detail is something you, as professional growers of cannabis, need to undertake and do your own research for.

We will tell you what is compliant and what is not, but as regulators we will tell you what you need to fix but we are not going to tell you how to fix it in the granular detail that I think you think is in the memorandum of understanding. However, our staff are very amenable to helping the industry because it is new for our staff and it is new for the industry as well as to what standards they need to work to. Our staff are very happy to engage with industry and each of them who have applied for licences have had a comprehensive report of some of the areas, if they wish to carry on, the types of things that they need to do to bring their operations into line with the requirements under the agreement with the Home Office.

The Bailiff: Deputy Brouard, I am afraid your time is up again. Can you keep an eye on the clock, please?

Deputy Blin.

Deputy Blin: Thank you, sir.

Would the President be able to clarify some information, a couple of points, regarding the relationship with MSG? How does MSG divide their time between private and public contracts and how do they make that decision between a private patient, who has insurance, or is self-funded, and a public patient? You do not have to go to your GP if you are self-funding, you can just phone up MSG and book a time that suits. Also, on the pain clinic, I have been made aware that some patients are waiting up to 24 weeks and others, who are self-funded, can see them in eight days.

So it is a concern and I was just wondering, as this is even advertised on the MSG website, is this agreed in the MSG contract? Is this how it works?

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you, sir. I am struggling multi-tasking, answering questions and watching the time; I will do my best.

The MSG is under contract to provide certain services and all the doctors who are in the MSG provide those services under the contract to the health service. Outside of that, and in their own time, they do private work. Some do and some do not but that is purely up to them, it does not affect our contract as such.

Because they do private work, they are then able to move people further up the scale, as it were, so you can be seen quicker in some cases. But it does not affect the actual contract with ourselves. All the doctors provide fully the services and we have reviews with them on a very regular basis between us, working in partnership with them to ensure that they are meeting their side of the bargain and we, as the Hospital as well, need to meet ours. We need to provide certain services for them to be able to do their work.

Thank you for the question but, rest assured, it is one that has vexed me over many years but I am much more comfortable now.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Thank you, sir.

In the summer, the Committee had published the Combined Substance Use Strategy for Guernsey and Alderney, which describes a health-led approach to prevention and harm reduction and building recovery. Could the President remind us about how this strategy will be put in place but also, importantly, how that fits into potentially other action streams under the Government Work Plan, which might relate to the Justice Framework and looking at options for alternatives to sentencing?

Thank you.

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you.

I am a little bit unclear, are you talking about general health and wellbeing and how we are promoting that? I am assuming that is what you are meaning. Sorry, sir.

Deputy Kazantseva-Miller: I think I am specifically interested in how we ensure that this piece of work fits into the other workstreams under the Government Work Plan, such as the Justice Review and looking at alternative options for sentencing, for example.

Thank you.

The Bailiff: Deputy Brouard, is that clearer?

Deputy Brouard: I am awfully sorry, I am not clear. I missed the main premise. Could you kindly narrow it down for me a little? Thank you.

Deputy Kazantseva-Miller: May I ask Deputy Matthews to contribute to this question?

The Bailiff: No. If Deputy Matthews wants to ask his own question at some time, he can leap to his feet –

Deputy Kazantseva-Miller: Okay, that is fine.

The Bailiff: – and it can be asked.

Can I suggest, Deputy Kazantseva-Miller, that if you have a question that you want answered you consider emailing Deputy Brouard or, alternatively, doing a Rule 14 question instead?

Deputy Kazantseva-Miller: That is fine, thank you, sir.

The Bailiff: Deputy Dyke.

Deputy Dyke: Thank you, sir, and I thank Deputy Brouard for his report.

Could I ask Deputy Brouard if his Department would consider talking to some of the private healthcare companies in the UK, in terms of the economics of, for example, laying off some of our orthopaedic cases; and, also, some procedures that I believe are not available in Guernsey, in the context of early stage prostate cancer, where there are procedures in London for focused biotherapy and also high-intensity sound procedures, which are very effective and non-invasive?

At least one constituent has raised that with me. I just wonder if it is worth talking to these companies about costs and whether these things could be cost effective for his Department.

Thank you.

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you for that and thank you to Deputy Dyke.

In fact, Deputy Dyke has already contacted the Committee a few months back, with regard to looking overseas or certainly to the UK, at some of the private hospitals, so I do thank him for that. If Deputy Dyke would like to give these few more details by email, we would be very pleased, our Department, to have a look at any options. If there is scope in the UK to do some of the procedures that we are struggling to do here, we will be very happy to have a look at them.

Thank you very much.

Deputy Dyke: Thank you.

The Bailiff: Deputy Gollop. By the way, I am extending the question time.

Deputy Gollop: Thank you very much, sir.

Whilst we speak today, as I have mentioned, Jersey are going through their government plan and recently in the media and, indeed, in their Assembly, Deputy Richard Renouf, their Minister for Health, has identified that an opportunity has occurred, as a result of a petition organised by Deputy Atelier, of maybe looking at a combined radiotherapy facility based in Jersey that could be of use to Guernsey patients as well as the more traditional Southampton model. How far are Health & Social Care able to work with Jersey on this possible model or priority in the next three/four months?

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you for that; it is opportune.

I have a phone call planned with Deputy Renouf of Jersey, I think, on Monday morning. There are sometimes some issues working with our colleagues in Jersey and they may not be able to do the full range that we would need, which Southampton do provide. We do have a very good relationship with Southampton, with regard to those sorts of services and I think the initial advice from the clinicians is that they would be very reluctant to dilute that, but we are certainly happy to see what Jersey can do and work with them. I think that the Committee would probably agree with me, we would be very reluctant to lose our links with such a good organisation at Southampton Hospital.

Thank you.

The Bailiff: Deputy Trott.

Deputy Trott: Thank you, sir. I thank Deputy Brouard for his update and for the manner in which he has handled these questions.

1210 This one is also intended to be helpful and follows on from previous questions and subsequent answers. With orthopaedic surgical lists growing and one operating theatre not in use, I would like to be clear: what precisely does Health & Social Care need to ensure meaningful progress in reducing the numbers of those awaiting surgery? Is it a lack of surgeons? Is it a lack of surgical beds? What do you need and let us see if we can provide you with the resources necessary.

1215 **The Bailiff:** Deputy Brouard.

Deputy Brouard: Basically, surgical beds are the issue and I thank Deputy Trott for the question. That is the main thing. As soon as we have got beds available, the orthopaedic surgeons, I think according to Dr Rabey, are champing at the bit to get on and crack through our cases. We have got a bed that we could use, it has been normally reserved. Because of our issues with regard to birthing, we want to keep one theatre always available for birthing procedures.

We think we can bring it into operation safely because having four theatres, there is always one that is not used and halfway through my toe operation I might be whipped out because there is something more important that needs to come in but I can happily wait in the corridor. So we are looking at bringing that other theatre into play. But, basically, the main issue is the lack of bed space and that is why we are trying to increase the number of beds in the Hospital to get around this particular issue. But thank you for the question.

1230 **The Bailiff:** Deputy Meerveld.

Deputy Meerveld: Thank you, sir.

Following up on the answer to the question from Deputy St Pier, where are the cannabis regulations being determined and by whom? Deputy St Pier, myself and Deputy Leadbeater recently met with representatives of the industry who had been declined licences after review by Home Office staff and they were concerned that basically the standards seemed to be being set by the UK Home Office, rather than locally in a practical, pragmatic and proportional way to Guernsey and that may effectively put them out of business. So where are the guidelines and who is actually setting them: Guernsey or the UK Home Office?

1240 Thank you, sir.

The Bailiff: Deputy Meerveld, I think the question has to be, 'Is it your Committee that is setting the regulations?', because then it falls within its mandate, rather than a general question as to who is doing this.

1245 **Deputy Meerveld:** My apologies, sir. My question was based on the fact that HSC is the Committee who issues the licences locally.

The Bailiff: Deputy Brouard.

1250 **Deputy Brouard:** Thank you for the question.

The powers rest in the Committee. We have delegated those powers down to the Guernsey Cannabis Agency, which is made up of staff from Home, from ourselves on Health and from Economic Development. The standards are basically international standards that we are working to that the Home Office ... the extended Convention is through the UK and hence our need to work with the Home Office.

We have flexibility over what we can do locally to make sure it is proportionate and is reasonable for our growers and if any growers have got any concerns, please, they need to contact ourselves and we can help and talk them through. But we are the regulator. You have to be at a certain level, a standard, and one firm has reached that particular standard and we would like to encourage those other firms to stay in the industry and also to come up to that standard.

Most of what I saw from the papers that came through our Committee were that they were all doable things. There was nothing there that was, 'Oh my goodness, they can't possibly do that.' It was all common-sense issues that just needed tightening up.

1265 Thank you.

The Bailiff: Deputy Oliver.

Deputy Oliver: Thank you, sir.

1270 Just on the cannabis, what the DPA would really like to see from HSC is actually a list of where the growers cannot be because I think it would make sense. At the moment any grower can go into a horticultural greenhouse and Planning will allow it, because it is horticultural to horticulture. We would like to see some, in the towns, to make sure it is not near schools, highly built up residential areas, because we are getting a lot of complaints about the smell and stuff. So if that could be
1275 possible at all, from HSC; I do not know if that is possible from HSC.

The Bailiff: I think there is a question in there, Deputy Brouard.

Deputy Brouard: Thank you for that, Deputy Oliver.

1280 I think, from staff-to-staff discussions, I understand that they have provided some guidance from Environmental Health through to Planning, but I can double check that to make sure that that has come through. One thing in particular, because I had some residents who were very close to one particular site and we have made it very clear that the Environmental Health officers have got full powers to ensure that things like smell or flies or any other issue that comes from the crop is
1285 appropriately managed, because they want to be good neighbours, obviously. But I will double check what has happened with that.

The Bailiff: Alderney Representative Roberts.

1290 **Alderney Representative Roberts:** Thank you, sir.

Can the President give an update on working with Alderney Memorial Hospital, please? And will he give his assurance how important our hospital is to us in Alderney, please?

The Bailiff: Deputy Brouard.

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Deputy Brouard: Thank you.

It is in fact our hospital, also, in Alderney. We do not actually work together with it, it is part of HSC and it is a very good hospital. We have been over as a Committee to see as much as we could, because of COVID issues, and we are recruiting now for some extra nursing staff for the Hospital.
1300 But I have got really nothing to add. It is one of the arms that we provide and we will continue to do so while we have the 1948 Agreement in place.

The Bailiff: Deputy Matthews.

1305 **Deputy Matthews:** Thank you, sir.

Would the President agree with me, and in reference to the previous question from Deputy Kazantseva-Miller, in addition to the combined substance use report, which was implemented by HSC, there is a subcommittee jointly held between our Committee, the Committee for Health & Social Care, and the Committee for Home Affairs, which is looking for non-punitive alternatives for
1310 the possession of small quantities of drugs and we accept our terms of reference and we expect to report back to both Committees, to the combined Committees, with recommendations next year?

The Bailiff: Deputy Brouard.

1315 **Deputy Brouard:** I could not have said it better myself, sir. I absolutely agree with my colleague, who is also on that particular Committee, so I thank him very much.

The Bailiff: Deputy McKenna.

Deputy McKenna: Thank you, sir.

1320 Deputy Brouard, given the pressures on your Department's resources, caused by the considerable number of patients in Carey Ward and the Le Marchant Ward and the Giffard waiting to be discharged into the care sector and the cost to the state of maintaining patients in residential and nursing homes, would you agree it would be in the interests of both your Department and the Department for Employment & Social Security to review, as a matter of urgency, the financial
1325 support, that is available for patients and their carers to provide alternative care in their own homes and maybe that such a review should be given immediate priority?

The Bailiff: Deputy Brouard.

1330 **Deputy Brouard:** A very interesting and topical question. Thank you, Deputy McKenna. This is very much the work of, I think the acronym is SLAWS, the Supported Living and Ageing Well Strategy. We as a Government have not decided yet what provisions we are going to provide to local people to live comfortably in their own homes when they need extra care.

1335 At the moment, we rely on people providing their own care. That is what we do on 20% tax. If we wish to provide greater facilities that provide nursing care for people in their own homes – and there are a lot of people because we have a lot of people ageing – that is going to be expensive. I think the figures, very ball park, we are talking £20 million-plus. If that is something that we wish to provide going forward, then we as a Government have to prioritise that particular issue. But it is a very important issue, and we have continuously moved that piece of work from one political term
1340 to the next. We have not quite grappled it yet.

So we have got at the moment a cobbled-together piece, where we provide residential care, which we have got some good support for. Maybe the rates need to go up. But we also, as a healthcare team, provide support into the community. That support is being looked at, will be greater and greater as the years go by and if we wait –

1345 **The Bailiff:** Deputy Brouard, your time is up, once again.
Deputy Soulsby.

Deputy Soulsby: Thank you, sir.

1350 I do not know the situation in terms of nursing vacancies but I do know that there is a demand for nursing throughout the Island and also that roadshows really have been successful over the years in recruiting more nurses. I would just like to know from Deputy Brouard whether it has been possible to have any roadshows over the last year, whether any are planned and whether there is any consideration about working with care homes to help them at the same time?

1355 **The Bailiff:** Deputy Brouard.

Deputy Brouard: Yes, thank you for that question.

1360 We had two drop-in sessions, I think, over the last couple of weeks for people to come forward. I think one of the sessions we were able to recruit two people straightaway from that. So yes, it is important that we continue to look at all avenues for recruitment.

Thank you.

The Bailiff: Deputy Burford.

1365 **Deputy Burford:** Thank you, sir.

Could the President confirm that in his role in, currently, Public Health that at no point would he propose or support the introduction of any form of COVID vaccine passports to allow participation in normal life in these Islands?

Thank you.

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The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you for that question.

1375 I think it is always very dangerous in politics to say never. I have certainly got no intention of introducing COVID passports at the moment. I do not think my Committee has and I have seen nothing else in Government that suggests that particular route. But that is as far as I am happy to go, because you just do not know what is going to happen in 20, 30, 50 years' time. I have got no idea and I do not think it would be fair to give that sort of commitment.

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The Bailiff: Deputy Queripel.

Deputy Queripel: Thank you, sir.

1385 Can the President remind me, please, if HSC will be recording deaths by flu and other respiratory ailments as well as deaths by COVID this winter and were deaths by flu and other respiratory ailments recorded last winter?

The Bailiff: Deputy Brouard.

1390 **Deputy Brouard:** I believe all deaths are recorded. I think that is through the Greffe and the figures are published, but I am uncertain as to when or how. But maybe H.M. Procureur may be able to help me on that particular issue, being the Coroner.

The Bailiff: She cannot. These are questions to the Committee.

1395 **Deputy Brouard:** Can I suggest that Deputy Queripel either writes to me or to the Coroner and we will be able to give you full details?

Thank you.

The Bailiff: Deputy St Pier.

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Deputy St Pier: Thank you, sir.

1405 Following on from Deputy Queripel's question in relation to mental health services, I wonder whether Deputy Brouard is able to comment on the apparent mismatch between the report within the report, which was fairly glowing, and the experience which some service users, indeed some of those who are working or have worked in the service are experiencing and whether there is an explanation for that mismatch?

The Bailiff: Deputy Brouard.

1410 **Deputy Brouard:** Thank you, sir.

1415 That is a very complex area. Mental health is a very different and a very difficult area to work in and I take my hat off to those staff that do it. You do not leave mental health facilities leaving a box of chocolates and a bunch of flowers for the nursing staff who have helped you. That is not how it works across. We detain people for their own safety. They are not happy when that happens. They are suffering great distress, they will not take their particular medications that we advise that they

should take. So you will have a mismatch between the staffing experience and also from some of our service users. It is a very difficult area.

With regard to the health service users report, I have had service users come to me with claims that no one has been to see them, their GP has neglected them and when I have then gone into the case and passed it on to our Customer Care Team we then find, actually, they have been looked after, there has been someone going to them, they have just chosen not to accept it or they have chosen not to take their medication or they have chosen not to go to the doctor when they were advised to.

These are very difficult areas to understand so I have now slightly lost the thread of the original part of the question –

The Bailiff: That is fine, because your time is up. *(Laughter)* Saved by the bell!
Deputy Leadbeater.

Deputy Leadbeater: Thank you, sir.

Would the President agree with me that the Committee takes mental health very seriously and any accusations as to the shortcomings in any service we provide are taken extremely seriously and the Committee is constantly reviewing the services, internally, looking at any gaps that may be there and looking at ways to fix them? Can he agree with me the Committee is totally focused on mental health and it is a top priority with physical health in HSC?

The Bailiff: Deputy Brouard.

Deputy Brouard: Thank you very much to Deputy Leadbeater.

I totally agree with what he said. There is not a meeting that goes by that we do not have a focus on mental health and I will take this opportunity, when I have got one minute left, to say that we are extending facilities at the PEH over the Christmas and festive period for anybody who has got any concerns, between six and 10 o'clock in the evening. That is working with our professionals and we have got 30 volunteers from Mind who are coming in, working with our professionals together, to give that service over the Christmas period. So I really want to thank Mind for their staff volunteering to come and work with our staff. Yes, we are very much looking to see what we can do to help.

The Bailiff: Deputy Taylor.

Deputy Taylor: Thank you, sir.

Understanding that HSC hold the responsibility operationally for keeping the Hospital poised to respond to a pandemic, I wonder if Deputy Brouard could give me the definition of a pandemic.

The Bailiff: Deputy Brouard.

Deputy Brouard: I think the definitions are in the public space already so I do not think I am going to answer that question. You could look up what a pandemic is. I have got a good idea what it means to me.

Thank you.

The Bailiff: I am going to take Deputy Soulsby and then Deputy Gollop and that will be the end of questions to the President.

Deputy Soulsby.

Deputy Soulsby: Thank you, sir.

Just so I can be cheeky, just Google 'WHO pandemic'.

1470 To Deputy Brouard, he did not answer my question in relation to roadshows. What I meant was roadshows outside of the Island. Has it been possible to undertake any roadshows outside the Island over the last year? I would just like to know how much, if they are planning to do so, in the coming months; and support the care homes as well in getting more nurses.

The Bailiff: Deputy Brouard.

1475 **Deputy Brouard:** Thank you.

I just do not have that detail of whether or not our staff have got off Island to do any but I can certainly find out. With regard to care homes and recruitment, we have actually gone out to care homes and offered them to use some of our facilities to help them in recruiting their staff as well, working together with them.

1480 The better that they are staffed, the better we are able then to move some of our patients from our area. They are safe in hospital but it would be far better if they are in a homely care home environment for their own good. It is something we are certainly looking at and I will try and get the details for Deputy Soulsby.

Thank you.

1485

The Bailiff: Deputy Gollop, last question.

Deputy Gollop: Thank you very much, sir.

1490 Deputy Brouard in his Statement referred to working earlier this week with key stakeholders on changes to the family and children's services and perhaps that involves procedures and Laws. Will the Committee be working closely with Legal Aid, Employment & Social Security, and indeed the parents and other relevant parties to ensure that we do not have a reform that makes the system too full of litigation, rather than practical solutions?

1495 **The Bailiff:** Deputy Brouard.

Deputy Brouard: Thank you. I thank Deputy Gollop for the question.

1500 I think the short answer is yes. Deputy Bury is on the working party. What we are trying to do is to streamline the system that we have got at the moment, following the Martin Thornton review. He has looked at all the procedures, right the way through from the tribunal and the convenor and the courts and how we can make that system work better for the lives of those children who are affected and their families. So it is very much a work in progress. I just do not have that granular detail that perhaps you are looking for, Deputy Gollop. But we are happy for you to contact the Committee and I think Deputy Bury is our lead in that particular area.

1505

The Bailiff: Members of the States, I think having more than doubled the question time period to the President, it is time to move on.

Procedural – Remote attendance

1510 **The Bailiff:** Can I just say to those Members who are attending remotely that I expect cameras to be turned on so that those who are in the Chamber can see the person who is speaking. It has not happened with all the Members who have asked questions thus far, but if it does not happen by the Members then I will stop calling them, even if they are requesting to speak or ask questions. So please can you comply by putting your cameras on so that we, who are here, can see you, who are not here?

OVERSEAS AID & DEVELOPMENT COMMISSION

**General update –
Statement by the President of the Overseas Aid & Development Commission**

The Bailiff: The next Statement is that of the President of the Overseas Aid & Development Commission and therefore I invite Deputy Blin to deliver that Statement.

Deputy Blin: Thank you, sir.

Members would have noted that the Commission's 2019 Annual Report appears as an Appendix to this Meeting's Billet. A great deal has obviously changed in the world since 2019 due to the COVID-19 pandemic. Indeed, this report was delayed as Commission officers were partially seconded to undertake work unrelated to the Commission, to help mitigate the effects of COVID-19 in the Bailiwick. The 2020 Annual Report should be published in the first quarter of next year.

For the last 18 months or more, the world's focus has been on COVID-19. Although all our lives have been affected, with some very sadly paying the ultimate price, the pandemic has had a disproportionate impact on developing countries, often due to poor sanitation and access to healthcare. The United Nations say that the pandemic has halted, or reversed, years of development progress. Global extreme poverty has risen for the first time since 1998. What the pandemic has demonstrated more than ever is that we are all part of a global community and Guernsey cannot stand by in isolation.

I am therefore pleased to report that the Bailiwick has stepped up to help the worldwide fight against COVID-19. This year the Commission donated £85,000 from its emergency aid budget to UNICEF's VaccinAid Campaign to deliver vaccines to the lower-income countries of the world. This was equivalent to one vaccine dose for each member of the Bailiwick's population.

In addition, the Commission, for the first time, launched its own public appeal and invited Islanders to also support VaccinAid. The Bailiwick responded with its Guernsey Together spirit and, to date, just under £40,000 has been raised. The Commission would like to publicly thank all those that have donated. The appeal is still open and there continues to be a massive need for vaccinations in the developing world. The World Health Organization stated that at the end of September only 4.4% of the population of Africa had been fully vaccinated. As recent developments have shown, no one is safe until everybody is safe.

Our other emergency aid grants awarded this year include to Guernsey-based charity Hope for a Child, to help alleviate the effects of the COVID-19 pandemic in Malawi. The Commission has also helped fund responses to the Rohingya refugee camp fire in Bangladesh; the displacement of people in Ethiopia after civil unrest; essential medical services to reduce maternal and child mortality in Yemen; the Haiti earthquake; Sudan food insecurity and floods; and Myanmar refugees in India fleeing the military coup. Some of these emergencies have made international headlines, whilst others have not been widely reported. The Commission is particularly proud to provide support to crises that are under the radar but identified by charities with whom we have established relationships.

Sir, the Commission has also this year funded 48 grant aid awards for sustainable projects of up to £50,000 each. In Sierra Leone, over 700 people will be fed and able to generate income on an ongoing basis, under a scheme which will grow climate-resistant crops. In South Sudan, 2,200 children a year will benefit from the construction of classrooms. In Bangladesh, 3,300 people will have access to clean water for the first time, with the installation of 14 arsenic-removal plants and hand pumps. The list goes on and on.

We have also made more community partnerships awards than ever to Guernsey-based organisations raising funds for overseas aid initiatives in the developing world. This includes the World Aid Walk, Arpana Guernsey, Goal50, La Houquette Primary School, the Happy Childhood Charitable Trust, and the Rotary Club of Guernsey. In addition, we are continuing to co-fund overseas aid projects under the Framework Agreement for collaboration between the French

Department of Ille et Vilaine and the Commission. This includes climate change-related projects in West Africa.

We also are pleased to carry on our work with Fairtrade Guernsey to support the objectives of the Fairtrade Foundation. The Foundation was established to promote a fair pricing regime for small-scale producers in third-world countries and so protect them against exploitation from large global producers and traders. We continue to develop initiatives in our shared action plan and have recently recruited volunteer Fairtrade champions across the States of Guernsey.

Climate change and overseas aid go hand in hand. The Commission therefore very much welcomed the President of the Environment & Infrastructure Committee's comments on overseas aid following her recent visit to COP26. Deputy de Sausmarez highlighted that many of the nations most affected by climate change are also among the poorest, and the cruel irony is that they have done the least to contribute to the problem. Deputy de Sausmarez noted that Guernsey's overseas aid could go a long way in helping communities in these regions both adapt to climate change and mitigate its effects. I am therefore pleased to say that climate change resilience and mitigation measures have been on the Commission's radar since at least 2015.

The Commission has funded 35 dedicated projects relating to climate change in the last seven years, with even more projects including elements of the above. In 2021 alone, this included a solar pump for clean water supply in South Sudan; sustainable water resources for climate resilient horticulture for farmers in Rwanda; solar irrigation systems at five schools in Zambia; and beekeeping for health, food security and the environment in Nepal.

I am also aware that there is an outstanding States' Resolution relating to Environment & Infrastructure's Mitigate Climate Change Action Plan. This directs the Commission, in conjunction with that Committee, to prepare climate change guidelines which set out how international development projects can contribute to Guernsey's carbon offsetting goals, as well as integrate the principles of the States' Climate Change Policy. I look forward to working with Deputy de Sausmarez on this initiative.

There is also a climate change emphasis on the Commission's multi-year project grant aid awards which are due to be launched for the first time in 2022. You may recall that this initiative was previously paused to allow the Commission to return £1 million of its 2020 budget to General Revenue to support the States' COVID-19 pandemic response. The Commission also accepted a reduced budget in 2021 for similar reasons. I therefore wish to thank the Assembly for restoring the Commission's funding to pre-pandemic levels when they agreed the 2022 Budget.

The multi-year grant aid award programme will fund a small number of projects over three years to make long-term sustainable changes within developing communities. The Commission's policy for multi-year grants states that the projects must demonstrate a particular focus on mitigating the impact of climate change or include marginalised groups.

Effective overseas aid can have a significant impact among the world's most disadvantaged communities. It also is good for Guernsey as it helps to strengthen and maintain its mature international identity as a positive actor on the global stage. Although the Commission only has a limited budget compared to other jurisdictions, its project monitoring shows that its targeted work with its charity partners has a genuine life-changing effect on many people. You will see from our 2019 Annual Report that the total number of direct beneficiaries from the Commission's grant aid awards alone were 365,433 men, women and children. The indirect beneficiaries would be many more.

But so much more could be done. In 2019, the States resolved that Guernsey should adopt a target for its overseas aid giving of 0.2% of GDP by 2030. Although 2022 was meant to see a real-terms increase to start to progress towards this target, the Commission proposed that its budget only be restored to pre-pandemic levels. The Commission considered this was a reasonable approach which took into account the current States' financial position and ongoing uncertainties around COVID-19. However, I can assure you that the Commission will continue to remind the States of its previous commitment, with a view that the 2030 target can still be achieved.

The Commission is also not averse to new ideas. One million pounds was invested in the Overseas Aid & Development Impact Investment Fund at the very end of 2020. This followed a previous States' Resolution that the Fund should be established within the General Reserve under the authority of the Policy & Resources Committee.

As I reported last year, the funds were invested in Partners Group Impact Investments, which capitalises in development opportunities where social and environmental impact goes hand in hand with market rate financial returns. It considers that social enterprises with both a sound business model and the ability to attract institutional capital are best positioned to generate impact at the scale necessary to make a change in the world.

The Bailiff: Deputy Blin, you have had a little bit longer than your 10 minutes, so I am going to stop you there.

Deputy de Lisle.

Deputy de Lisle: Thank you, sir.

Essential investment was proposed and made in 2018, as Deputy Blin has referred to, of over £1 million in an Overseas Aid & Development Impact Investment Fund, with potential for generating returns, which would be available for reinvestment. What sum has been generated to date by this investment through the Impact Investment Fund?

The Bailiff: Deputy Blin.

Deputy Blin: Thank you, Deputy de Lisle.

The money put in at the end of last year, the Fund, which is part of a much larger fund, in circa the region of £250 million, then progresses and it generates reports, which are submitted to OADC and these investments, they are spread across a large number of countries and all types of projects; micro-funding, solar issues, etc. But they are not quick returns they go through.

As we are a small tranche – the usual tranche is around £5 million, we are a very small tranche of that – it will take a while for the returns to come. The objective is not about getting equivalent returns that one would get on a FTSE 50 or other investments but partly this huge fund is moving towards helping countries with lower income, ongoing.

There is a report issued quarterly, which I am sure the Commissioners would be happy to share out there, but I can say there is nothing tangible of a large volume, if that is the question of Deputy de Lisle, and also it has not been fully decided where that investment will go if it gets straight into a reserve or to OADC or back into the investment.

The Bailiff: Deputy Falla.

Deputy Falla: Sir, I thank the President for his update on the good work that is being done by the Commission, but I would ask him to justify the production of a full colour, 139-page, two years out of date report, which was then posted out to all States' Members and I do not know who else.

The Bailiff: Deputy Blin.

Deputy Blin: I would like to thank Deputy Falla, first of all, for thanking us for the good work done.

The observations made on the brochure: yes, it is out of date, in the sense it was 2019. There were a number of copies, as was asked by a Member of the Assembly, Deputy Lester Queripel. One hundred copies were printed, using modern digital printing methods we do not have to do thousands and thousands. The costs and everything were submitted.

The reason for this is actually, with the 100 which are issued, to give us a chance to look at. It is not just an action that is done and passed back with the costs spent. This book, this manual, this

directory, will show you the detail, not only of the charity work, but the detail of the work done and a lot of that work will be ongoing and come through me. It is also online to save on copies and if there are any Deputies who do not wish to hold their copies, I would be more than happy to collect them because it is sometimes good working with the International Development Network, with other organisations, to share this information and it is a real privilege to be able to do this.

Just to counter this, in a sense, the amount of work where the Commissioners give free time like travelling to other places –

The Bailiff: Deputy Blin, I am really sorry, but your 90 seconds are up.
Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

I, too, thank the President for his update and welcome its contents, especially with the references to climate change, but that is actually not what my question is about. Given the stark situation, with respect to vaccination coverage in some of the developing world, underlined by Deputy Blin in his update, can he please let the Assembly know whether he plans to publicise that appeal, prepare the contributions towards our vaccination effort in those developing countries and any other efforts that he thinks may be appropriate or he might be considering to really maximise our impact?

Thank you.

The Bailiff: Deputy Blin.

Deputy Blin: Thank you, sir. Thank you, Deputy de Sausmarez, for that question.

Besides the funding that OADC issued through its emergency fund to UNICEF for the VaccinAid appeal, which was £85,000, and besides also the £40,000 that up to date has been raised, we are currently working on some other avenues to increase that funding and there is talk about what could be done at the end of the term.

The original VaccinAid appeal was meant to be a relatively short period. It has now been extended, mainly because this does not stop. What concerns me slightly is information I received very recently where there was a charity meeting we had for one charity that is going out to Africa, in Tanzania, and they shared the fact that actually in some African countries now they are struggling to get all of the Africans to actually be willing to take the vaccine, because of the news they are watching overseas, which puts us into a harder situation. But with these new strains of virus coming on, it is critical for us to actually keep this battle going to try to get more vaccinations over there.

The Bailiff: Deputy Burford.

Deputy Burford: Thank you, sir, especially to the President for his update and also the brochure.

As the President mentioned, the 2019 policy letter delivered a Resolution directing the Policy & Resources Committee to include a strategy of the Medium Term Financial Plan, now succeeded by the Funding Investment Plan, to increase Guernsey's overseas aid contributions to 0.2% of GDP by 2030. When does the President expect to see such a strategy and will he be pressing for it to contain an increase of at least £400,000 each year in order to meet that commitment by 2030?

The Bailiff: Deputy Blin.

Deputy Blin: I would like to very much thank Deputy Burford for the reminder of those additional comments about the growth and, as I pointed out, or mentioned in the Statement, the reason that we have not asked or pushed this is mainly to mitigate some of the effects we have had due to the COVID pandemic.

I did highlight during that point that we would like to increase this. Just to give a perspective to the Assembly and to any audience listening, our 0.2% of GDP – and I know there are calculations

on GBA as well – is smaller than nearly all the jurisdictions around. Jersey is in the region of five, seven times larger than that. It is a different jurisdiction, it is in a different island, but just to show. We would be very keen to do that but we do appreciate that although the relative strength and power of the work we do makes changes to more than 333,000 people, we are also aware of the fact that we have to be involved with our own economy, ensuring that what we do works.

But we are constantly thinking of different ways to involve the community, business, to actually increase our position and effect we can have on the overseas world.

The Bailiff: Deputy Roffey.

Deputy Roffey: Thank you, sir.

I congratulate the Commission on the excellent work they do. Can I ask the President whether they have yet considered or will consider contributing to the current Disasters Emergency Committee appeal on Afghanistan, where an absolute humanitarian disaster is brewing at the moment?

The Bailiff: Deputy Blin.

Deputy Blin: Thank you for your thanks to the Commissioners, Deputy Roffey. It is wholeheartedly felt here.

In response to the question it has actually been covered recently. We have had some difficulties with any work linked with Afghanistan, on the basis that we cannot always secure the right charities nearby, which are able to ensure – as you know, this is a key part for our work – that the monies go to the right places, not in the hands of the Taliban or any other faction.

So that has been one issue. I am aware that there has been talk but I do not know if this is the appropriate place to talk through the law side. There is an appeal about help for lawyers in Afghanistan. That is a separate issue.

The Bailiff: Deputy Inder.

Deputy Inder: There have been some good pieces in the update, particularly the community inclusion in spreading the word of the work that the President does. But alongside that, sir, to Deputy Blin, this perennial argument – and I know probably for the first time in my life Deputy de Sausmarez is going to actually nod in agreement with me – I just find it odd that the fairtrade work, which has been going since 2005, gets so little penetration in our schools and in our offices. That is part of that messaging and showing what is happening in the world.

I know it is not directly related, through you, sir, to Deputy Blin, but could I ask that he speaks directly to Deputy Ferbrache, who could then possibly instruct some of the organisation leads to find a better way of ensuring that fairtrade products are used in our schools, in our offices and all around our organisation, where possible?

The Bailiff: Deputy Blin.

Deputy Blin: I would like to thank Deputy Inder for that, because although that seems to be a small part of the overseas aid work, that it is actually an important part.

We happily support the fairtrade with the Commissioners, we sit on the steering committee and very recently there was a meeting where, although it had been discussed over a year ago, we got the offices of each Committee to be able to become a champion, as mentioned in the Statement, of that fairtrade.

So exactly right. We need to step that up. Those offices need to and we the Assembly, through you, sir, could have the opportunity to talk to our committees to start integrating these certain elements. What I mean is some bananas in schools or in the Hospital and some fairtrade coffee. I

1770 know some of the businesses have gone to great expense of administration to get their products as fairtrade-ratified, which means it is giving something back to these countries. So it would be a real pleasure if actually our Committees and officers and us promoted that to see a change in 2022. That would be a great start and another way to push forward.

So I would like thank Deputy Inder for that.

The Bailiff: Deputy Kazantseva-Miller.

1775 **Deputy Kazantseva-Miller:** Thank you, sir.

I also wanted to congratulate the President of Overseas Aid for an excellent update and the Commissioners' work. I am particularly grateful that we have also started the impact investing approach as well, which looks to leverage the power of the financial markets and financial mechanisms that we are so good at.

1780 My question would be, based on his early experience of doing impact investing through the Commission, whether the President might be mindful to perhaps work with P&R to suggest that this approach should be expanded much wider to the investments strategy of the States' investment portfolio, which is £2 billion or so plus and whether we should really be doing much more impact investing, as the States of Guernsey?

1785 Thank you.

The Bailiff: Deputy Blin.

1790 **Deputy Blin:** I very much appreciate the question by Deputy Kazantseva-Miller, because the £1 million is a tiny fraction. It is a tranche of the £5 million, the £5 million of £250 million. It is becoming more commonplace now that, through ESG and other movements, that guarantee that. I am sure by 2030, 2040, the majority of investments are going to have to demonstrate these sorts of ESG elements towards it.

1795 So actually, the words of Deputy Kazantseva-Miller will be coming through over time and more so. I would be grateful if P&R would consider that, but I rest firm in the belief that I am sure that this is something that is already happening, mainly because the global community investments across the world are taking that route. But, if we could actually increase that or even the private sectors who want to actually make their commitment and add in to these social impact investment funds, that would also be appreciated.

1800 So thank you very much.

The Bailiff: Deputy Trott.

1805 **Deputy Trott:** Thank you, sir.

I, too, commend the work of the Overseas Aid Commission and personally wish that we were able to do more collectively as an Assembly, rather than as a community, where our take-up rates are already at the top of the list, as we know, rather than near the bottom.

1810 I want to talk about fraud risk. We have previously been a victim of fraud, if my memory serves me correctly. Some sort of Ugandan chap went off and built a house with our money. I understand that the Charities Commission have been very poor in assisting the Overseas Aid Commission, which is regrettable. The question, sir, is have there been any other fraudulent activities which Deputy Blin would like to report and could he confirm what measures are now in place to mitigate against such future activities?

1815 **The Bailiff:** Deputy Blin.

Deputy Blin: Thank you, sir.

1820 That is a very important, well, not only an important statement Deputy Trott has made, but a very important aspect of the Overseas Aid mandate. This is the process that the Commission has always had, has included a number of checks that have to be done throughout the opening of Grant Aid funding to any committee and organisation with analysis from their accounts to reports, to reports to the Charities Commission.

1825 However, as Deputy Trott has affirmed, there has been a case in the past and there have been a few questions since. It is very much part of our meeting, which will be taking place this evening with the Commissioners, the last meeting before the end of the year. It is very much brought to their attention when there are issues, we look through them, we study them, and then we send the right questions back to ensure.

1830 I can assure the Assembly, and especially with all the support given, that all actions are very seriously considered. All the research and reviews from both the officers and other organisations, because very much these larger organisations have their own policies there as well to try and ensure mitigation of fraud and everything. So there is that risk, it is very minuscule and it is always dealt with and I know in the last 10 or 15 years it has been a very small proportion and where it has happened there has been direct action –

1835 **The Bailiff:** Deputy Blin, I am afraid that is your time up.
Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you, sir.

1840 Following on from Deputy Inder's question and just to say thank you to the President of the Overseas Aid & Development Commission for the report and for his Statement today, I personally am very supportive of the Fairtrade movement and think that reinvigoration of that particular strand of work would be really valuable. Would the President like to meet with me to have a conversation about how we can look at long-term promotion of this strand of work into our education settings, 1845 but also more widely into our cultural settings as well? Beau Séjour, the museums, etc., where we do obviously have retail outlets. Would the President be happy to meet with me to further those conversations about how we could promote this together in the long term?

The Bailiff: Deputy Blin.

1850 **Deputy Blin:** Thank you, sir.

I think it would be very hard not to accept that offer. I would be absolutely delighted to take on that opportunity.

1855 **The Bailiff:** Deputy Gollop.

Deputy Gollop: Thank you, sir.

1860 Bearing in mind the President had a long speech and he wants to see more engagement, would it not really cost more next year for the Overseas Aid Commission to hold more public or virtual meetings, to actually publish the report so that all of us Members can debate it in the Chamber and strengthen their public relations, perhaps *[inaudible]* *pro bono*, because they are planting nearly three quarters of a million trees, helping 4,000 farmers *[inaudible]* 321 school desks, 250 water supplies. I do not think the Guernsey public are aware of this. What could the Commission do to improve their communications?

1865 **The Bailiff:** Deputy Blin.

Deputy Blin: Thanks, Deputy Gollop, for that question.

1870 It is a very important part and there is still very much, from a small part of the population where, 'Let's not spend money out there', but when you see the statistics of what is done, you see the

proportion: 50 pence in £100 which is used to promote and do so much good. However, we are working on projects for 2022. We will be organising another international development network where we showcase other charities' work and some of the work that we carried out over the years in Madagascar, we are working with some individuals to try and showcase that through education to schools and institutions.

So it is very much the way, as Deputy Gollop says, that we need to promote more and show what we do and it is not just some pounds put into someone's pocket to do, it is a lot more.

Thank you.

The Bailiff: Deputy Queripel.

Deputy Queripel: Sir, as Deputy Blin explained in answering Deputy Falla's question, I recently submitted some Rule 14 questions to the Commission about the report being in colour. Could the President give me an assurance the Commission will consider printing the report in black and white in future, in an attempt to save money, bearing in mind the report will probably just sit on the shelf gathering dust after being read just the once?

Thank you.

The Bailiff: Deputy Blin.

Deputy Blin: Thank you, sir.

I do see where Deputy Queripel is coming from. The costs were answered of how much it cost for each book and I think it is okay to share that at around £10.70. The cost of publishing that book in black and white would have been somewhere in the range of £7, so there would have been a difference. I will not say unsubstantial difference.

There is little we do where cost is spent. There is a small administration cost but it is powerful. We all know that images say a thousand words and when we have this, which is just doing the 40 or so, or 70 projects we do in a year, it is nice to be able to show that.

These are not handed out willy-nilly. There are not thousands of copies left on counters in offices and surgeries. These ones, as I mentioned earlier, I would be happy to take anyone's back that have been used, so we can share them with the International Development Network people, with other charities, with charities growing, with people who are interested to see what we are doing. And also comparatively, looking back over the years and going forward to see the projects we do.

The Bailiff: Deputy de Lisle. By the way I am, similarly with others, extending the period of questions.

Deputy de Lisle: Sir, foreign aid saves lives, particularly during calamities and disasters, and rebuilds lives after a disaster, so that victims can start over. Now, as I see it, and this is where the Annual Report was very useful, 12% actually is going to disaster relief. But given the increase in natural disasters in recent years, is it the intention to give a larger proportion of aid to disaster relief in future?

The Bailiff: Deputy Blin.

Deputy Blin: Thank you, sir. Thank you, Deputy de Lisle, for that question.

In fact to answer it I think it would be fairer to say that that the proportion we allocate is not a fixed proportion. There is movement on it and we look at the global situation to see where the funds will be required. We allocate for the single year grant aid awards and now obviously we are starting the multi-year grant aid awards as well. Plus, we have the community partnerships and the disaster relief.

So we always look at the budget very carefully, then see what we can do and we discuss all of this. The Commissioners will sit down and discuss the situation to ensure that the funding is carried out correctly.

The Bailiff: Deputy Burford.

Deputy Burford: Thank you, sir.

I do not believe the President actually answered my previous question, so perhaps I can rephrase it. There is the extant Resolution requiring an increase to 0.2% of GDP by 2030 and a direction to P&R to include a strategy in the funding investment plan on how to get there. Has the President of Overseas Aid seen that strategy and, if not, what is he doing about it? Does he agree that it will need an increase of £400,000 each and every year from now to 2030 to meet that commitment?

Thank you.

The Bailiff: Deputy Blin.

Deputy Blin: Thank you, sir, and thank you, Deputy Burford.

I did read it and I do understand it. Maybe I did not make it clear in the sense that in the last two years we had the reduction, which was agreed by the Commission before my time as President. Further to that we took a further reduction. After that we are still looking at the situation. We are grateful that we have actually had it returned back to pre-pandemic levels.

We do need to have the conversation to take this further but we have to be realistic on what our economic situation is like. It does not mean that we are not going to take this further to discuss, it is about timing as well. But in answer, the answer is definitely yes. There will be conversations that we would like to have. It is an extant Resolution, it was agreed, but we have to do this in partnership with all the other costs that are going on. So yes, we do wish to proceed and we will be having those conversations in the next year.

The Bailiff: Deputy Queripel.

Deputy Queripel: Sir, I may have missed it but I did not hear a yes or no answer to my question earlier on regarding printing the reports in future in black and white as opposed to full colour. Can the President clarify his answer to my original question, please, and make it clear whether or not the Commission will at least consider printing future reports in black and white as opposed to full colour?

Thank you.

The Bailiff: Deputy Blin.

Deputy Blin: Yes, I apologise, Deputy Queripel, if I did not answer it. I just outlined the cost. I will ask the Commissioners if they would consider doing it in black and white. I would recommend personally that it stays in colour, for the cost of what it is going on, to ensure we can give the best effect. We probably spend more on documents shared amongst Deputies, officers' documents etc. against one investment on a global scale, where we are actually then trying to demonstrate what we have done. And actually, if anything, I would say, keep the printing low, keep it in colour, but I will pass on that question. Remember, it is also online and that could be used more often, but sometimes, as we all know, it is nice to have something tangible to hold on to.

The Bailiff: Members of the States, that will conclude questions to the President of the Overseas Aid & Development Commission and we move into Question Time proper.

Questions for Oral Answer

COMMITTEE FOR EDUCATION, SPORT & CULTURE

Guernsey Institute – Devolved management

The Bailiff: The first questions are being asked by Deputy St Pier to the President of the Committee for Education, Sport & Culture. Your first question please, Deputy St Pier.

1975 **Deputy St Pier:** Thank you, sir.

I have hopefully got it logged on the chat about the problems I have had with my laptop this morning that prevent me using the camera.

1980 **The Bailiff:** I did get that and I will allow you to ask your questions, but you will have to resolve it for this afternoon.

Deputy St Pier: I will attempt to do so, sir.

1985 In its media release of 23rd November, the Committee for Education, Sport & Culture advised that it has taken a decision to stand down the shadow board of the Guernsey Institute. In light of this, can the Committee advise its current intentions and timelines in relation to introducing devolved governance, such as local management of schools, for States' education settings, including schools and the Guernsey Institute?

The Bailiff: Thank you.

1990 The President to answer the question, Deputy Dudley-Owen, please.

Deputy Dudley-Owen: Sir, I am grateful to Deputy St Pier for his question.

1995 It is clear to the Committee that the governance of States-maintained education settings has not been effective for quite some time. What we mean is that the focus of a number of predecessor Committees has been on the whole system, not necessarily on individual settings.

As you would expect, at a strategic level we continue to focus on the whole system through our holistic Education Strategy and with regard to the governance of individual settings, our Education Strategy identifies this as a key priority under the second commitment, which is to ensure outstanding leadership and governance.

2000 The Committee has multiple roles to fulfil and as a current and interim measure the Committee is actively picking up that governance role, which has been lacking. In the months ahead we are continuing our training to ensure that we have the tools to do the job of school governors well. But we know that that is not a sustainable position and our long-term aim, informed by our on-the-job training, is to propose to the Assembly, as part of a package of proposals relating to a new Education Law, a governance model that creates governing bodies to sit between those settings and the Committee.

2005 I cannot at this stage say what that will look like but we are very open-minded as to the type of governance Guernsey needs and will look at familiar models such as the UK's local management of schools (LMS), which Deputy St Pier has alluded to, to ensure that we have a framework which is the right fit for Guernsey. The timeline for the progression of the review of the Education Law was set out in the Government Work Plan agreed by this Assembly and we will use this to propose and confirm the future model of governance for our settings.

The Bailiff: Your first supplementary question, Deputy St Pier.

2015 **Deputy St Pier:** Thank you, sir, and thank you to Deputy Dudley-Owen for the Committee's response.

In her response, sir, she has referred to the Education Strategy. Does the Committee intend seeking further comment from States' Members on the new Education Strategy through a States' debate?

2020 **The Bailiff:** Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you to Deputy St Pier for his question.

2025 We want to discuss the Education Strategy with States' Members as a topic in our second series of webinars. It has been a shame that this second series has not been as well-attended as we had hoped and we will be asking for input from States' Members as to how we run that in the future. We do not plan to take the Education Strategy to the States for debate. Historically, not all strategies have gone to the States for their endorsement.

2030 **The Bailiff:** Your second supplementary question, Deputy St Pier.

Deputy St Pier: Thank you, sir.

2035 In the response to the original question, Deputy Dudley-Owen referred to the timeline of the Education Law driving this look at alternative governance systems. That *[inaudible]* Education Law from mid-2025, i.e. after the end of this term. Perhaps she could confirm that this will also apply to devolved governance in local education settings?

The Bailiff: Thank you.
Deputy Dudley-Owen.

2040 **Deputy Dudley-Owen:** I cannot give a date exactly as to when a board of governors would be appointed to sit in-between the Committee and the school settings but I would hope that, certainly by that stage, we would have an extremely good and detailed view of how this is going to work. I would not like to pin the Committee down to an exact date but we really should have something in place by then.

2045 We are working through at the moment to see what we need to do with school governors. It is a very detailed piece of work that we are undertaking and we will come to this Assembly with detailed Propositions on how that governance is going to work, so Members can see and scrutinise that and be able to understand how governance will work in the Guernsey context.

2050 **The Bailiff:** Deputy Falla, supplementary.

Deputy Falla: Thank you, sir.

2055 Would the President consider talking to the Boards of the Ladies' College and Elizabeth College, to identify how they work with their boards of governors and perhaps lessons learnt through their own experience?

The Bailiff: Deputy Dudley-Owen.

2060 **Deputy Dudley-Owen:** I thank Deputy Falla for his comments there in his question, because that is very relevant.

2065 Having been a school governor myself on Blanchelande for a couple of years, last term, I think it is important that we speak to the governing bodies that have been around for many decades, that we have and use their experience. What works well, what does not work well and also apply that to the States' context, where we centralise an awful lot of services and we get a lot of expediency and economies of scale based on that to come up with a unique blend of governorship for our

States' settings. But I would like to assure Deputy Falla that we will use all and any expertise that we deem necessary in order to get it right.

2070 **The Bailiff:** Deputy Kazantseva-Miller, supplementary.

Deputy Kazantseva-Miller: Thank you, sir.

2075 The President mentioned that the former shadow board was obviously stood down and many members on that board spent many years selflessly advancing further education in the Island. I am curious to hear what the response of the shadow board members was in response to this new directive from the Committee and whether the Committee is planning to use the experienced wisdom of those members going forward in the process of designing future governance systems?

Thank you.

2080 **The Bailiff:** We will take those as the two supplementaries, then, Deputy Dudley-Owen to answer those.

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

2085 Within that, I have actually covered this within my second answer to Deputy St Pier's question, that absolutely we welcome and we are seeking the views of members of that shadow board to come forward about what they felt went right and what could have been done better in terms of governance to inform our thinking.

2090 I think it was a position that became ... it is unfortunate that so much time was put in by those individuals and it was not put to better use. There was a lack of strategic vision given to those individuals when they were appointed as the shadow board and we regret that greatly. That was under the previous Committee and an awful lot of time has been put into the shadow board but we do not want that time to be wasted and the shadow board and the individuals there contributed an awful lot and were very dedicated. We came to a mutual understanding and agreement about the standing down and we want to remain on very good, cordial terms with those individuals.

2095

The Bailiff: Deputy Gollop, supplementary.

2100 **Deputy Gollop:** Yes, I agree with the President's view of the need for training and for looking at what went wrong in the past for moving forward. My question, really, is will the training and models considered under the strategic review look at different levels of autonomy? That is to say whether the local management of schools might extend to employment of personnel and indeed some elements of budgeting.

2105 **The Bailiff:** Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you to Deputy Gollop for his question because I am really grateful.

2110 What he is starting to pick into there are some of the complexities and the issues that we as a Committee face and that I think are often misunderstood. It has long been a political rhetoric that we need devolved governance in Guernsey because that is the thing that is going to make our education system better. It must be about making the experience of every single child in our schools, in every single classroom, better.

2115 Is that going to be readily affected by moving the HR provision from a centralised States' function, as it currently is, into each school so that each school has to have an HR manager, each school has to have a suite of employment regulations and that they all have an individual who sits on the board of governors who is an expert in HR-related matters? We are not sure about that type of thing but that is one of the complex areas that we have to really pick into and it has not been done to date. That is a big issue; a big problem. We need to look into those, bring those detailed

2120 proposals to the States and to decide whether centralised services for Guernsey, for a population of 60,000 people, are going to work better in our context, rather than looking at a UK governance model, such as local management of schools, which fits the UK context but may not necessarily work well here.

2125 **The Bailiff:** We turn now to your second question to the President, please, Deputy St Pier.
We cannot hear you, Deputy St Pier.

Deputy St Pier: Sorry, sir. Can you hear me now?

2130 **The Bailiff:** I can hear you now, so can you pose your second question to the President, please?

Deputy St Pier: Sir, having stood down the shadow board, how do the Committee intend now to discharge the 2017 Resolution 'that the College of Further Education shall have a single board of governors'?

2135 Thank you, sir.

The Bailiff: Thank you.
Deputy Dudley-Owen to reply, please.

2140 **Deputy Dudley-Owen:** Sir, for context, the Resolution Deputy St Pier has referenced envisaged a single entity, which it referred to as the College of Further Education, comprising the College of Further Education, the Guernsey Training Agency and the Institute of Health and Social Care Studies. That single entity is now referred to as the Guernsey Institute (TGI).

2145 My first answer to Deputy St Pier applies equally to TGI, which the Committee will govern as a single entity as an interim measure, as part of its experiential training, on-the-job training. We fully intend to propose a different long-term governance arrangement for that setting, too. We have invited the members of the former shadow board to contribute their views as our thinking evolves in this regard, so that we can benefit from their recent experience.

2150 **The Bailiff:** I am just pausing because I can see that Deputy St Pier may have a supplementary. Two supplementaries, indeed. So Deputy St Pier, first supplementary please.

Deputy St Pier: Thank you, sir. I have been literally toggling between the chat function and the connection with you, sir.

2155 The President, in her response, has referred to a different model for a different long-term governance regimen. I wonder if perhaps she could confirm that she means different from that which is proposed in relation to the schools, or different from that which currently exists?

The Bailiff: Deputy Dudley-Owen.

2160 **Deputy Dudley-Owen:** I do not recall saying the wording ... Oh yes, sorry, 'propose a different long-term governance arrangement for that setting, too'. Yes, different from what existed previously in terms of the shadow board, which was an entity which was not supported in Law and therefore had no teeth or powers to exercise any autonomy.

2165 We, at this stage, could not say exactly what that different governance model is, for the reasons that I think I have already alluded to, insofar as we ourselves, as the Committee, need to go through the process of governing ourselves. We then need to measure that against consultation and we also need to look at what we currently do in Guernsey to come up with an idea of what is going to be the best fit for Guernsey. So at this stage, I could not say definitively whether that will be different from the schools or whether that will be a similar arrangement.

2170 But clearly they are two different sectors that we are talking about, one being further and higher education and the other being secondary and primary.

The Bailiff: And your second supplementary question, please, Deputy St Pier.

2175 **Deputy St Pier:** Thank you, sir, and thank you to Deputy Dudley-Owen for that clarification of the first response.

From whom will the Committee be seeking contributions, other than the shadow board that they have stood down, in relation to the design of the alternative long-term governance models?

2180 **The Bailiff:** Deputy Dudley-Owen.

Deputy Dudley-Owen: Well, there will be various stakeholders as we go through, working into the Education Law in the presentation of the policy letter and an awful lot of consultation was undertaken by the previous Committee, which of course we are using, because you do not throw away good work.

2185 In addition to that, clearly there is a very dedicated group of people who are often not applauded well enough and those are the members of our school committees. People who sometimes have spent many decades giving up their time and effort and committing to coming in on a regular basis and looking at the facilities of the school and also the behaviour of the children as prescribed in Law – our current Education Law – which is part of their duties. Those groups of people as well, we will be looking to work with and to get their views as to how governance can work in the future, amongst others.

2190 **The Bailiff:** As no one else is rising to ask any supplementaries to the President of the Committee for Education, Sport & Culture ... Deputy Matthews, all right, you have leapt to your feet.

Deputy Matthews: Thank you, sir.

2200 I was just quickly going to ask, in relation to matters of governance, my understanding is that a lot of the impetus for wanting to have local management and devolved governance of schools, and indeed the Institute, comes from the UK, where this has been the direction that the UK has gone in. Of course, in the UK, that is partly to enable some choice to be facilitated between independently run institutions and, of course, in the case of C of FE, or the Institute, there is only one. We have more than one secondary school and many primary schools.

2205 Would the President agree with me that, when considering matters of how to devolve governance, it should be looked at in the context of how to do that and how to best facilitate, if indeed there is any advantage, and I believe there is, but if there is any advantage in facilitating some choice and competition between individual schools – it would mostly apply to secondary and primary schools, more obviously than to the Institute – whether choice should be something that the Committee would look into for future models of governance?

2210

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you to Deputy Matthews for his question.

2215 It is a difficult one to answer because if choice means competition and competition means that certain schools are better populated than others and therefore are better funded than others and others are left behind, and we are left in an invidious position of schools being underpopulated and community schools closing, then no, that is not what I would want to endorse. I think that many Members of this Assembly would agree with that.

2220 Community schools, especially in the primary sector, are really important to those individual communities. Parents often do move in order to have that choice at primary school. We are seeking to ensure parity, co-operation and partnership working amongst our schools in order to ensure that

there is that equal opportunity whilst allowing those schools to develop their individual cultures, so that parents are not faced with stark choices that school A is markedly better than school B.

Obviously, where children do have to move between schools, we want to make that experience as seamless as possible, but it is something that I know that Deputy Matthews and also Deputy Gollop has spoken about on many occasions and I would encourage Deputy Matthews and Deputy Gollop to feed into Committee and to come and speak to us about this, especially around feeder schools, because it is much more complex, I think, than is often thought about. And if you want us to do a webinar series on it then please do let us know.

The Bailiff: Deputy Dudley-Owen your time is up. Now, there are no more supplementaries.

COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

Climate change – Definition as emergency; political strategies; formation of working group and citizen's assembly – Questions commenced

The Bailiff: We will turn to the other set of questions at this Meeting and they are being posed by Deputy Gollop to the President of the Committee *for the* Environment & Infrastructure. So your first question, please, Deputy Gollop.

Deputy Gollop: Thank you very much and I thank Deputy de Sausmarez and the Committee for their answers.

In lieu of the success and impact of the COP26 United Nations climate change conference, which Guernsey too participated in, will the States be asked to reconsider defining politically climate change as an emergency?

The Bailiff: Deputy de Sausmarez, the President, to reply, please.

Deputy de Sausmarez: Thank you, sir.

The States has formally recognised that climate change has reached a critical point and that Guernsey must urgently address the climate and ecological crisis at both local and international levels. Through its far-reaching climate change policy, it has made a clear commitment to tackling climate change with targets to be set in legislation. The urgency of this vital climate change work is reflected in its prioritisation in the Government Work Plan and the work the Committee is doing.

The Bailiff: Supplementary, Deputy Gollop.

Deputy Gollop: In thanking the Deputy for her answer, I note the words 'critical point', 'far-reaching', 'vital climate change', 'prioritisation', 'crisis', but not 'an emergency'. Are we to assume that it is unlikely to be elevated to a so-called emergency for the foreseeable future?

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Sir, Deputy Gollop was part of the Assembly that debated this very issue. It was the amendment that myself and Deputy Dudley-Owen brought forward in 2019 and we had actually given very careful consideration to the wording of that, with specific reference to what was the more appropriate term to use: crisis or emergency. My memory is a little bit dusty but I can

share a copy of the amendment if he would like. It was about the fact that crisis was more evocative of the fact that it is a turning point.

2265 An emergency has some unfortunate connotations and obviously, since then, in an unforeseen way, we have been living under Emergency Law. I do not think that is something that people want any more of. Obviously, using the word emergency has very specific and legal implications as well. So Deputy Gollop may want to revisit *Hansard* for the debate on that particular semantic issue.

2270 **The Bailiff:** Deputy Dudley-Owen.

Deputy Dudley-Owen: I hope I am going to be able to phrase this supplementary well. Would the President of the Committee *for the* Environment & Infrastructure agree with me that there is a Law that we have, which actually prescribes – it is an emergency Law, and I am afraid I do not know the name of it – that actually climate change is not in of itself an emergency but, whether events emanating from that are emergency events, which was one of the reasons, as well, that informed our thinking in the wording of the amendment?

2280 **The Bailiff:** Deputy de Sausmarez.

Deputy de Sausmarez: Yes, I thank Deputy Dudley-Owen for her contribution. It was something that we gave very careful consideration to.

2285 **The Bailiff:** Deputy Taylor, supplementary.

Deputy Taylor: Thank you, sir.

Just picking up on four words that have been mentioned so far, 'urgency', 'critical', 'emergency' and 'crisis' – hopefully I am not treading on the toes of Deputy Gollop's questions to come – could the President of E&I give an indication of what has been done so far to progress those issues; material things?

2290 **The Bailiff:** Deputy de Sausmarez.

Deputy de Sausmarez: In 90 seconds, with the Presiding Officer keeping a very strict eye on the clock? It does slightly cut across some of the next question, I think it is, coming up, because in the answer to that I will explain that the Committee is in fact next week going to be agreeing its prioritisation.

So I am quite happy to try, in the time available, to give Deputy Taylor a whistle-stop tour. Mitigation, adaptation, overseas aid, green financing – there are lots of different pillars to our climate change policy. I was anticipating having to answer some incredibly huge question like this. We have seen, 2020 saw, a 6% reduction in energy use, compared with 2019; and 26% of the total energy used in 2020 was from renewable sources, as compared with 9% in 2019. There has been a huge amount of work in the Energy Policy. Deputy Taylor will know that we are bringing the Electricity Strategy forward next year.

2300 We have expanded our EV-charging infrastructure. We have been working with Procurement on our States' fleet rationalisation/decarbonisation plan. We have been working with Property Services on supporting their property rationalisation programme. We have been doing a huge amount of work in terms of housing. That is really gearing up; housing and transport. We have supported the introduction of shared mobility into the Island. We have supported the bus service and seen a really encouraging rebound in terms of bus passenger numbers. We have negotiated our first –

2310 **The Bailiff:** That is going to be your 90 seconds!

Deputy de Sausmarez: I have got loads more, actually, but I cannot do it in 90 seconds. I am really sorry.

The Bailiff: Alderney Representative Roberts, supplementary.

Alderney Representative Roberts: Thank you for allowing me, sir. I would also like to thank Deputy de Sausmarez for all the work she is doing, and she is doing a sterling job, too.

The focus on climate change remains on removing fossil fuels and returning to green energy in each and every way we can and that is a good thing, a piece of providence that we have to address. Would she not agree that little focus is put on world population? Seven times the number up, from 1900, that is 1.2 billion to 7.2 billion, in just 121 years. This is the root cause of our current rate of global warming, sheerly from consumption.

Would she not agree that the world needs to look at this difficult issue now rather than later? **(The Bailiff:** Deputy –) Little has *[inaudible]* race against time and we will have to debate world population, look at the consumption and maybe the Bailiwick should voice its concerns and –

The Bailiff: Alderney Representative Roberts, I hate to talk across you like that, but you have had your minute, so Deputy de Sausmarez to reply to that question, please.

Deputy de Sausmarez: Thank you, sir.

I thank Alderney Representative Roberts for introducing another vast topic for me to try to address in under 90 seconds. But I would make the distinction, and actually he started to allude to it, the problem is not in and of itself population, the problem in and of itself is consumption related to that population. You can see this when you look at the statistics because there are some incredibly populous countries which have an absolutely tiny carbon footprint, as compared with some populations which are much smaller.

So the focus is very much on consumption and, hopefully, Alderney Representative Roberts will be reassured to know that that is likely to be a core consideration. Obviously, I cannot pre-empt what the Committee is going to decide in terms of its prioritisation next week, but certainly a lot of the conversations that we have had as a Committee to date have certainly recognised that consumption as part of that problem we will need to address in a number of ways.

Thank you.

Alderney Representative Roberts: Many thanks.

The Bailiff: I do not see anyone else rising to ask a supplementary question but, because it is just on the verge of being 12.30 p.m. and some of us might be feeling a bit chilly, I think we will adjourn now until 2.30 p.m. and we will resume with Deputy Gollop's second question to the President.

So we will now adjourn until 2.30 p.m.

*The Assembly adjourned at 12.34 p.m.
and resumed at 2.30 p.m.*

COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

**Climate change –
Definition as emergency; political strategies;
formation of working group and citizen's assembly –
Questions continued**

The Bailiff: Deputy Gollop, your second question to the President of the Committee *for the* Environment & Infrastructure, then, please.

2355

Deputy Gollop: Thank you very much, sir. In coping with and mitigating the harmful repercussions of climate change, what political strategies are being developed beyond further work on coastal erosion, energy and sustainable transport plans?

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The Bailiff: Deputy de Sausmarez to reply.

Deputy de Sausmarez: Thank you, sir.

2365

This question leads to two of the core aspects of our climate change policy: mitigation of the problem and adaptation to its effects. Mitigation focuses primarily on avoiding and reducing harmful emissions. The three biggest sources of direct, i.e. scope one emissions, are energy, waste and transport. So, these areas are obviously the most important opportunities for us to mitigate our carbon emissions impact.

2370

Adaptation goes well beyond coastal defences. It needs to look at all relevant impacts of climate change, including for example the availability of fresh water, pluvial flooding, biosecurity risks such as invasive species and risks to human health, to name just a few. It is impossible to answer this question in a way that does it justice in the 90 seconds available under Rule 11 but Deputy Gollop will be reassured to know that, following COP26, a review of the actions related to our climate change policy is very much underway and the Committee will in fact be meeting next week to decide the prioritisation and the associated allocation of resource. Once that meeting has taken place and the relevant details can be made available, the Committee is looking forward to proactively communicating our work in this area.

2375

The Bailiff: Supplementary, Deputy Gollop.

2380

Deputy Gollop: Yes, my first supplementary is there was perhaps quite a disturbing media report a few days ago, which featured Deputy de Sausmarez amongst other people, that there is the possibility through climate change of significant coastal, seawater rise, flooding both St Peter Port and maybe much of the north of the Island. How far are Environment & Infrastructure able to look at some of the exciting counterpoints, such as sea walls and improved natural drainage?

2385

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

2390

I did not see that report. I believe I might have featured in it but I have not seen it. Yes, absolutely, sea level rise is one of the most obvious impacts of climate change that we, as an Island, with some low-lying areas, are going to need to address and that is going to be essential to our adaptation strategy.

2395

Deputy Gollop was right to talk about different features of that, so part of it is about coastal defences. We have actually beefed up our coastal defences policy this term. We have taken a more logical approach to separating out the coastal defences, either bits that actually offer protection to the infrastructure behind and the coastal features, which I know are very important as well, Deputy

Taylor, but also we do have to look at what happens behind coastal defences. It is all part of the same picture.

Nature-based solutions are a really important part of that picture. So, things like sustainable urban drainage systems are really important because one of the best and most effective ways of mitigating flood risk, especially from pluvial flooding, because they are able to disperse the pressure on the drainage systems, I suppose. Yes, they are just a really sensible way of looking at it. Basically, I think what I am trying to say is it is a multi-faceted approach and it will all be taken into consideration as part of the adaptation strategy.

The Bailiff: Second supplementary, Deputy Gollop.

Deputy Gollop: My second question is the answer refers to biosecurity risks such as invasive species, we know about the Asian hornet and so on, but there have been reports from both Jersey and Guernsey that traditional birds, like swifts and swallows, are harder to see and that may be as a result of global warming. Are Environment & Infrastructure working with nature organisations and experts to ensure we improve in that area?

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Yes, the simple answer is yes. Deputy Gollop will be aware of our Strategy for Nature, which looks very much at that. It is all about connecting with nature, caring for nature, and sharing knowledge and information about nature. But, yes, he is right that some climate change impacts are really obvious and I would say sea level rises is one that springs immediately to mind. But there are many more subtle effects of climate change and some of the effects on ecosystems and natural patterns is one such effect and so that is something that, again, we are very cognisant of and it is something that will be looked at in more detail.

Thank you.

The Bailiff: Deputy Taylor, supplementary.

Deputy Taylor: Thank you, sir.

In Deputy de Sausmarez's answer there, she mentioned COP26 and mitigation. You can probably see where I am going with this but I wonder what mitigating measures were taken to offset the carbon accrued in travelling up to COP26?

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: I am really glad Deputy Taylor has asked this question because it is a much bigger issue than one single journey, is it not? So, obviously, we went through the emissions hierarchy, as I am sure he would expect, which is – Deputy Brouard and I were discussing this over lunch, he is going to whip out a little diagram from his top pocket! – but the emissions hierarchy is of course: avoid, reduce, replace and offset. So it goes in that order and we try and do everything according to the hierarchy and you only offset what you end up with, which you cannot possibly avoid, reduce, etc.

So obviously those flights have been offset and more. But one of the things, one of the conversations it did start is this broader issue about States' strategy. Because obviously one person taking one journey – and I have to say that while I was there I was obviously pootling around on foot and electric bus and bicycle, as I am sure Deputy Taylor would expect – it does point to a broader issue about States' travel policy and that is something I have spoken with the Chief Executive about and it is something that we are picking up with the senior leadership team.

It actually goes beyond climate change as well, it is about how we can reflect States' policies much more directly within the organisation as a whole and, actually, one of the proposed priorities

2450 of our Climate Change Action Plan, one of the existing priorities but obviously I cannot pre-empt the Committee's decisions next week, is about the States leading by example. So I am hoping that actually that exercise and the inevitable questions around mitigation have actually led to what will be a much more robust policy.

2455 **The Bailiff:** Deputy de Sausmarez, those are your 90 seconds, I am afraid.
Deputy Inder, supplementary.

2460 **Deputy Inder:** Sir, as Deputy Gollop mentioned, birds, I think for the past three E&Is, versions of, we have always heard about what they are going to do and everything is cognisant of, but nothing really materialises. Over 14 months ago we all went to Les Cotils, sat around the nature conservation tables, we all had two minutes.

2465 Two things they asked of us were very easy wins: stop dogs on the shingle bank, that is what they wanted from us, and they also wanted dogs banned from the south side of Vazon, the simple reason: turnstones, curlews, water waders, they get chased by dogs when they are trying to migrate and wade. Why do we keep hearing that E&I are going to do something, because they are always cognisant of something, but never appear to get round to doing anything?

The Bailiff: Deputy de Sausmarez.

2470 **Deputy de Sausmarez:** I think Deputy Inder should retract the 'have not done anything' comment, because I did not have enough time to run through the list of things that we have done, even just in the very narrow scope of this political term. Now, actually, with specific reference to the issue that Deputy Inder is referring to, the two issues: dogs and beaches (*Interjection by Deputy Inder*) we are undertaking at the moment the audits of ...

2475 Deputy Inder may be familiar with the concept of evidence-based decision-making. He might also be familiar with this idea that we have to prioritise work. The whole Government Work Plan exercise was in order to make sure that we have the resources to do the work we need to do. So, a big part of that, obviously we set up the Nature Commission, which is something ... or we are in the process of setting up the Nature Commission, which you will hear about soon. This is exactly the kind of work that can be supported through that as well.

2480 But also we need to be able to base decisions on evidence. We cannot just do back of the envelope, 'I feel like we should just be banning dogs from this area,' or, 'We think there might be a problem with this area.' We actually need the data. The data is seriously important. It is also the data that is going to inform the Blue Economy Supporting Plan, which I know Deputy Inder also has a stake in, as well as the Green Economy Supporting Plan.

2485 These are important bits of work and it is a lot of work. It is a very small team. We have not had any climate change-specific resource until very recently. So, until we approved the Budget, we have never had any climate change specific resource but we do now.

2490 **The Bailiff:** Deputy de Sausmarez, I am afraid your 90 seconds is up. Can I remind you, as I reminded Deputy Brouard before, to try and keep an eye on the clock and be aware of it?
Deputy Taylor, second supplementary.

2495 **Deputy Taylor:** Thank you, sir.
Acknowledging, as Deputy de Sausmarez just mentioned, that we have the Government Work Plan and we have to prioritise our resources and whatnot, could she give an indication if there was anything she learned or was made aware of at COP26 that we may now be able to insert into the Government Work Plan or proceed with within existing resources that are available?

2500 **The Bailiff:** Deputy de Sausmarez, 90 seconds!

Deputy de Sausmarez: I can do it in 10, sir. This is exactly the kind of question that we will be in a much better position to answer after the Committee has had a chance to consider their review, which has been in turn informed by COP26. Thank you.

2505 **The Bailiff:** Deputy Inder, second supplementary.

Deputy Inder: May I suggest, on the back of the response to Deputy de Sausmarez, that she or her and her Committee actually speak to the people who are involved in birdwatching and what is known as the 'twitching' community, because they will give you chapter and verse of the damage that dogs have been doing to the water wading birds around Vazon South and we do not need another cognisant report in another six months to do something about it. It is within our gift today.

The Bailiff: And your question is? What is the question, Deputy Inder?

2515 **Deputy Inder:** I think in the question I asked whether she would do a further consultation with the birdwatching organisations.

The Bailiff: You started with 'can I suggest', which rather implies it was a suggestion rather than a question. Deputy de Sausmarez.

2520 **Deputy de Sausmarez:** Sir, I do go along to the Biodiversity Partnership Group meetings ... Deputy Inder is sitting there shaking his head, but this is the forum that was specifically set up as an umbrella organisation precisely to provide that communications channel so that we do have a direct link between what the environmental community is doing and wants us to do and what is reflected in the Strategy for Nature.

2525 He will know that the Strategy for Nature can only be delivered with the support of the environmental community. We are very dependent on them. It is not a resource-rich area. It is something that, as resources allow, we want to focus as much as possible on, and actually we do do that partly by providing grants to the third sector for work that they would rather just get on and do themselves.

2530 So, we do it in a variety of ways. I am very involved in conversations that are taking place within the environmental community. But there are lots of them. Deputy Inder has picked one element. There are these conversations going on about absolutely everything. Pick a subject. And also we do have to consider these issues from an evidence base and there are also lots of different considerations that need to be taken into account, and he knows as well as I do that anything involving a change of legislation takes time and resource and money and all the rest of it. So, yes, but we do not even have a Wildlife Law. We do have to focus our efforts where the evidence shows that those efforts need to be targeted.

2540 **The Bailiff:** Your third question to the President, then, please, Deputy Gollop.

Deputy Gollop: Would the Committee *for the Environment & Infrastructure* consider forming a working group of senior officers and politicians, similar to a kind of Civil Contingencies Authority, focused presidents' group or Housing Action Group, which will be empowered to make holistic and non-silo executive decisions?

2545 **The Bailiff:** Deputy de Sausmarez to reply, please.

2550 **Deputy de Sausmarez:** Sir, the States of Guernsey currently has no official expertise in climate change, in-house, so our priority is to put in place a mechanism that gives us access to the relevant information, evidence and analysis to inform decision-making across the organisation. Climate change is not a single workstream but an issue that must be taken into account by all committees

and States' bodies. The Committee will form a programme board or similar to drive forward and monitor progress in this key policy area.

2555

The Bailiff: Supplementary, Deputy Gollop.

Deputy Gollop: I have got two. Appreciating, with hindsight, the questions were asked a few weeks too early, perhaps, nevertheless will the Committee be considering a programme board that, although it may not have in-house specific expertise, would have the political capabilities across the departments to implement policies that would help the environment and our wider goals of climate change?

2560

The Bailiff: Deputy de Sausmarez to reply.

2565

Deputy de Sausmarez: Yes, without wanting to pre-empt any decisions that the Committee makes, absolutely, and I would reassure Deputy Gollop those kinds of conversations have already been happening, particularly with respect to the senior leadership team, which as he will know, cuts across all the different committee mandates.

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So, basically I cannot give any guarantees as to what form it will take but yes, some sort of body that has got that kind of overview across different mandates, which will mean that we can take the appropriate actions in different areas of the States, is going to be, I would have thought, a key part of it. Bearing in mind that climate change is not a discreet workstream, it does touch on many different workstreams and many different committee mandates, so it is important that we get that kind of cross-organisational view.

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The Bailiff: Second supplementary, Deputy Gollop.

Deputy Gollop: Referring to the earlier answers as well, one cross-committee programme project area is arguably the motor vehicle, including motor vehicles that the States themselves own and run. Will the Committee therefore be looking at, for example, the ownership and use of vehicles by all States' departments, not just E&I?

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The Bailiff: I am not sure that is a question arising out of the answer that was given to the principal question, Deputy Gollop.

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Deputy de Sausmarez: I am happy to answer it, sir.

The Bailiff: Well if you want to. Deputy de Sausmarez.

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Deputy de Sausmarez: That is actually a piece of work that is already ongoing at the instigation of E&I. There is a programme which is looking at the States' fleet, as a fleet in its own right, and it is looking both at demand side and supply side efficiencies and, because it is taking that broader view, is finding efficiencies in the way that vehicles are used and procured and it looks at a number of different areas, especially, obviously, decarbonisation.

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But I think there are further opportunities as well and we can certainly look beyond just the States as an organisation. Certainly, one of the conversations that the Committee has had with procurement is the potential possibility of sharing the States' fleet with the community, potentially, as a revenue stream as well. So, this is an ongoing piece of work and it is something that is already beginning to take effect.

2600

The Bailiff: Your fourth and final question to the President, then, please, Deputy Gollop.

2605 **Deputy Gollop:** Thank you very much, sir. Would the Committee *for the* Environment & Infrastructure, be prepared to set up a citizens' assembly on environmental wellness, economics and climate change, green issues, that would serve as a think tank with demographic diversity, a voice for young people and local experts in their fields?

2610 **The Bailiff:** Deputy de Sausmarez to reply.

Deputy de Sausmarez: Deputy Gollop will be aware that the States resolved last year to direct E&I to investigate the feasibility of establishing a form of citizens' assembly. These investigations are ongoing and whether or not the Committee thinks this is the right approach for Guernsey is one of the aspects we will be able to provide more comment on following our meeting next week. 2615 I can, however, give Deputy Gollop strong reassurance that the Committee considers community engagement and involvement to be a fundamentally important element of our action plan, so it will be included in one form or another.

2620 **The Bailiff:** Supplementary question, Deputy Gollop.

Deputy Gollop: Yes, as part of the thinking of Environment & Infrastructure, next week and beyond, will they be trying to recapture the enthusiasm we saw last year of the climate change younger generation marches and ensure that any future consultation gives equal weight to male and female, older/younger and those who are perhaps monied and those less so to ensure that we 2625 get broad engagement?

The Bailiff: Deputy de Sausmarez.

2630 **Deputy de Sausmarez:** I think Deputy Gollop will be very aware of my views on the importance of this aspect, and indeed the engagement with younger members of our community – who are in my personal view, the most important stakeholders, as they have more of a stake in the future than us older people – is ongoing.

It was not just a singular march, actually. I have personally done an awful lot of engagement in terms of schools and through organisations such as the Youth Commission, who are really engaged 2635 on this issue, so it has been absolutely fantastic.

Yes, Deputy Gollop knows I share his enthusiasm for representative forms of engagement that can be inclusive so, as I say, I cannot pre-empt any decisions or gaze into a very accurate crystal ball but he has certainly got my personal reassurance that is the aim.

2640 **The Bailiff:** Second supplementary, Deputy Gollop.

Deputy Gollop: I am not necessarily sure this was entirely covered in the answer but my question also alluded to environmental wellness economics, so I would hope that the programme that comes out of this, can I ask will it also include an analysis of how the environment meets and works with 2645 the economy?

The Bailiff: Deputy de Sausmarez.

2650 **Deputy de Sausmarez:** Yes, I think there are a couple of different things that may interest Deputy Gollop in relation to this. One is that he may be aware of the Wellbeing Economy Alliance and we have had quite a lot of conversations with them. Scotland are a leading light in that respect, some very interesting work going on around the world and we have been watching that very carefully and, as I say, engaging with them.

But also one of the outcomes, I suppose, from my visit from COP26, was a stronger connection 2655 with certain environmental economists, who have got some really interesting insights and I am

hoping that those are the kinds of relationships we will be able to exploit, for want of a better word, and really get some useful insights, in terms of our own policy development on-Island.

2660 **The Bailiff:** Members of the States, that now concludes Question Time for this Meeting and we move into other items of business. Greffier, the first one please.

Billet d'État XXV

ELECTIONS AND APPOINTMENTS

STATES' TRADING SUPERVISORY BOARD

1. Guernsey Post Ltd – Appointment of a Non-Executive Director – Mr Rick Denton appointed

Article 1.

The States are asked to decide:-

Whether, after consideration of the policy letter entitled 'Appointment of a Non-Executive Director – Guernsey Post Limited' dated 21 October 2021, they are of the opinion:-

1. To approve the appointment of Mr Rick Denton as a non-executive director of Guernsey Post Limited with immediate effect.

The States' Greffier: Billet d'État XXV, Article 1, the States' Trading Supervisory Board, appointment of a non-executive director – Guernsey Post Ltd.

2665 **The Bailiff:** Deputy Roffey, the President of the Board, to open.

Deputy Roffey: Thank you, sir. The policy letter is self-explanatory and I have nothing to add to it.

2670 **The Bailiff:** I do not see anyone rising to address anything relating to this matter and therefore I will put to you a single Proposition ... Deputy Mahoney.

Deputy Mahoney: Thank you, sir.

2675 I just wanted to say a very brief thing and the point relates to a question as to the value of another non-exec director on another one of these entities. I will be voting against this. I know I will be in a very big minority – small minority? – in this matter but I have no knowledge of what these NEDs are paid within Guernsey Post other than save to say that in the 2020 report, the directive pay was £712,000, but it cost effectively, the States of Guernsey obviously, the lower the cost the more dividend we get back.

2680 I also note that the proposed NED is currently also a NED of Guernsey Electricity, so clearly it is one of the old boys' clubs going on here. Anyway, it would not matter who this was, I would be voting against it. I just wanted to put on record that this seems to be another unnecessary cost. I cannot imagine what he is adding to the board. I just wanted to put that on record, sir.

Thank you.

2685

The Bailiff: Deputy Inder.

Deputy Inder: Sir, if it helps, I am in the same position as Deputy Mahoney. I am seeing far too much of this. Trying to take names out of this but I often see people tend to be on the circuit and they get handed around certain departments far too often and I am probably going to be consistently voting against it until there is far more detail in these policy letters.

Thank you.

The Bailiff: I am going to turn back to the President, Deputy Roffey, to reply to those comments if he wishes to do so.

Deputy Roffey: Thank you, sir. I think all I will say is that Guernsey Post is a commercialised entity with its own board of directors, obviously. That is why we are appointing somebody to it. So, the STSB's role is really here to make sure that they have gone through the proper process, to make sure that they have had an objective review of who the best candidates are to fill these posts. We have done that. I totally reject the idea that it is an old boys' club. I think we are absolutely committed to make sure that the process prohibits that possibility actually existing.

The appointment being recommended here is at the end of an objective process and it was the best person for the job. I do believe that this is a crucial role, not just to Guernsey Post but in any company for a role of good, robust challenge by independent, non-executive directors and, as I did at the beginning, I absolutely recommend this appointment to the States.

The Bailiff: Members of the States, I will put to you this single Proposition, whether you are minded to approve the appointment of Mr Rick Denton as a non-executive director of Guernsey Post Ltd, with immediate effect. Those in favour; those against?

Some Members voted Pour; some Members voted Contre.

Deputy Inder: Sir, could we have a recorded vote on that, please?

The Bailiff: You can certainly request a recorded vote and we will therefore have that. It is customary to at least wait until I have declared the vote but in those circumstances I will not. Greffier, we will have a recorded vote, please. That will include those Members who are attending remotely.

There was a recorded vote.

Carried – Pour 26, Contre 8, Ne vote pas 1, Absent 4

POUR

Deputy Le Tocq
Deputy Leadbeater
Deputy Matthews
Deputy McKenna
Deputy Moakes
Deputy Murray
Deputy Oliver
Deputy Parkinson
Deputy Prow
Deputy Queripel
Deputy Roffey
Deputy Soulsby
Deputy Trott
Deputy Aldwell
Deputy Brouard
Deputy Burford
Deputy Bury
Deputy Cameron
Deputy de Lisle

CONTRE

Deputy Mahoney
Deputy Taylor
Deputy Vermeulen
Deputy Blin
Deputy Dyke
Deputy Haskins
Deputy Helyar
Deputy Inder

NE VOTE PAS

Alderney Rep. Snowdon

ABSENT

Deputy Meerveld
Alderney Rep. Roberts
Deputy St Pier
Deputy Gabriel

Deputy de Sausmarez
Deputy Dudley-Owen
Deputy Fairclough
Deputy Falla
Deputy Ferbrache
Deputy Gollop
Deputy Kazantseva-Miller

2715 **The Bailiff:** Members of the States, the voting on the Proposition was as follows: there voted 26 Members Pour, 8 Members Contre, 1 abstention, 4 Members were absent and therefore I declare the Proposition carried, which means that Mr Denton has been appointed.

PRESIDING OFFICER

2. Election of a Member of the Priaulx Library Council – Mr Paul Le Pelley elected

Article 2.

The States are asked:

(1) To elect a member of the Priaulx Library Council, who need not be a member of the States, to replace Mr Paul Le Pelley whose term of office will expire on the 31st December 2021 but who is eligible for re-election, in accordance with Rule 16 of the Rules of Procedure of the States of Deliberation.

The States' Greffier: Article 2, Election of a Member of the Priaulx Library Council.

2720 **The Bailiff:** Deputy Trott, I understand you have a nomination.

2725 **Deputy Trott:** Yes, thank you, sir. The Priaulx Library Council are unanimous in their view that Paul Le Pelley should be re-elected to the Council. Former Deputy Le Pelley has completed all the relevant paperwork, necessary paperwork, and Deputy Dudley-Owen will be seconding his nomination.

The Bailiff: Thank you. Deputy Dudley-Owen, do you second that nomination of Mr Le Pelley?

2730 **Deputy Dudley-Owen:** I do, sir.

The Bailiff: Thank you very much. Are there any other nominations at all that meet the requirements? In that case I will simply put to Members the election of Mr Paul Le Pelley to be a member of the Priaulx Library Council. Those in favour; those against?

2735 *Members voted Pour.*

2740 **The Bailiff:** I will declare that duly carried and can I remind those Members who are attending remotely that if you want to vote, you do not vote orally, you vote in the Chat function and I will bear that in mind in balancing what it is, because we cannot have you calling out from the ether.
Next item please.

LEGISLATION LAID BEFORE THE STATES

The Customs and Excise (Safety and Security) (Bailiwick of Guernsey) (Amendment) (No. 3) Regulations, 2021;

Waste Disposal and Recovery Charges Regulations, 2021;

The Wastewater Charges (Guernsey) Regulations, 2021;

The Water Charges (Amendment) Regulations, 2021;

The Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 11) Regulations, 2021;

The Airport Fees (Guernsey and Alderney) Regulations, 2021;

The Harbour Dues and Facilities Charges (Guernsey) Regulations, 2021;

The Mooring Charges (Guernsey) Regulations, 2021;

The Pilotage Dues (Guernsey) Regulations, 2021

The States' Greffier: The following legislation is laid before the States: No. 111 of 2021, The Customs and Excise (Safety and Security) (Bailiwick of Guernsey) (Amendment) (No. 3) Regulations, 2021; 112/2021, Waste Disposal and Recovery Charges Regulations, 2021; 113/2021, The Wastewater Charges (Guernsey) Regulations, 2021; 114/2021, The Water Charges (Amendment) Regulations, 2021; 115/2021, Emergency Powers (Coronavirus) (General Provision) (Bailiwick of Guernsey) (No. 11) (Amendment) Regulations, 2021; 117/2021 The Airport Fees (Guernsey and Alderney) Regulations, 2021; 118/2021, The Harbour Dues and Facilities Charges (Guernsey) Regulations, 2021; 119/2021, The Mooring Charges (Guernsey) Regulations, 2021; 120/2021, The Pilotage Dues (Guernsey) Regulations, 2021.

The Bailiff: Thank you very much, Greffier, and we simply note that all of those measures have been laid at this Meeting. I have not received any motions to annul any of them. (**Deputy Taylor:** It is ...) There is no debate, Deputy Taylor.

Deputy Taylor: Sir, just to say, although very last minute I had submitted about five minutes ago a motion to annul number 115.

The Bailiff: In that case, it will be dealt with at the next Meeting. It has come in after we have dealt with that but it is always open to Members to seek to annul at the subsequent Meeting as well as the one at which they are laid. Next item, please, Greffier.

LEGISLATION FOR APPROVAL

**POLICY & RESOURCES COMMITTEE AND
COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY**

3. Guernsey Revenue Service Tribunal Ordinance, 2021 approved

Article 3.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled "The Guernsey Revenue Service Tribunal Ordinance, 2021", and to direct that the same shall have effect as an Ordinance of the States.

The States' Greffier: Article 3, Policy & Resources Committee and the Committee for Employment & Social Security – the Guernsey Revenue Service Tribunal Ordinance 2021.

2765 **The Bailiff:** Deputy Ferbrache, do you want to open on this at all?

Deputy Ferbrache: Not really, sir. On behalf of the joint committees –

The Bailiff: Deputy Roffey.

2770

Deputy Ferbrache: I am always willing to the eloquence of Deputy Roffey but I do not think there is much eloquence needed here. It is self-explanatory in the explanatory note.

2775 **The Bailiff:** I am just pausing briefly because I can see something happening on my screen. Members will realise this is one of the joys of having some here and some elsewhere. If it were to type 'speak' I think it would have come up already and therefore I am going to put to Members the single Proposition as to whether you are minded to approve this draft Ordinance. Those in favour; those against.

Members voted Pour.

The States' Greffier: Article 4 –

2780

The Bailiff: Just a minute, Greffier, I have not declared the result.

The States' Greffier: Ah, yes! *(Laughter)*

2785 **The Bailiff:** The only reason is I have to wait and see who is voting in the Chat function and which way they are going. But I will declare that duly carried.

Thank you very much.

Now, Greffier.

POLICY & RESOURCES COMMITTEE AND THE COMMITTEE FOR HEALTH & SOCIAL CARE

4. The Health Service Benefit (Amendment and Commencement) Ordinance, 2021 approved

Article 4.

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Health Service Benefit (Amendment and Commencement) Ordinance, 2021", and to direct that the same shall have effect as an Ordinance of the States.

2790 **The States' Greffier:** Article 4, the Policy & Resources Committee and the Committee for Health & Social Care – the Health Service Benefit (Amendment and Commencement) Ordinance, 2021.

The Bailiff: I am going to turn this time to Deputy Roffey. Is there anything to say, Deputy Brouard? *(Interjection)* Sorry, yes, Deputy Brouard. Similarly I am going to put the single Proposition to you, Members. Those in favour; those against.

Members voted Pour.

2795 **The Bailiff:** I will declare that duly carried.

COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

**5. The Severe Disability Benefit and
Carer's Allowance (No. 2) Ordinance, 2021 approved**

Article 5.

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Severe Disability Benefit and Carer's Allowance (No. 2) Ordinance, 2021", and to direct that the same shall have effect as an Ordinance of the States.

The States' Greffier: Article 5, the Committee for Employment & Social Security – the Severe Disability Benefit and Carer's Allowance (No. 2) Ordinance, 2021.

The Bailiff: This time it is Deputy Roffey. I turned over two pages at once! Deputy Roffey.

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Deputy Roffey: Easily done. Maybe it will save time if I say the next three items are all pieces of legislation simply enacting decisions the States have taken in the last few weeks so I will not feel the need to open on any of them.

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The Bailiff: Deputy Aldwell.

Deputy Aldwell: Sir, I have an interest in the Severe Disability and Carer's Allowance, being a parent of a person with a severe disability. Thank you.

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The Bailiff: Thank you very much. I simply put the Proposition to you, Members, whether you are minded to approve this draft Ordinance. Those in favour; those against?

Members voted Pour.

The Bailiff: I declare that duly carried. So, the people who are not here are getting very quick now. Next item.

COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

**6. The Income Support (Implementation) (Amendment)
(No. 3) Ordinance, 2021 approved**

Article 6.

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Income Support (Implementation) (Amendment) (No. 3) Ordinance, 2021", and to direct that the same shall have effect as an Ordinance of the States.

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The States' Greffier: Article 6, the Committee for Employment & Social Security – the Income Support (Implementation) (Amendment) (No. 3) Ordinance, 2021.

The Bailiff: Is there any debate on this matter? The President has already highlighted what it is about? In that case, I will put the matter to you *aux voix*. Those in favour; those against?

Members voted Pour.

2820 **The Bailiff:** I declare that duly carried.

COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

7. The Family Allowances (Guernsey) (Amendment etc.) Ordinance, 2021 approved

Article 7.

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled "The Family Allowances (Guernsey) (Amendment etc.) Ordinance, 2021", and to direct that the same shall have effect as an Ordinance of the States.

The States' Greffier: Article 7, the Committee for Employment & Social Security – The Family Allowances (Guernsey) (Amendment etc.) Ordinance, 2021.

2825 **The Bailiff:** Once again, I am just briefly to see if anyone wants to say anything about this draft Ordinance. In that case, I will put the Proposition to you, whether you are minded to approve the draft Ordinance. Those in favour; those against?

Members voted Pour.

The Bailiff: I will declare that duly carried.

DEVELOPMENT & PLANNING AUTHORITY

8. Extension of Temporary Exemption from Requirement for Planning Permission for Certain Changes of Use of Visitor Accommodation – Propositions carried

Article 8.

The States are asked to decide:

Whether, after consideration of the "Extension of Temporary Exemption from Requirement for Planning Permission for Certain Changes of Use of Visitor Accommodation" policy letter, dated 4th November 2021 they are of the opinion:-

1. To agree to extend the current temporary exemption in Class 9A of the Schedule to the Land Planning and Development (Exemptions) Ordinance, 2007 so that -

(a) a change of use of visitor accommodation from a use within use class 7 or 8 of the Land Planning and Development (Use Classes) Ordinance, 2017 to a use within residential use classes 1, 2 or 5 in that Ordinance, which took place or will take place between the 25th March 2020 and the 31st December 2022 inclusive, is temporarily exempted from the requirement for planning permission subject to specified conditions being met including that the use reverts to its previous lawful visitor accommodation use prior to 25th March 2020 by 31st January 2023, and

(b) a change of use back to the lawful visitor accommodation use prior to the 25th March 2020, in compliance with the proposed exemption in paragraph (a), is also exempted from the requirement for planning permission,

as set out in paragraphs 5.1 to 5.4 of the policy letter and to give the Development & Planning Authority a power to further extend these dates by Regulations as set out in paragraphs 5.6 and 5.7 of the policy letter.

2. To agree that a consequential amendment be made to the provision in section 3(2) of the Land Planning and Development (Visitor Accommodation) (Amendment etc.) Ordinance, 2021 to take account of the extension to the temporary exemption so that the period during which the temporary exemption runs, for certain changes of use of visitor accommodation, is disregarded for the purpose of calculating the period within which a planning compliance notice may be issued, where there is a breach of planning control.

3. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

The States' Greffier: Article 8, the Development & Planning Authority – Extension of Temporary Exemption from Requirement for Planning Permission for Certain Changes of Use of Visitor Accommodation.

The Bailiff: I invite the President of the Authority, Deputy Oliver, to open debate.

Deputy Oliver: Thank you, sir. I have got a very small speech.

On 24th February 2021, this policy letter was approved, the previous one. We received 30 applications, so it has been used that amount of times and the Authority is therefore proposing that the temporary exemption is extended to 31st December 2022. I really think that is all I actually need to say on the matter.

The Bailiff: Deputy Vermeulen.

Deputy Vermeulen: Thank you, sir.

The outline of the Development & Planning Authority's policy letter concerning the proposed extension of the temporary exemption from requirement for planning permission for certain changes of use in visitor accommodation to residential uses, to be extended by 12 months to the end of 2022 was shared with the Members of the Committee *for* Economic Development on 21st October 2021. Deputy Inder recused himself from this matter as he operates self-catering; and Deputy Kazantseva-Miller, who is a Member of the Development & Planning Authority recused herself from commenting on behalf of the Committee *for* Economic Development, as a matter of good governance.

In January 2021, the Committee *for* Economic Development wrote in support of the current temporary exemption on the basis it was appropriate in the light of considerable uncertainty surrounding the ongoing impact of COVID-19 on the visitor economy. Almost a year later, sir, the hospitality and accommodation sectors are taking steps towards recovery from the pandemic but are now facing additional challenges post-Brexit, particularly in relation to staff accommodation and staff recruitment.

The Committee is working with the Committee *for* Home Affairs and Guernsey Hospitality Association on a promotional campaign to help recruit hospitality staff for the 2022 season. As part of this work, it is recognised that the availability of suitable staff accommodation is part of an attractive offering and the Committee is aware that a shortage of residential accommodation is impacting recruitment across a range of sectors.

The Committee notes that the current temporary exemption expires midway through the winter season, requiring individuals to vacate premises, such as winter lets, under the exemption, by 31st January 2022, potentially leaving accommodation providers with a limited source of income until the beginning of the 2022 tourist season.

The ability to continue offering longer term accommodation to non-visitors after that date may make a significant difference to accommodation providers in maintaining their viability and

protecting visitor accommodation for the future. In considering the potential impact of the extension, the Committee is conscious of the need to ensure that there is enough visitor accommodation to capitalise on potential demand for visitors during the 2022 season, when it is hoped that conditions for the tourist economy will have improved further.

However, Members recognise that the ability to accommodate workers may support business with recruitment, enabling them to maximise their operational capacity. The flexibility to provide a balance of accommodation for visitors and longer term accommodation for workers is therefore considered beneficial to the recovery of the Island's visitor economy.

If approved by the States' Assembly, the extension of the current exemption from requirement for planning permission for certain changes of use of visitor accommodation to residential uses until the end of 2022 will provide a significant proportion of accommodation providers with greater certainty of revenue, particularly during the winter months, and will further support businesses in the 2022 tourist season through the potential to accommodate employees. The Members of the Committee for Economic Development, who have been consulted on this matter, have no hesitation in supporting the Development & Planning Authority's proposed Propositions.

The Bailiff: Deputy Gollop.

Deputy Gollop: Sir, I kind of almost want to emulate one of my predecessors, the then Deputy Dawn Tindall, who used to very much pick out the details from policy letters and talk about them, too, because there are some issues here. I sit on the Legislation Scrutiny Panel, chaired by Deputy Dyke, and we have of course already approved this, twice really. I have got no objection to it *per se*.

But I would point out, firstly on page 9, 5.5:

It is proposed that the extended period of the exemption is disregarded for the purpose of calculating the period within which a planning compliance notice may be issued, where there is a breach of planning control.

So, clearly, what this effectively would do, is if there has been an instance of self-catering, or hotels or similar placed potentially in breach of planning use, they were kind of likely to get away with it a bit, perhaps because we are going on another year. We are also replicating the difficulty before of having another transition at the close of the year, 31st December 2022.

The second point is that it is picked up in one of the letters as well, I think by Economic Development, 5.6, that just as Deputy Inder and the Economic Development did recently on bank holidays, we are being asked, as a States, I mean, to confer a power upon the Authority to further extend the period of the exemption by regulations. So, effectively, we are taking the power away from this Assembly and giving it to the Committee, which is interesting because although they do pledge to consult with stakeholders, including other Committees, that is clear, it is also clear that it will depend, perhaps, upon factors such as scope.

There is a part of me that thinks we do run the risk of weakening our tourist offer with this and the subsequent policy letter, because of course in a time of relative crisis, with a shortage of housing, there will be many establishments, I might guess, who would be sure of a greater income throughout the year, but especially in the shoulder months, from a change of use for accommodation – when we are seeing maybe golden hellos, and rents and property prices rising rapidly, from residents than from holidaymakers, which is perhaps a bit slower to revive.

There has been another interesting insight coming across the water from Jersey, that applies here too, that there has been some debate over there as to how far the Island can tolerate Airbnb rising, because of course the more flexibility you have in offering accommodation to locals the more there is a housing shortage for locals. But this is going the other way around and I fear that this and the subsequent policy letter will not necessarily do the hospitality sector too many favours.

I take on board Deputy Vermeulen's point about the need to raise standards for accommodation and, in view of the fact that we are having continual pandemic issues, I certainly will support this, but I do not think we should go into this with our eyes completely open to what could be a downside

to what, on the face of it, looks a win-win situation. But I am sure Deputy Inder will tell me I know nothing about the industry and so I will be better informed.

The Bailiff: Deputy Inder.

Deputy Inder: I would just like to confirm that Deputy Gollop is absolutely correct. He knows nothing about the industry whatsoever, at all.

The Bailiff: Are you declaring an interest first?

Deputy Inder: I was about to, sir. I do not think in the Rules it states exactly when I have to, either. But seeing as I have been asked to –

The Bailiff: It is before you speak.

Deputy Inder: I thought it was before I vote, sorry. I beg your pardon. I am declaring an interest because I am the holder, or the family holder of a hospitality. But just to give Deputy Gollop some hope, some time back in I think it was February of last year, when we saw Lockdown 1 coming, I can fairly well tell most Members here that one thing happened, well two things happened, and we are both wrong. We thought house prices would drop by 50% and the tourism accommodation sector was basically over for that year.

One part of it was, certainly, but actually self-catering and some of the guest housing was not. Actually, that was the opportunity and it was in that year that this first regulation came through, when I was sitting on Economic Development. I made the suggestion to the Committee that there was an opportunity there. We have got something like 400 beds in self-catering and they picked up the slack that was so desperately needed at the time. We had small units based across the Island that allowed people to self-isolate for the two-week period.

So, what was going to be a fairly miserable year, when we had first heard about Lockdown 1, actually became something that I suspect Deputy Helyar and Deputy Ferbrache will be glad to hear, probably did not get the same support that was required because basically a lot of these units were actually filled up.

Many people, I do not know what percentage, but quite a few people in my sector do not really bother with the over-wintering. Simple reasons are that the longer you rent something out for and the longer it is lived in, the more money you have got to spend on it. It is actually an awful lot easier to make your yield in the 16-week tourism period, when we have got a good summer, because you know that these guests often come to the house, do not spend an awful lot of time in it, and leave it practically as they left them.

What you do not actually want is people living in there permanently because that will cause tracking on the carpet, damage to ... The usual stuff, the usual wear and tear. But in short I will not be too unkind to Deputy Gollop but there are challenges. It might be the case, it may well be the case, that some of this might turn some of the self-catering unit owners' minds to longer-term lets, but that is not the intention of the policy letter. It is going out to 2022 and I am fairly sure it will come back to this Assembly, at some point, or for a wider consultation to see if they want to continue it.

But I would say to all of those out there, I think some debt of gratitude is owed to all of those self-catering tenants out there that are picking up the slack for hospitality staff, or health staff, and actually they have, to a degree, released some of the pressure on what is a very difficult situation. So, I would ask Members to approve this policy letter. And of course, sir, I declare my interest again, as per my declaration of interest, as published.

The Bailiff: Deputy Mahoney.

Deputy Mahoney: Thank you, sir.

2970 I just want to give a very brief background. Myself and a couple of other Deputies are engaged at the moment in some meaningful discussions with the Guernsey Construction Forum and a separate developers' group. What we are trying to agree is a construction pipeline for local industry so that they can plan accordingly.

2975 Leading on from that, of course, is that the builders would need somewhere to stay, if we can get them across to the Island, and a large local hotel has indicated that they are willing to provide a great number of hotel rooms through until April, to assist with that. Now, be that construction workers or any other industry that needs beds for their workers to stay in, of course, this legislation is therefore required for them to be able to do that all the way through to April.

2980 So, I would urge Members to support that so we do not cut off our nose to spite our face, where that is concerned, please.

The Bailiff: Deputy Roffey.

Deputy Roffey: Thank you, sir. I support this policy letter. What has brought me to my feet is a slightly tangential matter.

2985 Unless I misunderstood, I think I heard, when Deputy Vermeulen was speaking, saying that, when this was considered by Economic Development, one of their Members did not take part because they were a Member of the DPA? (*Interjection*) No, I understood the one about having a special financial interest but one I think was because it was a Member of the DPA. This seems to me to be absolutely absurd and a total misinterpretation of the Rule on special interests.

2990 Many of us are Members of more than one Committee. That is extremely helpful. It means that you can talk in one Committee about the work and the aspirations of the other, and make sure they have joined-up decision-making. So I would just make a plea, please do not exclude people from discussion in your Committee, just because they are a Member of another Committee that may be involved in a policy or discussion.

2995 **The Bailiff:** I turn back to the President of the Authority, Deputy Oliver, to reply to that short debate.

Deputy Oliver: Thank you, sir.

3000 First of all, I thank everybody for speaking on this policy letter. The exemption is proposed to retain a level of viability within the visitor accommodation, protecting it for the future, when the Island's tourist economy is able to return to full trading. Now, we do have winter lets, also, so that will cover the time from basically the winter and that will allow them to go – I cannot remember whether it is March or April, an officer did not come back to me but I will double check that for you – so that will cover the extended period.

3005 Deputy Gollop, unfortunately, you are wrong. It is not to allow them to get away with it. It is actually protecting them and it is protecting the industry because it is not saying that they can let their building, or do something that it is not allowed to, it is saying that it cannot add to the time that you have to actually have if you want to get out of that industry. So, there is a policy within the IDP that says you have to have two years' advertising, and that is what it is saying. That time cannot accrue for that. So that is that.

3010 We are fully aware that builders need somewhere to stay when they come over for the construction and, within the Developers' Forum, we are actually looking at when a building site is being carried out, and it is in phases, that we can put temporary structures on part of the building site, so the builders can actually live in one part while building the rest.

I am aware of the hotel in question with the hospitality, so we will work with them to make sure that we do not hinder them in that.

I think that is all. All I can say is please vote for the policy letter.

3020 **The Bailiff:** Members of the States, there are three Propositions. I have not got an impression that anyone wanted them put separately, so I am going to put them to you together. Those in favour; those against?

Members voted Pour.

The Bailiff: I declare all three Propositions duly carried.

DEVELOPMENT & PLANNING AUTHORITY

9. Review of the Land Planning and Development (Exemptions) Ordinance, 2007 approved as amended

Article 9.

The States are asked to decide:

Whether, after consideration of the Policy Letter entitled 'Review of the Land Planning and Development (Exemptions) Ordinance, 2007, dated 8th November 2021 they are of the opinion:–

1. To approve the proposed –

*a) new exemptions from the requirement to obtain planning permission for development, and
b) amendments to existing exemptions from that requirement (currently set out in the Schedule to the Land Planning and Development (Exemptions) Ordinance, 2007) for specified descriptions of development subject to meeting required conditions as detailed in section 5 of the Policy Letter.*

2. To approve the proposed new exemption from the requirement to obtain planning permission for a change of use of premises from a visitor economy use, falling within use class 7 or 8 of the Land Planning and Development (Use Classes) Ordinance, 2017, to a residential use within use classes 1 to 4 of that 2017 Ordinance, subject to restrictions as to the sites in relation to which the exemption applies and other specified conditions as detailed in section 6 of the Policy Letter.

3. To approve any necessary consequential and other amendments to the Land Planning and Development (Use Classes) Ordinance, 2017 and any other planning legislation necessary to give effect to the above decisions.

4. To direct the preparation of such legislation as may be necessary to give effect to the above decisions.

3025 **The States' Greffier:** Article 9, Development & Planning Authority – Review of the Land Planning and Development (Exemptions) Ordinance, 2007.

The Bailiff: I invite the President of the Authority to open on *this* set of Propositions as well, please.

Deputy Oliver.

3030

Deputy Oliver: Thank you, sir; and I do apologise, this is not such a short speech.

I am very pleased to be bringing this DPA policy letter to you for debate today. This marks a significant milestone for our Committee, as it has been one of our main priorities so far this term. I am sure that most Members will be aware, if not completely familiar with the existing planning exemptions. They allow certain developments of work to proceed without planning permission, provided that any conditions attached are satisfied.

3035

These descriptions of development are listed in the Land and Planning Development (Exemptions) Ordinance, 2007, which I will refer to as 'exemptions'. Land and Planning policies have been updated to seek a balance of protection of the physical and natural environment, with the need to maintain a balance between competing demands on the community for the use of land.

3040

New key strategic priorities have come forward; for example, in relation to climate change, energy policy. Sustainability is at the heart of what we must do as a Government, more now than ever before. Core technologies have changed; for example, making things like solar panels, external installations relatively common.

3045 As a States we must ensure that our limited resources are being used wisely and effectively and we must also take the opportunity to free people and businesses from unnecessary red tape wherever possible. Exemptions are set out in the schedule to the Planning Exemption Ordinance and are divided into classing groups, grouping these into similar developments. Amendments to all classes are recommended, although some say no change. This is to ensure that they reflect the
3050 current policies included in the Island Development Plan and remain fit for purpose for the years to come with potential technologies or industry improvements.

A number of amendments to individual exemptions are proposed, as well as introducing new classes for flats and visitor accommodation. It is also considered particularly important to increase the exemptions for renewable energy equipment, such as solar products, which will enable wider
3055 environmental benefit.

One area where greater consistency and balance is needed is in regard to protected buildings, protected monuments and conservation areas. Unless specified, exemptions will *not* apply to protected buildings or protected monuments. However, new exemptions *will* apply within conservation areas and sites of special significance, unless specified otherwise.

3060 The proposed changes to the existing exemptions and new additions will improve the customer experience, removing the need for planning applications where a development would be consistent with policies and other planning conditions. These will also free up resources within the planning service, enabling it to be more efficient and direct more resources into service improvements and delivery. This will also mean that there will be no opportunity for the public to comment before
3065 exempt development is carried out, as there will be no planning application stage. But the Authority believes that these exemptions proposed are developments for which planning permission would normally be granted.

It is important to clarify that all proposed changes and additions set out, with the policy principles and the exact wording, numbering and points of detail *will* be subject to legal drafting.
3070 The planning exemptions do not provide an exemption from any requirement under building regulations. Therefore, even if exempt from the planning permission and needs a building licence, it will require an application to be made to Building Control.

Now, turning to the specific proposals, which are set out in the policy letter, I will just give a brief overview. Class 1 provides exemptions for 'Development within the curtilage of a dwelling-house',
3075 i.e. your house. The Authority is proposing that most of the exemptions within Class 1 are broadened, not only to improve customer experience but to reflect industry standards, allowing for planning exemptions to be made applicable as technologies advance. It is recognised that, over time, people's expectations of what can be done to their homes have changed and this has been reflected within the IDP. The broadening of the exemptions within Class 1 reflects these expectations
3080 and allows the proportionate flexibility for owners to carry out work to their homes.

The Authority thought it necessary to broaden the exemptions relating to energy and solar products to encourage sustainable development in line with the current planning policies and the Energy and Climate Change policies, which were approved in the States in July and August 2020.

3085 The Strategy for Nature was endorsed in 2021 and it was subsequently adopted by the Authority as supplementary guidance. In line with this, changes are proposed which support biodiversity. Hard-surface areas will need to use permeable materials to effectively manage the rainwater run-off, unless it is an extension of the existing, in which case it can continue to use that material.

Exemptions within Class 2, Development with the curtilage of non-domestic buildings, are proposed to provide the commercial sector with additional scope to carry out works to their
3090 premises. This will allow additional flexibility to alter commercial buildings to adapt to the changing needs. The changes proposed to Class 2 also provide for the first time the ability for installation of

renewable energy apparatus on to a commercial building, without the need for a planning application.

3095 The Authority proposes Class 4 to be extended to include certain developments for horticultural purposes. The broadening of this existing exemption will allow the industry to work more freely within the good farming practices, while the introduction of new exemptions will enable limited developments to facilitate the use of land for horticultural, agricultural purposes both for the farming industry and individuals who wish to use parcels of agricultural land for independent growing.

3100 Class 5 sets out broader exemptions for development by the States and Public Utility Providers. New exemptions are proposed for things like speed humps and other traffic-calming measures, bicycle shelters, bus shelters and cycle hoops and also water refill points. These are areas where planning applications are regularly submitted and approved.

3105 Proposed changes to Class 6 – Storage, Distribution and Industrial Change of Use – is to remove the limitation of maximum floor area. This will enable a flexibility within the commercial market to meet their needs and responds directly to industry feedback.

3110 Within Class 8 – Signs and Advertisements – the Authority is proposing several new exemptions, including parish signs, as well as the installation of temporary art installations for a 20-week period, and electric car charging points. However, please do phone up Guernsey Electricity to make sure that your road can cope with the additional power needed.

3115 The Authority is proposing new exemptions within Class 9 – Retail and Administration, Financial and Professional Changes of use. These allow businesses to change buildings to certain uses more easily in response to market conditions, allowing more flexibility within the main centres. The changes include allowing exemptions for the change of upper floors of a building in the main centre from use for retail or administration, financial or professional services user classes to residential, subject to specific conditions.

3120 The Authority is also recommending further new exemptions regarding the change of use to visitor accommodation, following discussions with Economic Development. The primary aim of the exemption is to enable a select group of longstanding, in effect redundant and derelict sites with no prospect of ever being developed as visitor accommodation and no longer add value to the tourist industry, to be bought back for an economic or social positive gain. Some of these sites have laid dormant for many years and distract from the attractiveness of Guernsey.

3125 The exemption will allow for the change of use for a few existing hotels, self-catering units or guesthouses located on the visitor accommodation site, in circumstances where the premises have been without a valid boarding permit since 31st December 2020 and has not been actively promoted as part of the active visitor accommodation bed stock.

3130 Exemption is only in relation to the change of use and would not permit any physical alterations or changes to the building concerned, which would require planning permission in the normal way, unless exempt. Building Control approvals would also be required. The exemption would only operate for a limited period of two years, from the date coming into effect. At the end of that period we will have to review it and ensure there is no long-term impact on the visitor economy. Following consultation with Economic Development, the exemptions would apply only to the visitor accommodation, site-specific in the policy letter.

3135 To avoid any possible confusion among Members, I should also add to this exemption that there are two references appearing within paragraph 3 to 7.15 within the policy letter to it as Class 12. It is of course Class 11. I am grateful to Deputy Burford for pointing these typographical errors out. I would also acknowledge that our Vice-President, Deputy Taylor, does not support the proposed exemptions on the visitor accommodation.

3140 In conclusion, the amendments will result in a reduction of planning applications required in circumstances where they would have likely been approved by the Authority under the current policy direction. Not only will this improve the customer experience but enable the Planning Service to be used more efficiently and direct more resources into the service improvements and the delivery of the GWP priorities.

Please support the two Propositions. Thank you.

3145

The Bailiff: Deputy Oliver, you have submitted an amendment, to insert an extra Proposition as 1A. Would you like to move that amendment now?

Deputy Oliver: Yes, please, sir.

3150

The Bailiff: Thank you very much. Do you wish the amendment to be read?

Deputy Oliver: No, thank you, sir.

3155

The Bailiff: Right, you can open on the amendment, then, please.

[Amendment](#)

Insert the following Proposition immediately after Proposition 1:

"1A. To approve widening the proposed exemptions, from the requirement to obtain planning permission for the installation of solar products, as set out in the new and amended exemptions proposed in Classes 1.3, 1B.3 and 2.12, as set out in the Tables in section 5 of the Policy Letter, to include clearly the installation of solar panels on flat roofs subject to meeting – a) any relevant required conditions in those existing proposed Classes in section 5 of the policy letter, and b) a further condition that the panels - i) are angled at no more than 10 degrees from the flat roof, and ii) project no more than 40cms from the flat roof (instead of 30cms required in certain of the solar product exemptions for sloping roofs)."

Deputy Oliver: Sir, it is really self-explanatory. This amendment seeks to expand the Proposition of the exemption to include solar panels to be installed on a flat roof. It is a really technical amendment and it came forward from the industry itself.

3160

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

Deputy Murray: I do, sir.

The Bailiff: Thank you very much.

3165

In the circumstances, Deputy Oliver, does it make sense to run debate on the amendment in general debate?

Deputy Oliver: Yes, please, sir.

3170

The Bailiff: We will come back to the amendment, to see whether it is approved, but people can speak on all the Propositions, including that which is proposed by the amendment.

Deputy Gollop.

3175

Deputy Gollop: I did not fully understand the amendment but I am pleased to hear that many States' Members, not just the DPA, are meeting now renewable energy consultants, practical implementers, game-changers and so on. The thing is, though, I was a bit surprised, looking through the exemptions. Deputy Oliver is absolutely quite right that, generally speaking, historic scheduled buildings or those built before 1900 or those in conservation areas are excluded from the exemptions.

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But I did not see any such exemptions for solar panels. Maybe that did not catch my eye, so I could imagine, I do not know, churches or thatched houses, or our wonderful stately homes, suddenly becoming full of solar panels, which would be good in one way but perhaps not in another.

So, we need to have perhaps a little bit more insight into that, but I do support the principle of the renewables, definitely.

3185 I am always perambulating around, looking at things, sometimes walking, sometimes on a bus, sometimes with my little camera or whatever. I am always amused, despite being on Planning for five years, to see how many relatively minor things I could change – a sign or a window frame, door, window or a little area – it still requires the site notice, which are often out of date when you see them. It does seem to me that we could do with more exemptions generally, notwithstanding my
3190 point about the historic houses, and see where we go with that, and perhaps leave it down to common sense and the good sense of the property owner and the construction sector.

That said, I do have reservations about the way in which successive planning regimes, including perhaps the one Committee I was president of, were perhaps a little bit dormant when it came to facilitating areas of land to lead what we might call the agricultural or horticultural or green,
3195 biodiverse habitat area, to become more like, I do not know, horticulture, gardens and so on. I think great care is needed for any exemptions in that area. They are not specifically covered in this, but Deputy Oliver did refer in her speech to making land more productive and I will hope that would be the focus of it rather than the other way around.

I do support the simplification. I do think we have too many complexities of change of use and,
3200 for example, when I was growing up, one of my favourite places was the Arsenal. Not for the Mind Centre or the Victoria Tower or the fire station, but because there used to be a takeaway fish and chip shop there. Now, if you live in the suburban parts of St Peter Port there are not many places like that. I suspect part of it is down to health and safety and part of it is down to planning exemptions.

3205 So, planning exemptions, planning policy needs to be a little bit more flexible. But I am not entirely put at ease, despite the good words of Deputy Inder and Deputy Vermeulen, about the tourism situation because here, perhaps the sales point of this policy letter, although it has a lot of detail, was on specifically the two-year-exemption for a small number of named establishments, some of which had an excellent name in the industry, some of which less so.

3210 Now, myself and Deputy Oliver, and I think Deputy Queripel and Deputy Leadbeater, were on a Committee that looked at the Idlerocks site and we approved it for a new hotel, which has not materialised. What I am really puzzled about by the list – and I do not particularly want to name any more specific places, some of them are in a better state of repair than others – I think there is an element of fantasy about this, that I do not understand, because some of those establishments,
3215 I suspect – and I know for certain in the case of the Idlerocks – could not be made fit for any other purpose just like that. Not even Harry Potter could achieve that. What they would need is to be rebuilt as something. The dilapidation, the deterioration means that you could not just walk in and turn lovely hotel suites into, magically, apartments for anybody. So, in reality, some of those listed establishments would have to apply to Planning for effectively reconstruction and rebuilding, and
3220 Building Control. That is a part of this I do not fully understand, because it will not of itself simplify things.

My second point, if I can be forgiven for saying this, is we are very much for the first time – perhaps since the 1980s, anyway – bringing almost a Thatcherite free-market approach into tourism. In the late 1980s, there was a move to allow some of the less perhaps ideal holiday cottages, which
3225 had been a good sector in the 1970s and 1980s, to change into residence. Like today, but for different reasons, there was a housing shortage.

Later, we had lots of bureaucracy from both Planning and, in those days, Commerce & Employment, Industry, and later on Economic Development. I remember one former Minister/President of the economy was going to make a last-minute plea to stop Planning turning
3230 a defunct hotel into a residential home, by saying it could be a hostel for the young 18-24 Generation Y, improving tourism and so on. That did not happen on the day.

But I think where I am coming from here is that I have always been, consistently really, not just at Planning but when I was just an ordinary Deputy making representations to the planning inquiries that were held in 2005, I was always one of those people – I do not know if it is right of centre or

3235 left of centre – who said, ‘I don’t want the free market to prevail, I want to keep these properties in the tourism sector, regardless.’ I was not going to listen to the guesthouse and hotel-keepers who wanted to take them out.

Now, as we know, some of them were probably stuck in the 1950s, 1960s and 1970s – times move on, generations move on. But I was told then by college lecturers and others that we are a little bit foolish if we allow too many to leave the sector because we shrink the industry. If you shrink the industry you shrink the public transport, the hospitality, the restaurants, the leisure attractions, the air links, the sea links. We are in danger of doing that again because we are now effectively giving a free pass to a dozen or so, and others may look at this and think, ‘I would be better – ’

3245 **A Member:** Can I give way? Am I allowed to give way?

The Bailiff: No, you cannot give way in a hybrid meeting because that particular Rule has been removed.

3250 **Deputy Gollop:** Anyway, I thought that was the case, being on SACC, thank you, sir. Deputy Inder is very free to speak after me and correct my indiscretions.

But I just think, yes, I will vote for the whole package, through gritted teeth, but I *really* do worry. I will be interested to hear what Deputy Taylor says, if he speaks, because he very much has been successful in parts of the sector already in terms of both hospitality and a leisure attraction.

3255 I just do not think we should, despite the problems of the pandemic, allow the free market of over-priced housing and other sectors to squeeze out the hospitality and visitor economy. We are in danger of doing that unless the State really invests in tourism as a counterpoint to these proposals.

3260 **The Bailiff:** I will call Deputy Inder, first.

Deputy Inder: Thank you.

The first thing I am going to do is compliment the DPA for all the work that it has done, certainly in the domestic exemption area. I think it is a great work. It has been well-received by the Guernsey Construction Forum. I am sure it has been received well by the development forums and I will congratulate them. Particularly, I do like the fact that we have accepted that renewables are the way to go. The DPA has by policy, or rather releasing policy, allowed people to just get on and the market is going to be the market.

3270 I think, to badly answer one of Deputy Gollop’s questions, I thought I read somewhere in this that the renewable exemptions are on buildings after 1910 or 1920. I think there is a time there, so you cannot start putting renewables on thatched houses, listed buildings and churches. There is something in there about the date. I think the renewables are past 1920.

So, well done on that and great on the polytunnels. Deputy Meerveld, finally, can get a polytunnel in his back garden, which was his great regret of 2016-2020.

3275 I am going to try and persuade Deputy Taylor, to see if he can come back in the DPA fold. But I am not entirely sure where the whole Committee is, because I have seen signed documents before from many Committees and think, ‘Oh well, they are all for it.’ Next thing we know they are not actually for certain areas of the policy letter.

3280 To answer some of Deputy Gollop’s questions, I think from the very beginning, Deputy Gollop, we have got to accept that they may look like hotels, they may look like visitor accommodation, but the fact they have not got boarding permits, they do not have boarding permits, means they are just buildings. What we cannot do – and it is a phrase that I have used from Deputy Vermeulen before – is look back, to a degree, to that time when we had the Sealink and Guernsey was one of the last southern ports where tourists got here for, basically, £10 and the whole family – and British Rail. Those days are long gone.

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Back then, actually, we had something like 20,000 beds and 300,000 passengers. There was not a house in Guernsey which did not have what would be the old Airbnb, where they had a spare room, bed and breakfasts. We had something like 22,000 beds, 300,000 visitors a year. The Island was packed. But those days are long gone and, like him, I remember various tourism representatives – ministers, presidents, whatever they were – over the years, bemoaning the drop in the bed stock.

We are now down to something like 2,800 hotel beds. We have just added another 110, I think it is – well, we have not, thankfully the free market has done it, in the purple hotel down the road next to the roundabout, where they always build them. And thank you very much for turning up, guys and girls. We have got something like – and I am going to get this figure slightly wrong – 300 guesthouse bedrooms, and something like 300 self-catering. So, all told, we are something like 2,300 or 2,400 beds. That is basically only 10% of the beds that we had when Deputy Gollop and I were born. That is how far it has dropped over the last 55 years in his case, and only 40 years in mine. But what we certainly do, sir, we need hoteliers that are willing. We do not need conscripts.

Going through Table 15, I think it is, he particularly mentioned Idlerocks – I will not go into the other sites as well because I am not going to guess what they are going to do with them – but you look around some of the larger sites there. He must know and we must know they are never ever going to be hotels. Or, if we really do think they are or if we think they should be hotels, the simple advice is go and buy them.

Simply go and buy them and turn them into hotels. If you are so convinced that Idlerocks is going to be X Hotel, because that is the one that was mentioned, I will not go into the others, get a club of very able Deputies together, put all your funds together, go and buy and build one. Honestly, I would not guarantee the loan, but I would certainly give you some kind of character reference, because I would love to see you lose your shirts!

We have got to stop pretending, because of something that happened 15-20 years ago, and we have got some sort of love for it, that it is going to happen. If it was going to happen, there are sensible people that own these lands, they would have turned them, they would have looked at the market. It is very difficult to turn old sites, difficult sites, into large hotels. We have seen recently the purple hotel has gone up by the roundabout. Perfectly clean site. Straight out of the ground. We know exactly what it is and it is not a conversion of some old, extended bungalow-farmhouse. Things have moved on quite a lot.

Looking forward and, Deputy Oliver, you have mentioned to us, we are hoping to bring something that looks like a tourism strategy to the States for Members to look at and agree; and, of course, probably one of the irritations generally within the DPA, the tourism accommodation. There is a portion of visitor which lives within the DPA. Thankfully we have got an ability to influence in some way. Sometimes I think it irks the DPA. Okay, she is shaking her head, I assumed it did not. I always thought it was the first few books of the *Torah*, the IDP, so obviously they do not mind us re-writing it every now and then. So, I am grateful for that anyway.

It has been a joint conversation, initially inspired by our desire to start looking at an accommodation strategy and hopefully Deputy Taylor and Deputy Gollop, you must understand – through you, sir, the two Deputies may understand that there is no point us pretending that these sites, which are currently without boarding permit, are ever going to be visitor accommodation again. So, when we do hear, hopefully I have persuaded Deputy Taylor to come back to the fold, but he is shaking his head. I think I could possibly persuade Deputy Gollop. But any people who are wanting to speak on the matter, what I would really like to hear ... Do not tell me you do not want something, tell me what you would *do* with something. Tell me what *you* would do with any of those sites, how you are going to do it, how you are going to raise the capital and what it is going to be.

I do get somewhat – I am not going to use the word 'irritated'. Yes, Deputy Soulsby thinks 'angry'. Yes, I did get irritated. We are very good at telling the rest of the world what to do. Here is the challenge: anyone who is going to speak over the rest of the debate who does not want that part of the exemption, tell me exactly what you are going to do with it. Do not tell me you just do not want something.

Thank you.

3340 **The Bailiff:** Deputy Meerveld next and then Deputy Falla.
Deputy Meerveld.

Deputy Meerveld: Thank you, sir.

3345 *[Deputy Meerveld was attending remotely and his internet connection was poor and his speech was unable to be heard clearly]* Overall, I applaud the pragmatic changes that ... *[inaudible]* exemption to allow things like bus shelters, a cycle shelter, whose *[inaudible]* installed without requiring planning permission. *[inaudible]* the President to ensure that consultation the relevant Douzaines and representatives of the local area community prior to that decision *[inaudible]* addresses a practical and polite *[inaudible]* to those people who are managing those areas of our
3350 Island on our behalf, to ensure that they are *[inaudible]*.

Thank you, sir.

The Bailiff: Deputy Falla.

3355 **Deputy Falla:** Sir, I welcome what the DPA are proposing here and it does feel like a breath of fresh air, by comparison with some of the anecdotal planning moves of the past. But in some areas I do not think it goes far enough. While the exemptions are in a sense relaxing some of the Rules, there are other areas where, I believe, there would be further benefit from being tightened up. I will come back to those in a moment.

3360 I particularly support providing more flexibility for the increasing number of business people now working from home, particularly following a culture change driven by the pandemic; and this is absolutely needed, particularly in the light of yesterday's CCA announcement, where we are back to being encouraged to work from home as much as possible.

3365 We need to continue to do everything that we can to support business through and beyond the challenges that exist and encouraging the entrepreneurialism that abounds in Guernsey. When it comes to allowing temporary art installations for a period of 20 weeks, this is welcomed by the arts community. It will inspire our local artists, who very often produce public art for no financial reward and will encourage further creativity from which we can all benefit.

3370 I spoke to the head of arts development at Guernsey Arts, who said: 'Public art has a valuable place to play in the community, whether permanent or temporary. Public art brings a sense of place, pride and belonging to a community. We need that right now. It can celebrate the past, the present and topical events along with the sheer joy of creativity and art in brightening our lives and bringing vibrancy into the public realm. It also has a great part to play in supporting areas of regeneration. Through this exemption there is a positive message of support to the creative community, helping
3375 to achieve this and a barrier removed.'

3380 He also cited Sian Jones' positive messaging, which you will have seen through her Notes to Islanders project – the signs around the Town containing positive and inspirational sentiments, with their focus on mental health. There are other examples, with Guernsey Arts' Freedom Not Forgotten community exhibition; and the donkey, cow and goat parades, which have engaged widely with the community and raised funds for charity.

Moving to the creation or reinstatement of flats above shops and offices, we are starting to see this happen now and it is a critical part of keeping our town centres alive. (**A Member:** Hear, hear.) Imagine if we can get more people living in the heart of retail spaces, what this will mean for the vibrancy of our shopping and hospitality centres.

3385 As a Member of Economic Development, I particularly do welcome the list of redundant and derelict visitor accommodation sites, which really are well overdue for attention. There is a point at which we need to listen to the market, by removing premises that are unworkable for 21st century tourists and allowing new, more relevant ones to be developed to replace them.

Now, sir, to just mention a couple of areas where I believe more could be done with Planning. We have an exemption around the formalising of the ability to remove all parts of glasshouses and associated structures. I would like to go even further than that and apply creative thinking to encouraging or incentivising the owners of these many dilapidated and overgrown greenhouses that remain like eerie reminders, a sort of ghost of Christmas past, to be seasonal. A sad and often unsightly reminder of prosperous times gone by and there are just far too many of these eyesores.

We are now decades past the sell-by date of the mainstream horticultural sector that prompted these glasshouses sites to be developed. I would much rather incentives were considered to address this issue. But if they cannot, if it cannot be a carrot, we will need to look for a stick.

Another area that is outstanding and has not been addressed, and that really needs to be tackled, is crumbling and derelict domestic properties, some of which are unoccupied, and this really cannot be right when we are in a housing crisis. I think the time has come to address this and the DPA needs to be part of that conversation.

Sir, I support the Propositions in the policy letter but I would like to hear from the President of the DPA whether these additional areas can be addressed in some way. Thank you.

The Bailiff: Deputy Burford, to be followed by Deputy Leadbeater.

Deputy Burford: Thank you, sir.

Just to start with a minor point, could I make a small and general plea to possibly avoid the gratuitous use of the tabloid phrase 'red tape'. The President has already explained that many of these proposed exemptions have come about due to changes in technology or the economy generally, and not because they were bureaucratic rules.

I assume the President supported the IDP in 2016 and I am sure that she was not voting for what she would call red tape. As Deputy Oliver is aware, I would like to have seen a planning gain windfall tax in place before allowing the changes use and I hope the Tax Review will look seriously at this.

My other concern, on Class 11, is that it will engender a culture of *[inaudible]* or neglect and cause more establishments to see it as an alternative future plan in the hope that their property will be included in the next round, with the associated detriment to the industry.

Thank you, sir.

The Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, sir.

I must say I am liking this DPA, I am liking the proactive nature of it – I am not going to go there with the last DPA, but I certainly like this DPA. I really welcome these exemptions. I am with Deputy Falla and I do not think they go far enough, but I think it is a *really* good start.

Just looking at some of the exemptions, some of the proposed changes, I just want to touch on some of the changes that have been made and some of the allowances for materials – I am digressing, really, sir. Starting with the dormer window cheeks, for example, on the pre-1900 buildings, the materials are limited to slate, cement board or wood. A lot of pre-1900 buildings would have had lead or copper on their dormer cheeks. So, I just want to be certain that, if there is somebody – I cannot give way, otherwise I would give way for you – if there was a development coming forward and they wanted to use traditional lead or copper, that would be included. So, if I could get some assurance from that, that would be great. For example, the erection of a garage, I think the Authority is considering allowing the use of render cement boards, wood, natural stain, but this could be widened. As long as that scope could be widened in everything then I would be satisfied and I encourage everybody to support the Propositions.

Thank you, sir.

The Bailiff: I am going to call Deputy Bury first, and then Deputy Taylor.

Deputy Bury: Overall I am very supportive of the policy paper and the attempt to [inaudible] is a very proactive action. I would like to echo the concerns of Deputy Burford as could this be seen as encouraging neglect and are there going to be mitigations in place?

3445 I would also like to ask the President if there is any scope within the mandate of the Authority, even within this policy letter or in other areas of process, if they [inaudible] legal advice [inaudible] There is a growing need, as everybody knows, for certain types of houses in the Island, currently, and I think this could risk [inaudible] the needs of our community.

3450 On another note, [inaudible]. I, like many colleagues, having seen that qualification on renewable companies and in particular around the heat pumps, that there will only be one type of heat pump exemption and then it is not really worth its salt. I would be interested to hear from the President as to how to [inaudible].

Thank you very much, sir.

The Bailiff: Deputy Taylor.

3455

Deputy Taylor: Thank you, sir.

I wanted to jump in before Deputy Dyke or Deputy Kazantseva-Miller. I am going to mention them in my speech and given I cannot give way if they want to correct me, they will still have the opportunity to do afterwards.

3460 I am grateful to Deputy Leadbeater for his comments about the DPA, I think they have been a great Committee so far and there are some great exemptions in here that allow – they are not removing red tape, but they allow a lot of extra work to be done to properties and give flexibility to people.

3465 I am going to give a bit of an explanation on the discussions that took place around bringing in the exemptions and what we considered when an idea was put forward. Generally, the main consideration was that when you are putting together an exemption, it is *carte blanche*. So, if it is applying to this house on the road, it applies to that house. Absolutely everything. It is having to be something that usually would be approved. So, if we were looking at an extension on the back of a property, it does not really raise any issues. It is probably unlikely to get objections from neighbours, 3470 so it would be approved. So, why go through all the rigmarole of a planning application, with officer-time consideration, for something that is 99.9% guaranteed to be approved?

Carte blanche, applies to every building and is usually approved. To give an example of something that did not make the cut. I had a long conversation with someone on the phone yesterday about this topic and they were desperate that someone would raise this in debate, so I think I will do it for them. It is the topic of replacing windows within a protected building. There was definitely, I think, support from the Committee to be more flexible in that approach and to allow more change of windows in listed buildings. Definitely there was quite a heated discussion. Politically there was the will to allow that but officers did remind us of obligations towards protected buildings under different legislation.

3480 Again, it came back to the *carte blanche* that, if you were allowing a change of windows in one listed building that sits on its own in a run-down street in Town, you are also *carte blanche* giving permission to change the windows without permission, to Victor Hugo's House, say, or Castle Cornet. That is the idea, that is what we had to consider. Generally, if you read through all of these exemptions they are all of that nature. They are all quite sensible, simple things, that apply on the 3485 whole to the everyday people.

Until you get down to the new Class 11, which is the one that I chose not to support in this policy letter. That has been from the outset, I have been against this. I voiced my concerns and I do not really think my concerns have been taken on board properly. It often just seems to be interpreted that it is more in envy that the buildings get change of use or, putting the question to me, what 3490 would I do with them? The question is not what I would do with them, for me. I do not care what these people do with them, as long as they do it within the confines of policies that are agreed and applied to everyone. So, whereby the majority of these exemptions that apply to things that would

usually be approved, Class 11 is essentially relating to exemptions from Policy OC8(C). I do not know if there are many planning nerds around that like reading planning policies. Does anyone know OC8(C)? It is rather onerous.

I will take this opportunity to read a little bit of OC8(C), if I can get the right tab in. I have gone and closed the tab, haven't? So, OC8(C), basically tells us that if you want to convert an existing hotel or visitor accommodation into something that is not visitor accommodation – i.e. the main one would be a hotel – you have a very high bar to demonstrate that it is no longer viable in its current form or there would be extensive works required that would be too expensive to ever get the return on investment to make it a worthwhile investment, basically. It also puts a requirement that you market the building for sale or rent for a period of two years, minimum, with a minimum of two estate agents – one must be in Guernsey, one must be in the UK. You must keep a record of all offers received. You must keep any offer that has been refused. The price itself ... It goes on. I mean, the policy is one thing but the policy then is backed up with supplementary planning guidance, which then further explains the requirements. Because you do not get to set the price, the price must be fair market value, as agreed by someone suitably qualified and separate.

So, it is not as if you think, 'Well my hotel is not working. I want to sell it. I will stick it on the market for £5 million, because that is what it owes me.' You do not have that option. I have coined the phrase – I like coining phrases – 'balonerous', which is baloney onerous. (*Laughter*) It is a very high bar to achieve and I think, I might be wrong here, I stand to be corrected, it has only been the Chalet Hotel that has successfully had an application approved under Policy OC8(C). I believe that came with a very expensive cost.

So, what is the problem? Why on earth do we have this policy? Why do we not just change it? Because the consultation that came back to us highlighted something quite important. This particular policy prohibits investment into hostelry, or the hotel industry, visitor accommodation. Because, if you think about – and I can see Deputy Vermeulen is shaking his head but I will explain. (*Interjection*)

If I owned a lovely house in St Peter's and I wanted to convert it into an hotel, I could do that. It might not cost much money, I can set it up as a hotel, it is there. If I make a big mistake, or I got my numbers wrong, and I want to convert it back into my own residential dwelling, that it was only one year prior, what do I have to do? I *have* to put it on the market. But it is no longer valued as a house in St Peter's, it is valued as a failed hotel and it has to be marketed at a value that I cannot set.

So, even if I cannot sell it, I have to give the option for someone to lease it from me. I could be stuck with my own house – if I convert it into a hotel – that does not work, then someone could lease it from me before I am able to get planning permission to convert it back. If I refuse to accept the reasonable offer to lease my own house from me, I would not get the planning permission to convert it back.

That would prohibit you from making an investment into the industry, for the everyday people. I accept the super-wealthy, where it is more of a fun game to invest in hotels, it is a different topic. But if you were borrowing money and you wanted to make that conversion and build your own hotel, good luck to you; because the same problem happens.

Can you imagine trying to secure money against a building you want to use as a hotel and, if it fails, the bank might have a bond on that property for £2 million, £3 million, but it is not valued at £2 million or £3 million by the independent person assessing the value of your property and marketing it both in Guernsey and the UK for two years, where you cannot reasonably refuse an offer that is considered acceptable. Why would anyone lend money against that? What is the point in you having a bond? You would not get your money back.

It was highlighted in consultation that Policy OC8(C) is prohibiting investment in tourism. So, would you convert your home? Anyone? Do you think you would convert your home if you then risked losing it on those grounds? Neither would I. I have not got a house, so I would not.

There is some *hefty* supplementary guidance on this topic. I would say it is probably the *heftiest* amount – if that is a word – of supplementary guidance and strict rules, high bar to reach. But we

are throwing it in with something alongside Mrs Smith having a shed at the back of her house. It is not really in the same league as the rest of the exemptions.

So, sir, what if Proposition 2 is approved – and I really do strongly request that Members do not approve Proposition 2, but what if it is approved? There is reference in the policy letter to social and economic benefit and how great is that? I think Deputy Bury touched on housing crisis or the provision of housing. But if they get change of use, none of these sites are going to become lovely, social housing estates –

Deputy Oliver: Point of correction, sir.

The Bailiff: Point of correction, Deputy Oliver.

Deputy Oliver: Deputy Taylor does not know that these will not become affordable houses in the future. If they provide over 20 units, GP11 will kick in and therefore they will *have* to provide a section that is affordable.

The Bailiff: Deputy Taylor to continue, please.

Deputy Taylor: Very interesting point made by my President, but of course if she read the supplementary guidance on Policy GP11, where it is not viable – economically viable, that is – they would not have to provide the social housing or affordable housing that is required in GP11. There is allowance to get around that.

If they have already proved here, quite easily, that these hotel sites are redundant, they are not needed. They are long-term redundant, although I am fairly sure L'Eree Bay was only sold in September 2019 to a property development company. I am sure it was open before that. But I would put a lot of money on the fact that these prime clifftop sites, with limited access, where the owners have previously indicated their desire to have housing on their sites, I would put a lot of money on them *not* becoming social housing, not getting anywhere *near* 20 units on the site that might even come close to Policy GP11 being active, given it has only come up in one application since the introduction of the IDP.

So, Deputy Bury's concern that this would not provide houses to the everyday person, I think that would put their concerns to bed. In terms of solving the housing crisis as well, would these be lived in as properties or are they going to be ultra-high-net-worth properties that sit vacant – and I am not talking about redundant, derelict sites like Deputy Falla has mentioned – some of these sites that sit redundant and empty for most of the year are just owned by people who do not want to live on the Island full time and they sit there, empty. That is what these properties will become.

Now, I suppose Deputy Vermeulen is right, I do not know that, but it is a very strong hunch.

So, there is a suggestion in here that this is just exemption on paper, so these hotels would become a house, on paper. So, L'Eree Bay Hotel, it is as simple as, instead of on the address L'Eree Bay Hotel, you are making it L'Eree Bay House, and that is it. There is no change allowed within this exemption. Materially, the building has to stay exactly the same and that is fairly sensible. But what happens next?

Surely, as the Government, we should be considering what happens next because then you have to look at the policies that apply to householder development because this would be ... L'Eree Bay Hotel would be a household. A 1.3 acre site of several hundred square metres of property, *very* large, under householder development. And under householder development, you have *very* flexible policies. You can do a huge amount because GP8, relating to design, it is your property. The IDP is designed to have flexibility that you can express yourself through your property and you can have that design flexibility.

So, on some of our most protected areas, the cliffs, sites of special significance, which run pretty much the whole way from La Vallette all the way around to the Imperial, where a couple of these sites sit, they would then be subject to householder development, where the policies are incredibly

flexible on very large sites. Where they could build *obscenely* huge houses and there would be very little control that the Authority would have over, if they were acting within the Law.

So, the question I have got is why these sites? Of all the sites, all the consultation that went, why these sites? I am told it is because they did not have a valid boarding permit on 31st December 2020. Is that the reason that we base our policy on? People should be interested to know that within the consultation there were responses that said, 'If we had known about this, we would not have renewed our boarding permit.' But when you are there with a hotel or a guesthouse, you have to renew your boarding permit. I am fairly sure you are required – and I stand to be corrected – to have a boarding permit, because otherwise you would not then be able to operate as your hotel.

So would you then be stuck with a house that you cannot use as a house, although there is a different exemption that would allow in here –?

Deputy Oliver: Point of correction, sir.

The Bailiff: Point of correction, Deputy Oliver.

Deputy Oliver: One of the hotels in question does not have a roof. It has burnt down. So, therefore, it does not need a boarding permit.

The Bailiff: That is not really a valid point of correction, Deputy Oliver.
Deputy Taylor to continue, please.

Deputy Taylor: Thank you.

One of those does, but somehow within the exemption the house that does not have a roof can become a house without planning permission. How does that figure? They cannot make any material change to the building that does not have a roof, but it can become a house.

Point of correction?

Deputy Oliver: I cannot be bothered!

Deputy Taylor: Okay. My apprenticeship was a few years ago, but I am not sure how you pull that one off without the roof.

So, we had this prescribed list that came from the Committee *for* Economic Development. Whether consultation had taken place before I do not know but the consultation that I saw, that came from industry, very much indicated that a lot of the consultees wanted to be included on the list. Not necessarily because they want to get out of the industry but because they want to have the opportunity. Some of them may be reaching retirement age, some of them may just want to sell the property and move on, do something else. But they are tied in with a very strict policy.

One of the real problems here, and this goes back to then a wider issue within the Committee, I would say, is that we have wanted to make certain changes. It might seem slightly off topic, but we have had huge, lengthy discussions around policies relating to the creation of curtilage, where people can extend their domestic garden into an agricultural field. They can basically encompass it and then they are able to do development bits and pieces.

People have been converting *huge* swathes, like 1,000 square metres, a couple of acres, into just garden, and there is no policy that can stop that. So, we have had discussions: 'How can we address this?' Even just changing one word within the IDP, we would be quoted with human rights issues or, 'You need to get Environment & Infrastructure.' 'You need to appoint a planning inspector and the planning inspector needs to tell you if your change to the IDP is going to be suitable.' All this stuff, to change what is a *very* minor thing within the IDP.

So we are fairly powerless to actually change the policies that we are working with. Even if we see something and we think ... I think the whole of the States would support a change to the policies relating to the curtilage, it is a no-brainer to change it, there is no ... Well, there probably might be

some negative, but there is virtually no negative impact. But, even if the whole States agreed to it, we could not just change it, we would have to go through a whole process. Yet, something here, which is *incredibly* onerous within the IDP, can be changed or bypassed with a click of the fingers. *(Interjection)* It would be changed by the exemption. It would be exempt from that strict requirement.

My concern, if we allow these sites to go, we pretty much lose the grounding for actually changing policy OC8(C). *(Interjection)* Because, why would we? If we have let these main ones, that are identified as a longstanding redundant –

Deputy Oliver: Point of correction, sir. I am sorry to keep doing this, but –

The Bailiff: Just a minute, Deputy Oliver, what is the inaccurate or misleading statement that Deputy Taylor has made?

Deputy Oliver: That OC8 will not be changed.

The Bailiff: He is expressing an opinion.

Deputy Oliver: No, but that is incorrect, because –

The Bailiff: Deputy Oliver.

Deputy Oliver: – currently ED are looking at it. So he does not know that. That is *wrong*.

The Bailiff: But Deputy Taylor is entitled to express his opinion during the course of giving a speech in this Assembly, as to what the consequences of approving something *might* be. And that is what he is doing.

Deputy Taylor to continue, please.

Deputy Taylor: Thank you, sir. I have lost my train of thought a bit, there.

So, I suppose to summarise, I do not object to these properties or these sites becoming houses. I object *strongly*, you can probably tell, *very* strongly, to the inconsistent nature with which this is being applied. As Deputy Burford has mentioned, it is rewarding dereliction, although L'Eree Bay Hotel, as I come back to, was operating as a hotel right until a property developer bought it.

So, I do not object to them being changed and that is not me looking back. I went to the Bon Port, but I never went to the Idlerocks. I am not looking back at the Idlerocks with fond memories. I am looking to the future because I would like to see people invest into hotels, into guesthouses, but not with fear of losing their property, through an incredibly prescriptive ruling such as policy OC8(C).

I do not think, as a committee, we were particularly keen on this policy, and this is why I wanted to speak before Deputy Dyke and Deputy Kazantseva-Miller, because I think my view and my recollection of most of the Committee meetings was that 'Well, you might as well keep it in because it can go out to consultation. You do not have to put it forward.'

Then, from there, we got the consultation back and in my reading of them, most of the consultees were in favour only if they were included. There was a proviso. The consultees were in favour of this exemption, with the proviso that they were included in it. So, if they are not being included in it, technically their support should be withdrawn within that consultation.

So I do not feel we were particularly keen, but it kept going on. There have been numerous references from Deputy Dyke, and he can correct me when he gives his speech, about this being bad policy. This does not feel like a particularly good way to do business.

So, I *urge* Members, I *really* do, if there is one thing I have been passionate about so far in this term, it is throwing out Proposition 2. I cannot make that clearer.

3700 With regard to the amendment that has been put forward by Deputy Oliver and Deputy Murray, it is a fairly non-event, in a way. I will end on a slightly more positive note. The purpose of the amendment seemed to seek to allow solar panels to be installed at a pitch of 10 degrees, which would allow them to shed water and leaves properly. But the exemption unamended, for a one-metre panel, which can have a maximum height of 300 centimetres, would allow for a pitch of 19 degrees, if my cosine stuff is correct. So it felt like a fairly non-event and that is why I was not prepared –

The Bailiff: Is it centimetres or millimetres?

3710 **Deputy Oliver:** Centimetres.

The Bailiff: Is it really?

3715 **Deputy Taylor:** One metre and 30 centimetres for the incline or the height, which I have calculated as a 19 degree pitch. I might regret putting that on record, That was my reason for not supporting that because I did not really feel it was necessary. I think you could achieve what was requested within the existing amendment. So, with that, I will take a seat.

But, finally, just one more thing: throw out Proposition 2. Thank you.

3720 **The Bailiff:** Deputy Ferbrache.

3725 **Deputy Ferbrache:** Sir, both the Development & Planning Authority, and Deputies Oliver and Taylor have brought a breath of fresh air to the States in relation to what they say. But when Deputy Taylor began the early part of his speech, saying, 'I do not care what they do,' I found that irresponsible and I found it ...

3730 Because the Committee for Economic Development, one of their prime aims is to make sure that hospitality prospers, to make sure the tourism industry prospers, to make sure that people come to the Island, people have got good facilities to come to the Island and they have looked at these various established routes through Table 16, and they said, 'Forget it.' I am sure they did not put it as bluntly as that, but they said, 'Forget it.'

Because planning policy has to move on, and under the presidency for the last 14, 15, 16 months – whatever it may be – of Deputy Oliver, we have seen a completely different sea change in relation to planning matters that I have seen going back to when I first came into the States in 1994.

3735 Because we used to talk then about exemptions and then people would say, and States' Members would say, 'I want an exemption.' Then it would come before the floor of the States and there would be a day-long debate about whether you could increase it by 50 millimetres, centimetres, whatever it would be, and it would generally get chucked out. So people would say, 'Yes, I want the exemptions', and very few of them got through.

This is splendid. This is really a move forward. Because the world changes, as I say.

3740 I have got an interest in the hospitality sector, which I have declared. I want it to prosper; I want the restaurants to prosper; I want the hotels to prosper. But you have got to move forward.

3745 Now, I live in a house that planning permission would never be granted for in the 21st century, because it was built in an area of green fields, undoubtedly green fields, and it was then a four-storey house that had a *tourelle* at the back. It would have never got permission in the current era. But, thankfully, somebody built it between 1580 and 1603, (*Laughter*) when there were not too many planning restrictions, in relation to things. I do not know if it was Queen Elizabeth I or James I who were there when – they were not actually physically there, but they would have been welcome to come and have a look around – but they would have much more grand more dimensions and it is a small, humble property now. But in those days, it was a substantial property.

3750 But the DPA of today, the IDC of yesterday, would say, 'No, you cannot do that. You cannot build on green fields. You cannot have a four-storey house. You cannot have acres of land around you.' I

do not have those acres, only a few of them anyway. But, in relation to that, that is not what you can look at. You have got to look forward, as Deputy Taylor says.

Now, when I look at the list on Table 16, I can say I have got no particular interest in any of them. I have never had any interest in any of them. But because I am both an old person, an oldish States' Member and an old lawyer – Bon Port, for example. *Many* years ago, I acted for the then owner, not the owner now, of Bon Port. They said, 'We cannot make any money in relation to this hotel, we just cannot make any money. We want to change the use to housing.' I looked at the policies and I was never afraid to take on the IDC but I thought we would not probably get very far if we did take it ... I think we did and we lost actually, but we were persuaded that we could not go forward.

Now, a subsequent owner of Bon Port was quite successful as a tourist facility, but what happened? The neighbours did not like it so they blocked the lanes. They stopped people getting to that establishment. So that establishment, from being I hope reasonably profitable, was in a position whereby they could not run the business. It just did not work and it has not worked since and it will not work in the future. Whether you have policy OBC3, or 1, 2, 4, 5, 6 it is not going to work in the 21st century.

Another one, Forest Park, or St Margaret's Lodge, I acted again for a previous owner many times back and I acted when they paid £1 million for that property. It was on the paper because it was the first time anybody had paid £1 million for a hotel. Does anybody think that any of the subsequent owners have allowed it to become the shambling wreck that it has for financial purposes? It has gone to where it has because it could not make any money, and you cannot run a business for year in, year out unless you make money.

Now, I have an interest in – they are classified as hotels, I do not know if they really are – the Manor Hotel and the Carlton. Now, I am a third owner of both of those. The Manor Hotel was bought in 1987. Now, the Manor Hotel was already running down in 1987 and it was running down and down, it was not making any money. I can remember – and this was a typical civil servant's attitude at the time – I and one of the co-owners went to see somebody and said, 'What can we do with this property because we are not making any money? We're losing money and we cannot afford to lose money.' The civil servant said, 'I would tell you to continue running that property at a loss.' Fine when you have got a pension and a salary, not when you are paying bills.

Deputy Taylor did not visit Idlerocks, I did. It was a great establishment of its time but it burned down. It has not got a roof. He talked about baloney, it has been an eyesore for *donkeys'* years. So, what are you going to do? Leave it is as a blot on the landscape.

L'Eree Hotel, one of the ugliest buildings in Guernsey. I do not know which planning authority gave permission for that but they obviously did years ago. It is a really ugly building. Do we do something practical or do we just say, 'No, you can't do anything with those sharp points.' Deputy Burford made a good point about planning aids, etc. and I do think in the wider context, but without delaying anything, that should be looked at. But that is a separate issue to whether these properties, Proposition 2, Table 16, Table 15, should remain on the hotel register, if I can call it that, in the loosest of terms.

The answer is, move forward. That is what Deputy Oliver and the majority of the DPA are saying: move forward. The Committee for Economic Development are saying 'Let's move forward.'

Deputy Inder made a point in his speech, in his usual forthright way, saying, 'Okay, if you think you can do something with these properties, you buy them, you take them on, you convert them to hotels.' I may be wrong. You convert them into modern hotels, modern tourist facilities. Nobody is going to do that because the real world tells you that you cannot make any money out of these particular properties.

I am not giving way.

Deputy Taylor: Point of order, sir.

The Bailiff: Point of order, Deputy Taylor. What rule is being broken?

Deputy Taylor: Rule 17(11), misleading information? (*Laughter and Interjections*)

The Bailiff: Tell me what the point is then, please, Deputy Taylor, so that I can see whether it is a point of order.

Deputy Taylor: I have almost forgotten what my point was, trying to wrack my brain for the Rule. It will be in the statement that Deputy Ferbrache is making that these people should be free to do what they want and suggesting almost that I was implying otherwise is misleading because what I have been saying is that the current policy – I think we are on the same page, that we want the same thing, we want rid of Policy OC8(C), it is ridiculously bureaucratic. But I think what is misleading is Deputy Ferbrache seems to be portraying that I want to be different.

The Bailiff: Okay, well, Deputy Taylor, if you think that Deputy Ferbrache was making an inaccurate or misleading statement, it is a point of correction, not a point of order. But anyway you have had your say now so Deputy Ferbrache can get back into full swing.

Deputy Ferbrache: Thank you very much, sir.

In relation to that, Deputy Taylor referred at length and accurately to this cumbersome policy that was impossible and he talked about a valuer here and a valuer there. I am not quite sure how a valuer in England could actually value a property in Guernsey when they probably did not have any experience of Guernsey, but that was part of the rules, that was part of this massive commentary that you had to follow those rules. They were impractical.

Then I could see the planning authority arguing about what the real market value was when not one of them, probably, had any experience in running a hotel in their lives. But they would argue with somebody who was having to pay the bank the £2 million bond, or the £3 million bond that he referred to, that they were not making any money and they had to wait two or three years. You had to lease it or try to lease it or try to sell it for two years, but there would be an introductory period, and a period of coming out of that. You are talking about three years. Deputy Taylor – not Deputy Taylor – some people may be able to afford to that for three years. Most ordinary human beings cannot.

When we look at the hotel industry, the way that it developed, I refer to the Manor Hotel. The Manor Hotel, if you look at its history, started as a house. Then somebody put another storey on it. Then somebody put another storey on it. Because, as Deputy Inder said, lots of people used to come to Guernsey in those days. Lots of people in Brock Road, in Town had one bedroom free, so they would put a couple of visitors there, give them bacon and egg in the morning and the people would go out all day and come back in the evening.

We do not have that now. We would not be allowed to now. There are too many rules, too many regulations, too many notices. There would be compliance notices from the DPA. There would be information. There would be all kinds of stuff in relation to that if you tried to do it. I may be wrong, but I think that the only two purpose-built hotels in Guernsey in the last 30 or 40 years are St Pierre Park, which was completed in the early 1980s, and Peninsula, which completed some years afterwards.

Cobo Bay Hotel was a –

Deputy Taylor: Point of correction, sir.

The Bailiff: Point of correction, Deputy Taylor.

Deputy Taylor: Premier Inn?

Deputy Ferbrache: Premier Inn, absolutely, I think they have just handed the keys over and I sincerely hope that is a great success. What I should have said, Deputy Taylor was absolutely right,

the only two hotels that have been running for any time in the industry were Peninsula and the St Pierre Park.

The Manor was built, Cobo Bay was a couple of semi-detached houses, I think. People invested in the industry because it was an industry that they wanted to invest in. We had 20,000, I think it was said, whatever it was, 22,000 beds. We have now got much fewer than that. That is because the market has shrunk. The only way we are going to increase that is to make Guernsey an attractive place to come to, to encourage people to come here. If they do, people are entrepreneurial. They will build hotels, they will build guesthouse, they will build self-catering units. Because that is the way the world is. **(A Member:** Hear, hear.) You cannot have it held in aspic.

As I say, if it was the case then, there were good things and bad things. We got rid of the Island Development (Guernsey) Law, 1966 – which came into force in February 1967 – by a much later statute. That gave the planning authority greater powers, compliance notices *et al.* I have advised clients in the past, I can say it without naming who they are, pre- that law ... 'You may have breached the planning law, but if you transferred it to this company and they transferred it to that company and they transferred it to that company, they cannot anything about it.'

That is not the Law now. You can be followed with any potential breaches of the planning legislation. Thankfully they are in 10-year and four-year limits. Ten years if you do not know, four years if you do know what the plan is, and then you cannot be prosecuted or have any notices against you.

Also, we brought in the Certificate of Lawful Use, didn't we? Because otherwise places – and I have had to deal with a lot of them – they were using their premises perhaps without the relevant planning permission; but they had used it for such a long time it made sense that if they went through certain hoops – and I still think those hoops are a bit cumbersome, I have got to say, personally – they could eventually get a Certificate of Lawful Use.

But the whole ethos of this is to say, 'Let us move forward. Let us have the exemptions, which are the main part of Proposition 1, which is the main part of the policy letter. Let these other properties, which are a blot on the landscape, let them go, because they are never going to be built as hotels, they are never going to be tourist accommodation. Let's have – led ably by Deputy Vermeulen – the tourist sector revived. Deputy Vermeulen does not much about hotels, does he? He only worked in it and built a business for 40 years, so what does he know? Let's have other people who know a fraction of what he knows tell us how to run our tourist industry.

So, when somebody like Deputy Vermeulen, with his considerable experience and knowledge says, 'This is the way forward.' I tend to listen to him more than others who perhaps do not have that expertise. And I would just say, there is no harm in people making money from property, as long as it is done reasonably. There is no harm in people saying, 'I can't afford to continue running this hotel' ... or this guesthouse, or this area of self-catering ... 'because I am losing money by the bucketload.'

If Deputy Taylor, perhaps I could ask him to change the introductory remarks of his speech, by saying he *should* care, because he should care that people can live, people can run businesses without losing money, and people can change the landscape in a productive way.

Thank you very much, sir.

The Bailiff: Deputy Dyke.

Deputy Dyke: Thank you, sir.

I had not actually planned to speak at this debate and I was just going to quietly vote *Pour*. Anyway, could I make a few specific points and then just address, for the benefit of the Assembly the points around those that Deputy Taylor has made? First, I am in favour of all of these proposals and exemptions and would urge everyone to vote in favour.

Taking the main bulk of them, I think they are going to make life easier for our people in that there are fewer circumstances where they have to make planning applications, the cost and the difficulty in that, and the delays, and from the point of view of the States there will be fewer

applications to deal with, so hopefully that will be an economy for the Planning Department. So, overall these are good things and I think it is well worth doing to help move the building industry along and get some developments done that we need to get done.

A couple of points. Deputy Gollop was worried about solar panels on protected buildings, that they would be all over the place. In fact, on protected buildings, you will only have solar panels on roof lines that do not face the road. It is a limited exemption there.

Deputy Falla made an interesting point regarding derelict buildings. There is a provision in the main Planning Law, 2005, which permits us to make regulations to deal with derelict buildings, tumbledown places like Idlerocks, piles of cars in car parks, all that sort of thing. We are actually currently drafting regulations to deal with that right now. That is being done. So, you will see them quite soon and we will have ways of dealing with derelict buildings.

These exemptions are not specifically aimed at Town conversion projects. There is a lot of discussion about that at the moment. A lot of that revolves around how strict we are on protecting some of the old derelict, protected buildings in the older parts of Town. There is work going on, on that. As I say, it is not specific to these exemptions but it is being done and we are seeing quite a lot of conversions coming through, in terms of secondary or tertiary office space and shop space above shops, which are being converted now. It is happening, we are seeing applications come in. So, I wanted to make those points.

Now, turning to the point that Deputy Taylor has been discussing, namely OC8. To backtrack slightly, we have a problem, but we are going to sort it out on the Planning Department, in that the current ordinances – not the main Law, but the current ordinances – have a nightmare procedure for amending the IDP. Even the smallest amendments, you have to go through this sort of notice, that sort of notice. You have to get a planning inspector down, do a planning inquiry, for doing something that should be quite simple. It is against that background of the advice that we could not really change anything in the IDP that, rather than change OC8, a kind of rough compromise was drawn up to have this exemption for certain hotels, which we thought was doable, although to my mind, in terms of legal elegance, it is not legally elegant but it gets the job done for these hotels, before we go back to change OC8 properly.

I think we are all agreed that it is not sensible to have a provision to tell people, 'You have got a hotel, it is not making money, you can't do anything with it, you have got to sit there forever and what it fall down. You can't convert it.' So, I would sense that we are all against that. This particular proposal, although it is not perfect, deals with the job before we go back to deal with OC8.

There are other aspects of the IDP, small points that need changing, and big points, like perhaps GP11, that looking at but are not going to get looked at, apparently, until we completely review the IDP, which is going to be five years down the line, goodness knows what. So, what is now before the planning board is a proposal that I have been putting together to actually amend the ordinance, to allow the States in certain circumstances, if it sees fit, to waive the planning inquiries, this sort of thing, on the basis that we are the ultimate governing body of the Assembly and, if we want to make a change to do IDP, and see fit to do it, we should be able to do it.

If that is done and goes through, then we will not have the sort of discussion we have just had over OC8, where we have done a slightly suboptimal compromise exemption to deal with four or five specific properties, rather than going back to the heart of the matter and doing it properly. So, Deputy Taylor makes some valid points but I would thoroughly disagree with his conclusion, I do think we should vote for Proposition 2, along with the rest of them, because I think it would help move the Island along before we get some of these wrinkles in the planning ordinances sorted out, which we really must do.

Thank you.

The Bailiff: Deputy Roffey.

Deputy Roffey: Thank you, sir.

I suppose I had better take my coat off. I am not likely to step outside, do not worry! I think those items covered by Proposition 1 are entirely uncontroversial and I agree with that. I think some of the debate over the items covered by Proposition 2, the exemptions for specific tourism-related sites being able to be converted into residential use instead, I think it is a judgement call. What I have heard so far is almost as if it is some kind of black and white issue. I do not, I think it is a judgement call and my judgement, even though I actually accept some of the things that Deputy Taylor said, on balance, I am with the DPA.

If I understood Deputy Taylor's thrust of his argument, it was a bit like one of those impressive sophists that used to stand up in a Greek city and could argue things from all sides. He was saying, because he was so upset that it was so difficult for somebody investing in tourism to back out if it had not really proved a success, he was darned if he was going to accept that some sites should be able to back out, because why should some sites be able to back out when he actually thinks that all of them should have more flexibility? I am not sure I see, other than in a sophist way, the logic of that particular argument.

I do share some of the concerns of what some people have said during this debate, particularly on being careful about sending out too strong a message on premium on neglect. I fully accept what Deputy Ferbrache said, these sites would not be looking the way they did if people could make a really good living out of them, out of tourism. They would not have got that way.

In exactly the same was as in the early 1980s, when I was in this Assembly, there was a lot – there is still some – of people arguing that they should be able to develop for housing old greenhouse sites because look at the mess that particular site was in. But some people had had to drop out because they could not make a go of growing tomatoes and had used often the unemployed scheme, actually, to have their land cleared, and it did not look a particular mess. Others absolutely turned their back on those sorts of schemes and made them look as bad as they possibly could and then would argue, 'Anything is going to be better than this so please allow us to build a *clos* on this site.'

So, I do have some fear about sending out the message today that we will say we are going to do this because these sites look so awful. That is not my main reason for supporting the DPA. My reason is that I am *absolutely* convinced that, with the retraction we have seen in tourism, some of these sites will never be used again.

Even then, I am not quite as black and white as Deputy Inder was when he was saying it is clear they will never be used and if you think they will be go and buy them and do something with them. Again, a lesson from the past. I heard exactly that argument over the Tektronix site at La Villiaze when Le Riche wanted to turn it into a hypermarket. They were told no by the IDC, in fact their chief executive, I think, or managing director, went and bought it, assuming that he would be able to run it as a hypermarket and was shocked when he was told by the IDC, 'No you cannot. It is zoned for light industry.'

The arguments were exactly the same, that we are never going to get another light industrial business of that scale, you are wasting your time, it is going to fall down, nothing is going to happen there. But we all know what is there now and the benefit that that business brings to the economy.

So I would never be quite that black and white, but I do think that what we have seen in tourism on one side is a contracting industry. The market – and I am not saying there will never be any expansion on Premier Inn, it is a great initiative, and I really wish it luck – but that is, as has been pointed out, purpose-built and really I think that is what the industry needs.

On the other side, we are making this judgement call when we are saying, 'Maybe we could just leave them empty. Somebody might. We might have a renaissance in tourism. It might pick up.' We know there is an enormous demand and need for new residential accommodation.

I think the one thing that worries me about this, and I do not know for sure if it can be overcome, and it is one of the valid points that Deputy Taylor did make. How much benefit is the Island going to get out of these sites, in terms of that residential development? Are we just going to see a series of mansions on different sites? I am not against some actually going that way, and I can feel that at least a couple of these sites, that I cannot imagine it would be anything other than really large sites

for well-to-do people. To be honest, the whole housing market is interconnected and there is room for some of that.

But I would like to think – and I do not know the answer, I am asking the DPA, is there any way that we can make sure that we get out of this dispensation that we are granting today, some of the really much-needed units of accommodation that are going to help in the way that we really want? For instance, it is not for me to tell individuals what to do with their properties but if – and I am going to call it St Margaret's Lodge, I know it is still Forest Park here – wouldn't that be great for key worker housing for the PEH, for people with families? Because it is actually quite close. But there you go, families do not want to live above the shop, if you like, actually inside the PEH. That would be great.

But I can see, that as soon as we say yes, today, with no other restrictions, that it will perhaps move to more profitable developments because that probably is not the most profitable use for it. Actually, for the people of the north, seeing some of the higher parishes taking some of the strain in those sorts of developments, might actually send out a good message as well.

So, I am really asking the DPA, I know all we are doing is exempting the change of use from tourism basically to residential and they still need planning permission, but I do not know how they can reasonably withhold planning permission on the basis of, 'No, we do not want another mansion there, we want better utilisation of that land.' So I am asking for some assurance that if we say, yes – and I *will* be voting in favour of 2 today. If we vote that way, that we can try to optimise some of the planning gain for the whole of the Island, that we get some of the residential units that we know we desperately need.

Thank you, sir.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Thank you, sir. I do not know if I want to take my mask off. I find the one advantage of masks is that they can keep you warm. But I will whip that away.

I thank Deputy Dyke for his explanation about how the Committee or the Authority got to where it did in terms of the new categorisation. I thought that was really helpful.

I do agree with him about the whole planning system. It is really convoluted. The SLUP that lasts for about 20 years and the IDP for about 10 and it does feel like walking through treacle. I think a load of Members who were here last term, I know we had many a debate where we were talking about difficult it was to get things done because of the planning process. But we are where we are.

Deputy Ferbrache, I totally agree with the comments he makes there. In terms of changing hotels to other uses, it has been *really* difficult over time. I was one of those that campaigned to convert Greenacres from a hotel in the middle of St Martin into a dementia care home and that took a lot of time, a lot of effort. A lot of people had to be involved in it and, by golly, I am so glad that happened, otherwise long-term care would have been in an even worse place than we are now. So that was absolutely the right decision to make at the right time. But *very* difficult to do.

Deputy Ferbrache talked about the old St Margaret's Lodge and then Forest Park. Now, it was renamed Forest Park but I do not think it has ever actually operated as a hotel called Forest Park. It was so long ago it was converted to that name. But I remember when I was on Commerce & Employment, back in 2015, I think it was, and at that time the hotel might have changed ownership, something like that happened, but the Fire Service had gone in and they had not given it a renewed fire certificate and we got representations saying, 'We want you to do it! We want this open, are you going to have a look round?'

Then Deputy Stewart, who was the Minister for Commerce & Employment, and myself went around St Margaret's Lodge, as it was, and it was just the most *horrendous* experience. We went into one room and the smell and the damp, everything that came out of just that one room at the time, I had to go home and have a shower. It was just so bad.

The economics of converting that into a hotel are just not there. The expense that would be needed to completely gut it and to build it into an hotel just are not there. Knock it down, perhaps,

and build something purpose-built that the public are after now. They want somewhere that has got the pool and the sauna, they want something where they can get away and they know about the quality and it is new.

I watched a programme, something about the most luxurious hotels in the world, that was on last night, and there was somewhere in Croatia. It was an old hotel site, going downhill. These guys took it over, they absolutely razed it to the ground and built this absolutely fantastic place, and I wondered where I might spend my next holiday. It was absolutely wonderful. But converting these places ... Idlerocks, could we convert that? It has not got a roof. This is ridiculous. This is a pragmatic way of getting things done and I totally support what has gone on there.

I would question and I would challenge Deputy Burford about it not being red tape. I do think it *has* been red tape and unnecessary red tape. From my own personal experience –and I am really pleased to see the change here – about how you cannot have solar panels that front on to the highway. That is ridiculous. What if you have got a front-facing house, you are only allowed to put the solar panels on the north-facing side of your house. It makes no sense. It makes it completely inefficient. That is not what you want to do. Nowadays, you see them all, whether somebody's house fronts onto a highway or not, you can still see them on the backs of people's houses. I always thought that was a really stupid point. I am really glad to see that.

Finally, I need to declare an interest, because I do have a dying hedge myself and the thought of having to get planning permission. I did know, found out that if we need to take it all down and put it up again. Why would I need to get planning permission to get rid of a dead hedge? It is absolutely dead, there is not a single green leaf on it, but then I have to go and get planning permission to replace it with a living hedge!

There was a lot of fuss on social media about this, which I did not understand, I really struggled, saying it will be bird-breeding season. I get that but that is within the requirements of doing it. It is a dead hedge, the birds are slowly going to the bits that are living and they are not in the dead bits at all now. But that makes such a common-sense change. Of course, I was pleased to see it – and I had no input into it, I should add – but I thought, it does reflect everything in here, it was just that pragmatic change. These are silly things we are asking for, we want our planning guys to be focused on bigger stuff and important stuff that can really help us on the Island, the bigger stuff than these little things that really do not hurt people very much at all.

So, I do thank the DPA for what they have done here and I would ask Members to approve it all. Thank you.

The Bailiff: Deputy Trott.

Deputy Trott: Thank you, sir.

The three things I did not expect to happen when I came into the Assembly today was first to learn that trigonometry was not your strongest subject. Second, that I would be impressed by a speech from Deputy Taylor. I was, and I thought he argued very cogently and it was very interesting to listen to. Thirdly, that I would need to rise and speak for the first time in more than two decades on dog-waste bins. But that I am because nobody else has and Deputy Meerveld and I did give – (*Interjection*) thank you – a commitment to the St Sampson's Douzaine that we would.

Now, as trivial as it may sound, the St Sampson's Douzaine point has primarily been one around inconsistency, which I think was touched upon by others. If you want to erect, under these changes, a dog bin that is 1,250mm high, you are going to need planning permission. If it is a little smaller, you do not. That is odd in the eyes of St Sampson's Douzaine, when you will not permission to erect a bus shelter, which is considerably higher. So, interestingly, if you wanted to put a dog-waste bin – why anyone would wish to I know not – on one of the sides of this bus shelter, you could do so without planning permission if it was 1,249mm high but if it was 1,251mm you would require planning permission.

Now the DPA, in fairness, have been very helpful, in advising the Douzaine that their issue is about disposal units as well, because some time people may not have what they need to deal with

4115 their dog's litter. But it does seem odd to these really quite normal citizens of Guernsey that a bus shelter, which is a fairly tall structure, requires no planning permission, whereas something as small as a 1,251mm high dog-waste bin apparatus does.

So, it is a direct challenge, a little bit of fun at Christmas time, but an example of how sometimes the smallest matters concern our community the most. I have to say they were terribly animated over this because they care for their parish and they want the best and all the rest of it, and they see it as an inconsistency and wanted me to mention it. I was rather hoping Deputy Meerveld would but he did not, so I hope you will excuse me, sir.

The Bailiff: Of course.

4125 Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Thank you. I rise to respond to some of the dog bin discussions.

I wanted to start by saying this policy is an example of how the Planning Committee has some flexibility in really rapidly meeting changing trends and helping the States with its objectives. But I also wanted to say that we are not a Principal Committee and this means that we are not bringing forward those strategic documents.

We do not work in isolation and we are really enablers for other Committees. For example, touching base on the slightly controversial, today, discussion about Proposition 2 in relation to Class 11 with the suggestions to change some of those hotels, in fact this did not originate from the Planning Authority. This was something that actually originated from the Committee for Economic Development, which I also sit on, and colleagues came with the suggestion that they wanted to see some movement and they worked with the Planning Authority to find a mechanism to do that. This is an example of how we could work together to really meet their objectives.

Touching on that subject, really – and this is where Deputy Vermeulen will be very happy as leader for tourism and accommodation. The reason why we have such a high bar in terms of change of use of hotels is because, effectively, Economic Development has a strategy to preserve bed stock, to preserve a certain number of hotels so that we would have a hotel industry. Again, it is not something that the DPA has suddenly dreamt, with this OC plan, it was really just cascading from the strategic directions that were set by other Committees.

4145 So I think, if the Committee for Economic Development is really keen to have further flexibility and movement in this space, what we really need is a new updated accommodation and tourism strategy. I know Deputy Vermeulen as the lead on that, with the President of Economic Development, are working on that.

What I wanted to say that in relation specifically to this exemption is that I know it is not an ideal way and I really accept Deputy Taylor's analysis of the process of how basically it is fitting into the exemption policy. It is not an ideal way. There were other mechanisms discussed. I think if we could bring something wider forward, it would affect the whole industry, basically, it could not be an exemption which was for just a limited number of hotels, it would affect, effectively, the whole industry. This will hopefully come with what Economic Development is developing.

4155 But in this specific instance, there was an opportunity to try to deal with a number of hotels, which by the proxy of the boarding permit, it was determined that effectively they were not part of the industry. You could argue the L'Eree Bay Hotel kind of actually was part of the industry until very recently, but actually the vast majority of them were not.

So, this was a way to deal with this in a pragmatic way and to really meet what the Committee for Economic Development and experts of various kinds are asking us to do. So, I would say it is not an ideal way but I think it works and I think it would be good that we stimulate movement in this industry. A lot of these places are heading out of the market. They are not going to be converted and I think it will be positive to seek movement.

4165 But I do echo Deputy Roffey's concern that ideally it would be great to see them being converted to uses which meet the current challenges we are facing as an Island, and I would like to make sure as a Committee we pay attention to the applications that might come through. By the way, it is

absolutely not guaranteed that these hotels and this accommodation might actually come forward. There are all sorts of personal circumstances how these investments are held, where these people are. But there is no guarantee that anything might come through. Hopefully, obviously, it will come through, but there is no guarantee.

So, of course, ideally we would like to see this being converted to residential use, multiple occupancy, the more affordable the better. I think as a Committee we should be using the mechanisms we have available as a Committee to ensure that the applications that do come through, hopefully, are addressing the current issues and needs as far as possible.

I do want to also address that when this came to us as a Committee, from Economic Development, we did consider that perhaps it would be unfair to the rest of the industry. There will be a whole raft of other accommodation providers that will be thinking, 'Well, I am really sorry but why am I not on the list? I have been actually considering really wanting to leave the industry but, knowing how difficult it is, I have not made the move.'

So the way we tried to deal with it, we said, 'Listen, let's put this out to consultation. Let's go to industry and ask them what they think.' Generally, I think, there was support from the industry. They saw it as a first step. We are basically signalling that we think, and to be honest, the Committee for Economic Development, really, wants to signal that movement in the industry, hopefully, will be encouraged in the future.

There were accommodation providers that did say, 'Listen, could you please extend the list and we would like to be on it.' But I think by and large actually it was quite a positive response, I would say, because the industry saw it as a constructive step by the proxy of the boarding permit, to identify just a limited number of accommodation providers that feed into that and be able to stimulate something quite quickly.

So I hope that this perhaps helps allay some of the concerns, maybe, Members had in relation to how this specific exemption regarding hotels came about. I think, as I said, it is a pragmatic way to do something quickly. I do stress, again, that we should keep an eye on what applications then actually come through and make sure it addresses them.

The other thing I want to mention, again, we do as the Authority, have a challenging job of balancing the development side of things, enabling the economy, while really preserving what makes Guernsey a great place to live. The vast array of exemptions you see here are really in relation to householder development. So, you saw them in Class 1 exemptions, specifically.

We have talked about how we are supporting energy transition. We are supporting climate change a little bit. We are supporting remote working and setting up businesses, working as a business from your residential premises. We are supporting residential use in towns by allowing conversion of upper floors of retail units to flats.

We are also, importantly, I think, helping reduce and streamline the planning process for other States' Departments. Multiple States' Departments have to deal with Planning, whether it is Traffic and Highways, it is Ports, and Environment & Infrastructure, as well as our trading assets. Hopefully that also enables that internal streamlining of Planning.

We are supporting, as Deputy Falla was mentioning, charities, public events. We are supporting Douzaines, arts, in just very common sense development-type applications. But I did want to draw your attention also specifically to Class 4 exemptions, which have not actually been mentioned much today. They are in relation to about what you can do on agricultural land. And this is something that has been a little bit dear to my heart, a little bit of something I have been specifically pushing, and it has been well-received by the Committee. But when I came to the Committee I suddenly realised that actually there was only so much agriculture you can do on agricultural land, which was just a phenomenal realisation to me.

So, if you were, for example, a household, and wanted to put a little polytunnel on your agricultural land, you would not be able to do it. Or, if you wanted to put a shed to hold the tools you need to do growing, you could not do it. Or there were restrictions in terms of what type of animal shelters you could put to protect animals, chicken coops, etc.

It was kind of counter-intuitive, but it very much came from this historic, shall we say, way how agriculture was developed on the Island and how it was really the domain of farmers with bigger machinery and tractors and basically the more traditional farming methods. I think there has clearly been a change in how Islanders wanted to use some of that land, especially from COVID and lockdowns we have had. I think there has been a noticeable desire to do more of local growing, keep their own chickens and so on. This is just a very simple, we think, kind of common sense approach in how you can do a bit more if you might consider development on agricultural land, but it is really for the purposes of small-scale domestic, or even commercial growing, agriculture, animal husbandry and I think we should really be supporting it.

All of that, actually, you know, is good for the environment as well. Chicken poop, for example – we will talk about dog poop – is very good for the soil, etc. I am not going to go into the subject too much!

I will come to the subject of the dog bins, basically. The St Sampson's Douzaine sent us a letter with a number of questions and representations and specifically with dog bins. Basically, a standard size dog bin is actually considered a *de minimis* size and you do not need planning permission anyway. From what we have seen, the Douzaine proposed a much more significant structure, which would be higher and contain the actually plastic bag container on top and would not be a standard size. So our suggestion was if they could consider designs which fit standard, *de minimis* bin waste-type containers, they are free to do it regardless. We hope we have shown that actually there is no planning that need to do dog bin waste of a standard design. So, we hope that is going to be taken on board.

I am also conscious, and I think it was mentioned by Deputy Bury, that a number of renewable energy companies have been in touch. I want to stress that the Authority went to really extensive consultation with industry and various renewable energy companies, including Renew Guernsey with Paul Fletcher. We have given really careful considerations to all the suggestions made. This is not about whether planning permission should be allowed or not allowed for certain things. As a reminder, this is purely what are the exemptions to the planning process, where you actually do not need any planning applications?

For example, there were proposals to potentially have bigger air source heat pumps exempt. But this is going back to balance, as well. Bigger air source heat pumps are noisier and they can really be a real nuisance to neighbours. It does not mean you could not have bigger air source heat pumps in your garden, for example, it just means applying for permission to do that. It is just that the noise levels, etc., will be considered as part of the planning process.

The same for, I think, solar panels. I think Deputy Soulsby thought it did not make any common sense to have solar panels at the front, but actually solar panels do reflect and if they reflect either into neighbouring property, or on to the highway where people are driving, that can present certain hazardous issues. So there are all always reasons for why something was not taken forward as an exemption. It does not mean actually, ultimately, you could not have solar panels if you applied to have them, just someone will go and consider the location and you could perhaps still have them. You just need to submit a planning application.

So, I think that probably sums up what I wanted to contribute and respond to some of the points made by colleagues. I think, as the President said, this is very exciting policy. A little bit like Deputy Inder said: as Committees, come to us. If you have issues, suggestions, come to us and we can work together to find ways how we can work around or create new policies, whatever it is. It is really a call out, this is an example of what we can do. We really want to work pragmatically and constructively together. But we really need the strategic guidance, ultimately, from the different Committees, so we would especially encourage Economic Development to work with us, Environment & Infrastructure to work with us and so on.

So, I urge everyone to support all the Propositions and get on with our Christmas preparations! Thank you.

Deputy Queripel: Sir, I rise to invoke Rule 26(1) please.

4270

The Bailiff: Can I therefore invite those Members who wish to speak and who have not yet spoken in this debate to stand in their places, if they are here, or indicate what is going on online? Deputy Queripel is it still your wish to put the motion to close the debate on these Propositions?

4275

Deputy Queripel: Yes, sir.

The Bailiff: Very well. The motion is that, subject to concluding with the President, twice, debate on the amendment and the Propositions be stopped at this point. Those in favour; those against.

Members voted Pour.

The Bailiff: I will declare that carried.

4280

A Member: Sir, could I have a recorded vote, please?

The Bailiff: You can certainly ask for a recorded vote. So a recorded vote on Rule 26(1) please, Greffier. *(Interjections)* For those Members who are attending remotely, you have to answer when your name is called, please, if you wish to vote, even if you voted in the Chat.

4285

There was a recorded vote.

Carried – Pour 20, Contre 16, Ne vote pas 1, Absent 2

| POUR | CONTRE | NE VOTE PAS | ABSENT |
|-----------------------|--------------------------|---------------|-------------------|
| Deputy Le Tocq | Deputy Matthews | Deputy Oliver | Deputy Leadbeater |
| Deputy Mahoney | Deputy Roffey | | Deputy Gabriel |
| Deputy McKenna | Alderney Rep. Snowden | | |
| Deputy Meerveld | Deputy Taylor | | |
| Deputy Moakes | Deputy Trott | | |
| Deputy Murray | Deputy Brouard | | |
| Deputy Parkinson | Deputy Burford | | |
| Deputy Prow | Deputy Bury | | |
| Deputy Queripel | Deputy Cameron | | |
| Alderney Rep. Roberts | Deputy de Sausmarez | | |
| Deputy Soulsby | Deputy Dudley-Owen | | |
| Deputy St Pier | Deputy Fairclough | | |
| Deputy Vermeulen | Deputy Ferbrache | | |
| Deputy Aldwell | Deputy Gollop | | |
| Deputy Blin | Deputy Haskins | | |
| Deputy de Lisle | Deputy Kazantseva-Miller | | |
| Deputy Dyke | | | |
| Deputy Falla | | | |
| Deputy Helyar | | | |
| Deputy Inder | | | |

The Bailiff: Members of the States, the voting on the motion pursuant to Rule 26(1), proposed by Deputy Queripel, was that there voted Pour 20 Members, Contre 16 Members, one abstention, two Members were absent and that is why the guillotine motion is successful and is carried.

4290

What we will do first, Deputy Oliver, very quickly, I think, because there has been very little on it, is just deal with the amendment. So, if you reply to the amendment first, if you wish to, then we will deal with the amendment and then we will have your general reply.

4295

Deputy Oliver: I know Deputy Gollop said that he did not quite understand it but it just means that on a flat roof no solar panel can go above 40 degrees and be at 10 degrees angle, so I do not really know what there is to not understand.

Deputy Taylor: Sorry, could I just clarify there, Rule 26(1), was it in relation to the general debate or the amendment, or did it apply to both?

4300 **The Bailiff:** It was both because they were being taken together. So that is why we are closing on the amendment and then we will close the general debate.

So, Members of the States, this is the vote on the amendment proposed by Deputy Oliver and seconded by Deputy Murray, which if successful will insert Proposition 1A. Those in favour; those against?

Members voted Pour.

4305 **The Bailiff:** I will declare that carried.

Now, Members of the States, do you wish to deal with the President's reply and sit beyond 5.30? We will have the vote on this and then we will adjourn until tomorrow.

Members of the States, do you agree with that? Those against?

Members voted Pour.

The Bailiff: We will continue. So, Deputy Oliver to close the debate.

4310

Deputy Oliver: Thank you, sir. I will be pretty quick.

Thank you for all the speeches. I will try and go in order but I have tried to group them together as well. Just to clarify, the proposal is intended to allow solar panels on protected buildings, and I am just talking about protected buildings, in residential use – i.e. houses and flats only. These have to be integrated and they cannot be on the front elevation.

4315

So, to Deputy Gollop, we will not see a load of solar panels suddenly pop up in churches but that is not to say that they cannot submit their normal planning application and then they proceed as follows. We are working with the Art Commission quite closely and the problem that we had, is that if it is longer than 20 weeks it becomes a permanent structure. So, therefore, this was really dealing with the likes of the goats that we saw around, that some of the charities had to actually apply for planning permission in some locations but not others, so it all got very confusing and we just wanted to make it quite clear. Again, if more art wants to go up, they can apply for the planning application in the normal way and the IDP does look upon art features quite favourably.

4320

You can remove glasshouses. We have an entire policy within the IDP, which is OC7, and there are a number of uses, which it can be turned into. We did look at doing it within section 46, but the problem was then you had very little control of what the land could be used for after, so we decided not to do that.

4325

A number of Deputies have said this does not go far enough. Well, I am quite upset by this point, almost, because I have literally ... I think I sent out quite a grumpy email to everybody saying 'Can you please respond to the exemptions, because these are going to be with us for roughly the next 10 years and I want to know if they have gone far enough, basically.' I literally had very few replies, apart from, 'Yes, perfect, just go ahead.' So I do not know if they read them or not, but anyway, we are where we are.

4330

A windfall tax. If you are adding a windfall tax on to the hotels it could no longer be an exemption because you would need a planning application because you would need to see what the likelihood of the windfall would be. So, that kind of defeats the whole object of needing an exemption. Therefore that would not be applicable to this. However, it might be applicable to the tax debate.

4335

Deputy Leadbeater said about materials, lead and copper and will they be allowed? Yes, that is correct, they will be. The DPA actually wanted to list the materials within these but the Law Officers advised against it because they wanted to be able to futureproof it and by putting some in here, we might not have thought of all of them, so therefore they will do that job in the wrapping-up.

4340

Dog litter, I think has been covered by Deputy Kazantseva-Miller. I do not think I have ever spent so long talking about dog-litter bins in my life. But we have had quite an extensive conversation with Deputy Trott, Deputy Meerveld and the St Sampson's Douzaine. At first I was really keen to see them, because I know dog litter is quite an issue for a lot of people. But the problem was the size of the structures they were actually wanting. It was just shy of two metres and I just think some of them could be, if put in the wrong places, quite obstructive. Also, I did worry about the maintenance of the bags and stuff like that.

A number of Deputies have spoken about Proposition 2. This exemption is not looking at shrinking the industry, because these beds have not been included for some time within the industry. The market will decide on what this dwelling or dwellings will be; however, it is not right to assume that they will be a single house. It is likely that at least some will be multiple units and may well provide affordable housing or a potential care home.

Within the IDP, we also have GP8 and GP10. This makes sure that the land is used efficiently and comprehensive development takes place. So I think it would be quite difficult to do a single dwelling. But I am acutely aware some of the units are a lot smaller with the self-catering units and the guesthouses. I think some of them actually lend themselves to just being a dwelling, but I assume you are all talking about the actual bigger hotels.

Deputy Taylor: Point of correction, sir.

The Bailiff: Point of correction, Deputy Taylor.

Deputy Taylor: Sorry, but within the policies of the IDP, if the exemption is approved, as written, to allow these to be changed into a single dwelling, that is what the permission will be. If they come forward with a planning permission or planning request to knock it down and build another house there is nothing within policy or Law that would force them or put any onus on them to bring more than one house.

The Bailiff: Deputy Oliver to continue, please.

Deputy Oliver: On the larger sites you would have to have a comprehensive development and not many of the hotels are just a single unit. There are lots of little ones. So it would be more tricky just to have one.

Anyway, the big difference with this exemption is actually Economic Development do not want these in the bed stock. They are just not needed. This exemption is not preventing people coming into the market. I think in many ways, by getting rid of some of the ones at the bottom, you are actually opening up for newer hotels to come in and therefore you could actually stimulate the market.

We had a lot of consultation on this and we actually sent it out to all hotels, guesthouses and self-catering units, and the response, I think has been said by Deputy Kazantseva-Miller but I will just say it again. I think a lot of them saw this as a stepping stone and a lot of them, I think there was one in particular, that actually a number of hotels actually came forward and said, 'This one maybe should be on the list.' Yet the hotel itself never actually put itself on the list. But it is just waiting until Economic Development actually sort out what they actually want to do with the bed stock.

The last thing I just wanted to say is that this really is not actually encouraging dereliction at all. Because I think one thing that the DPA are acutely aware of is when you do one thing you can change another, and so we are actually bringing forward a policy letter in the New Year and this will be addressing this by section 46 of the Land and Planning Law. So, if you have a derelict site the DPA will actually have teeth to be able to address that issue. We are not encouraging that but we will not be doing that for greenhouses, as I see Deputy Inder shaking his head.

I hope that sums it up quite well but, generally, I hope these exemptions are really forward-thinking and actually do help the industry.

4395

The Bailiff: Members of the States, there are five Propositions. I know that Proposition 2 needs to be taken separately. Are there any requests to take any of the other Propositions separately or can we have three votes, which is 1 and 1A, 2 on its own and then 3 and 4?

In that case, I will put Propositions 1 and 1A to you first. Those in favour; those against?

Members voted Pour.

4400

The Bailiff: I will declare both Proposition 1 and 1A carried.
Proposition 2 – Deputy Queripel.

Deputy Queripel: A recorded vote, please, sir.

4405

The Bailiff: On Proposition 2?

Deputy Queripel: Yes, please, sir.

The Bailiff: Thank you very much.

4410

In that case we will have a recorded vote on Proposition 2 only please, Greffier.

There was a recorded vote.

Carried – Pour 28 Contre 6, Ne vote pas 3, Absent 2

POUR

Deputy Le Tocq
Deputy Mahoney
Deputy Matthews
Deputy McKenna
Deputy Meerveld
Deputy Moakes
Deputy Murray
Deputy Oliver
Deputy Parkinson
Deputy Prow
Deputy Roffey
Deputy Soulsby
Deputy St Pier
Deputy Trott
Deputy Vermeulen
Deputy Aldwell
Deputy Blin
Deputy Brouard
Deputy Cameron
Deputy de Lisle
Deputy Dudley-Owen
Deputy Dyke
Deputy Fairclough
Deputy Falla
Deputy Ferbrache
Deputy Helyar
Deputy Inder
Deputy Kazantseva-Miller

CONTRE

Deputy Queripel
Deputy Taylor
Deputy Burford
Deputy Bury
Deputy Gollop
Deputy Haskins

NE VOTE PAS

Alderney Rep. Roberts
Alderney Rep. Snowdon
Deputy de Sausmarez

ABSENT

Deputy Leadbeater
Deputy Gabriel

The Bailiff: Members of the States, the voting in respect of Proposition 2 was as follows: there voted Pour 28 Members, Contre 6 Members, 3 Members abstained, 2 Members were absent and therefore I declare Proposition 2 duly carried.

Propositions 3 and 4 taken together. Those in favour; those against?

Members voted Pour.

4415

The Bailiff: I declare both of those Propositions carried.
We will now adjourn until 9.30 a.m. tomorrow morning.

The Assembly adjourned at 5.43 p.m.