



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Friday, 31st March 2023

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Present:

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Law Officers

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People's Deputies

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

The Clerk to the States of Deliberation

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

Absent at the Evocation

Deputy J. A. B. Gollop (???)

Deputy A. Kazantseva-Miller (*absente de l'île*);

Alderney Representatives S. Roberts and E. A. J. Snowdon (*relevé a 2h 30*)

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States of Deliberation

The States met at 9.30 a.m.

PRAYERS

The States' Greffier

CONVOCAATION

Billet d'État VI

**5. Requête –
Revocation of all existing approvals of plant protection products (pesticides)
containing the active substance Glyphosate –
Debate continued –
Propositions not carried**

The States' Greffier: Billet d'État IV, Article 5, the continuation of the debate.

The Bailiff: Deputy Taylor.

5

Deputy Taylor: Thank you, sir.

I will not take long. First off I have got to confess I am an Alan Partridge fan (*Laughter*) and inadvertently it has turned me to become quite pedantic and one of the issues I have is, in my day-to-day life when people refer to hoovering when they actually mean vacuuming and it something that flags up here on point 6. We are referring to court cases for glyphosate when the court case was against Roundup. So I just want to ask Deputy de Lisle, if he is aware of any other court cases because Roundup is just one brand that contains glyphosate but from a quick Google search, there are lots and lots of different brands containing it, so if he could expand on that because that is quite a big part of the argument here.

15 The second point is picking up from Deputy Helyar's comments yesterday. Now they do carry a lot of weight, the comments he made; I respect that he was qualified, it was a job he did many years ago. So just posing the question, and I think it would be to Deputy Roffey, about the qualifications of the people at Guernsey Water who have given their comments. I trust that they are suitably qualified here and now to make these statements and give the recommendations that this requête is thrown out, which is the way I am inclined to vote.

20

This is all I have to add, thank you.

The Bailiff: Deputy Vermeulen.

25

Deputy Vermeulen: Thank you, sir.

Yesterday we heard from Deputy Le Tocq speaking on P&R that he had certain concerns about the World Trade Organisation (WTO) and that perhaps Guernsey should not be leading the way in

30 this. But, doing a little bit of my own research, it seems that there are 33 countries which have already banned its introduction and some of those are pretty big countries in Europe. I just needed to understand a bit more on that and how those countries can be in it, or was perhaps the concern that we would be, indeed, out of step with the UK if we introduced a total black out, not just retail like the UK has, but total black out of using glyphosate?

35 Then the other thing which concerned me, and I am pretty split on this; half of me can see it is a risky thing to ban it and the other half is saying well there are a few health fears. So if I could ask Deputy Brouard if there is anecdotal evidence of perhaps an increase in the number of medical cases being presented which could be associated with this chemical. I see in his answer, which I read with great interest, he thought it was too early and that he was awaiting the outcome of a report to be made. But I just wondered if there was anecdotal evidence of perhaps cancer cases increasing exponentially, I do not know. I am just seeking some reassurance there on that one; perhaps they

40 can answer that in their reply.
Thank you, sir.

The Bailiff: If no other Member wishes to speak in general debate then we will start the reverse order of the various Presidents, which means the first is the President of the States' Trading
45 Supervisory Board, Deputy Roffey, if he wishes to reply to the debate on behalf of that Committee.

Deputy Roffey: I do not think I have a great deal to add to what I said in the opening on behalf of STSB, but certainly with the Guernsey Water hat on I just wanted to reiterate once again that there is massive testing of water samples in Guernsey and there has not been a single instance of
50 drinking water, i.e. water supplied to houses for drinking, exceeding or coming close to exceeding the recommended levels of glyphosate in water. And I suppose the only other question that was addressed to me was by Deputy Taylor; I have to say I have not gone through and checked their certificates personally but my understanding is that the people who carry out this work are suitably qualified to do so.

55 **The Bailiff:** Then we go back to Home Affairs. Deputy Prow, do you have anything you wish to say? But this is only on behalf of the Committee.

Deputy Prow: I have nothing to add, sir.

60 **The Bailiff:** Thank you very much. Health & Social Care, Deputy Brouard.

Deputy Brouard: May I be relevé, sir?

65 **The Bailiff:** Yes, you may be relevé (*Laughter*) and then you are entitled to speak as well. Although if I had not I would have to work out who the Vice-President is. (*Laughter*)

Deputy Brouard: Thank you, sir.

70 I think it goes back to one of the main themes that has come through this particular debate. I mean from our point of view prior to a total ban on glyphosate in order to avoid any unintended consequences of such a ban, Public Health Services and the Office of Environmental Health & Pollution Regulation would wish to see an appraisal of the alternative products with assurances that they are less harmful. I think that is one of the key points.

75 I would like to also just pick up on Deputy Vermeulen's point, is there any anecdotal evidence? There is *for everything* and that is the problem we have. We cannot identify exactly where, whether it is this, that, or something else and this is the very difficulty that we have. I think we all agree, and certainly from the Committee's point of view, we definitely agree, on the sentiment that Deputy de Lisle has put forward and I think from our point of view what we do not want to do is come out of the frying pan and find ourselves in the fire, and that is the real crux. So I will probably be taking

80 note of my colleague on HSC, Deputy Matthews, and I will be voting for number 1 but I will not be able to vote for number 2 of the Propositions.

I hope that is helpful, thank you.

The Bailiff: Back to Employment & Social Security, Deputy Roffey, do you have anything you wish to say on behalf of that Committee?

Deputy Roffey: I think I have said what I need to say on behalf of that Committee earlier.

The Bailiff: Thank you very much.
90 Deputy de Sausmarez, as the President of the Committee for the Environment & Infrastructure.

Deputy de Sausmarez: Thank you, sir.

Obviously E&I's mandate is engaged in a number of the themes that have come up in debate, so I do have a bit to respond to. Deputy Burford was the first speaker in general debate and I think she asked the two most relevant questions and she asked them of the requérants but I have not heard them being addressed by the requérants. Those questions were, 'How do the requérants propose controlling toxic or more harmful alternatives?' and, 'How will invasive non-native species be managed?'

Deputy de Lisle had referred to this RootWave technology but, as Deputy Soulsby rightly pointed out, the example that he gave with Transport for London that is simply a trial, the results of which are not yet known. And this is the point: no one would be more delighted than me should that technology be proved viable and effective, but until the point that it is we cannot just assume that it will be.

I am not giving way; Deputy de Lisle will have his own chance to reply to debate.

Deputy de Lisle: Point of correction, sir.

The Bailiff: Is it really a point of correction, Deputy de Lisle?

Deputy de Lisle: Well, it is because the Deputy said that it is a trial. It is not a trial; they are using it with a workforce permanently.

The Bailiff: But, as Deputy de Sausmarez says, you will have the right to reply to the entire debate and it could have waited until then.

Deputy de Lisle: Yes, I appreciate that, sir.

The Bailiff: Deputy de Sausmarez to continue please.

Deputy de Sausmarez: Thank you, sir.

Just to correct the point of correction if people would like to go on to RootWave.com, TFL or Google it, they will see that in fact it is described as a trial, so Deputy Soulsby was quite correct.

As Deputy Gabriel pointed out this has very significant real world ramifications because it does affect the ability of homeowners and potential homeowners, to actually secure a mortgage or insurance.

I really welcome Deputy Aldwell and other Members' support that has been voiced during this debate, incidentally, for supporting farmers, working with farmers, as we made clear in our letter of comment that we are doing, to reduce their use of pesticides generally. So I very much welcomed the various comments that have come from this debate on that theme.

I have to say I struggled slightly with Deputy Le Tissier's logic, which seemed to be saying that because he thought that everyone should be able to use glyphosate he was going to support this

requête so that no one could. But there is actually just one point that I do need to correct and that was when Deputy Le Tissier suggested that the decision to restrict glyphosate to professional and licensed use was made by a civil servant. It was, in fact, made by the Director of the Health & Safety Executive acting in his capacity as a Statutory Official in response to a direction given by the previous ESS Committee to that effect. So there are a number of steps that the previous Committee for ESS directed him to take and the restriction was a result of that political direction. I am not giving way.

Deputy Queripel asked whether we could tell what glyphosate had come from professional users and what glyphosate had come from amateur users, or whether we could tell. The answer is, yes, that is exactly what we are doing and monitoring now to establish because obviously the use of glyphosate has now been restricted. As Deputy Roffey explained when he spoke on behalf of ESS, we are not yet in peak glyphosate season so we will have a better idea of that once we have had longer to examine the data. But that is exactly what we are trying to establish.

Deputy Haskins introduced what I think was the most relevant fact of all into debate and that is that glyphosate has lower acute toxicity to humans than 94% of all herbicides, and in fact many other household chemicals as well, and lower chronic toxicity than 90% of all herbicides. In other words, nine out of 10 other herbicides would present more risk to humans in the event of long-term exposure, such as repeated ingestion, and 19 out of 20 herbicides, or thereabouts, would present more risk in the event of a single exposure.

So, to put it another way, the vast majority of other herbicides are a lot less benign than glyphosate. I am not trying to claim that glyphosate is lovely but I do think we need to heed the warning, and in fact it is just being echoed by Deputy Brouard on behalf of HSC, to be careful what we wish for because there are a lot that are considerably worse and I think particularly with reference to persistence in the environment as well. So I think that does give us the most relevant perspective on this Requête.

Which brings me back to the other question that Deputy Burford had posed. As it happens, I asked a very similar question of Deputy de Lisle. So I am talking about the question of how the requérants proposed controlling more harmful alternatives. And I asked a very similar question of Deputy de Lisle when he came to discuss his, then, draft requête with the two Committees that I sit on and I assumed that he would share my concern about the likely overall increase in synthetic chemical inputs but when I asked him he said that, no, actually he was only concerned about glyphosate; and I was so surprised at that answer that I thought I had misunderstood, but he did go on to confirm that that was what he was mostly concerned about.

He was not worried, certainly at that time and I do look forward to hearing him reply on this, about the other chemicals that might be used as long as glyphosate was banned. That is, from the perspective of E&I's mandate, not the most responsible approach. We do believe that the holistic approach we are taking which has regard to pesticide use in the round is the more responsible and pragmatic approach. And, indeed, that is the kind of approach that both Deputies Dudley-Owen and Helyar kind of alluded to. I would have preferred to see a requête more along that ground because both of them referred to chemicals in plural, pollutants plural and I think I am much closer to that view than I am with Deputy de Lisle's position which seems to be focused on glyphosate alone.

Certainly that is the approach the Committee is taking, looking at pesticides in the round. But banning a single substance and one that is among the least toxic of the herbicides available could well lead to a spike in other chemicals that we are less familiar with and less able to manage and mitigate.

So we could find ourselves in a situation a little bit like we found ourselves with the legal highs a decade or so ago. As soon as one was banned it was instantly replaced by another which seemed to have a more alarming risk profile and there seemed to be a real scramble before the legislation could catch up. So I think that is the danger that we potentially face by focusing on one substance alone.

Glyphosate is so commonly used around the world, not just because it is effective in what it tries to do, which is kill weeds, but because it is in many ways less risky than the alternatives. So, for

185 example, it is not as persistent in the environment as many other herbicides. Now, I know that traces
of DDT, which I think Deputy Haskins said was banned in 1986 – (**Deputy Haskins:** In the UK.) yes,
in the UK – are still being found in greenhouse/glasshouse soil samples today. So that is how
persistent some herbicides can be in the environment.

190 It is a tiny reminder that some herbicides could have worse and longer lasting effects. So this is
a warning about the unintended consequences and that is why I hope I can persuade Deputies
Gollop, Matthews and Brouard, and anyone else who is considering voting for Proposition 1 not to
do so.

Proposition 1 reads:

1. To agree that action should be taken in Guernsey to eradicate the threat to its inhabitants and its eco-structure posed
by the continued use of Glyphosate on the island.

195 Now, I do not think this is a risk-free Proposition to support. I do not think it presents some
middle road either because it focuses only on glyphosate and not on the issue of pesticides or other
chemicals in the round. So I think it runs all the same risks that the second Proposition does in that
respect. I leave it for Deputy Ferbrache to comment on because it really is more in his Committee's
mandate but I would have thought that the words 'action should be taken' and 'eradicate' and then
200 the naming of glyphosate may well present just as much of a frustration and potential problem to
the negotiation of international trade agreements as the second Proposition.

I give way to Deputy Burford.

205 **Deputy Burford:** I thank the President for giving way and just as she appears, from looking at
the screen, to be coming towards the end of her speech, I just wondered if she would pick up on a
point made by another speaker just to outline the recourse an individual has should their property
be in the drift of spray from commercial spraying.

Thank you.

210 **Deputy de Sausmarez:** Yes, I think that would have probably been better posed to Deputy
Roffey when he was on his feet for ESS but I think it is a very valid point.

Oh, I give way to Deputy Roffey.

215 **Deputy Roffey:** I do not know about any legal recourse. What I will say is that the Health &
Safety Executives, their whole rationale of only having professional, licensed people who are trained
to apply this chemical is to absolutely minimise that, compared with amateur use.

220 **Deputy de Sausmarez:** I would further add from an E&I perspective that, as I explained in my
opening contribution to the debate, we have set up a Pesticide Working Party – I think that is its
proper name – which does involve the Health & Safety Executive and Guernsey Water and a number
of other relevant bodies. I would certainly be keen to encourage them to look at whether ... I cannot
remember who it was, maybe Deputy Moakes, someone suggested better communication – it was
Deputy Moakes – and I think certainly that is a very good suggestion and it is one that I would like
225 to take to the working party to see whether we can improve the situation for people who may be
effected by the, albeit restricted, use of glyphosate, continuing use of glyphosate, in the Island.

230 So, in short, the debate has been a good opportunity to discuss some of the Committee's core
concerns; we do not feel that this requête represents the most effective or responsible approach. I
would like to leave Members with the assurance that it continues to be a focus for the Committee
and it is the subject of a lot of genuinely joined-up workings. So I would urge Members to vote
against this requête, both Propositions, and continue to support the efforts that we are already
making, which I think are showing good signs of progress.

Thank you.

235 **The Bailiff:** Deputy Dudley-Owen, do you have any comments you wish to make on behalf of the Committee?

Deputy Dudley-Owen: No, thank you, sir.

240 **The Bailiff:** Thank you very much.
Deputy Inder, on behalf of the Committee *for* Economic Development?

245 **Deputy Inder:** On behalf of the Committee, sir, I think when this is debated – just to give a bit of background again – back in 2019, the effect on the negotiations on our trade agreements and the CPTPP were traded but not known, and we are in the middle of the real work now. We have rolled out quite a number of international trade agreements and we are in the process of actually finishing off the CPTPP of which we are a region of.

I would just reiterate from the letter of comment, even though I have a lot of sympathy with Deputy de Lisle personally:

The Committee is also aware there are concerns over whether an outright ban of glyphosate would be consistent with the Bailiwick's ability to comply with the international trade agreements. Legal advice should be sought on this point before the States of Deliberation takes any decision to further ban or restrict the use of products containing the active substance glyphosate by professional users.

250 And that is my comment on it.

The Bailiff: And, Deputy Ferbrache, as the President of Policy & Resources please.

255 **Deputy Ferbrache:** Sir, unintended consequences have been mentioned several times during the course of this debate and Deputy Brouard was saying, well, he may vote for Proposition 1. If he does and anybody else does then they are going to likely unravel much of the very good work done by Deputy Le Tocq and our External Relations team. It is a point picked up and mentioned just a few seconds ago by Deputy Inder.

260 We are at a crucial stage with lots of international trade agreements and Guernsey is looked at. Just because we are a little community we are looked at and our position in relation to these matters is very important. It is not accurate, as Deputy Vermeulen said, to say that 33 various jurisdictions have banned this particular chemical; in fact, they have restricted it, largely, overwhelmingly most of those 33 have restricted it to where we are now. They have not banned it, so whatever he has read – I am sure he has read it – is inaccurate.

265 So as a member of ... I was going to say Commerce & Employment – that takes us back some days, doesn't it; or Board of Industry – that takes us back even further. As a member of the Committee *for* Economic Development, I would ask him to consider Guernsey's interests and remember the words that Deputy Le Tocq, who is not a man who speaks in hyperbole, said to this Assembly just yesterday in relation to this particular issue, 'If this requête or any part of it is passed the Members who vote for it, if it is successful, will be doing Guernsey's future economic prosperity a great, great disservice.' So I ask them to bear that in mind when they vote on this particular issue.

270 **The Bailiff:** I now invite the lead requérant, Deputy de Lisle, to reply to the debate please.

275 **Deputy de Lisle:** Thank you, sir.

The Chief Minister began by saying that in the debate, of the seven States Committee's consulted, five either specifically stated that they do not support the requête or raised concerns; in fact none supported the requête. Which, to me, is a total contradiction to the reality of the situation whereby the States' property unit policy, the policy of the States, prohibits the use of glyphosate on farm land, under States' management tenancies and there are a total of 18 fields there that the States rent out, as well as on States' land adjoining buildings tended by States' works, such as Sir

Charles Frossard House and other buildings that we have which would include, of course, the States' land surrounding school buildings and so on, the Hospital.

285 So why are we allowing a handful of farmers – 12, although one is conducting his farming in a different way – and a small group of landscape gardeners to use this chemical indiscriminately over the Island? And of course we say that it is urban effect which is causing the damage to our water resource through householders, but those householders are employing landscape gardeners to do the job and they will now because they are not permitted to buy or use the product. So what are they going to do? It is a boom really for landscape gardeners and they are going to be spraying the stuff all over those residential properties. So it is not just going to be yellow in the countryside, it is going to be yellow in the north, in the urban areas.

290 This poisonous spray is also carried by the wind into our homes and neighbouring homes, settling all around us and propagating a slow death to the surrounding wildlife. It kills the grass, it kills the roots of crops, it kills the life in the soil and there is great concern that this chemical farming is going in the wrong direction for Guernsey, with Guernsey's long tradition in agriculture over the centuries, respected by countries outside of this Island in terms of their purchase of our valuable breed of cattle.

295 So why this contradiction between the States' policy and Committees; and are the Committees colluding against this requête? Have any of them peer reviewed or read peer reviewed scientific and medical reports noting the link between glyphosate and autoimmune and neurological diseases and conditions? Just what are you basing your judgement call on?

300 P&R, and again Deputy Ferbrache a few minutes ago, states that a ban would compromise international trade agreements and Guernsey's international reputation. However, this has not stopped Austria and Germany, as P&R admits, who are members of WTO, from banning totally the toxic chemical glyphosate.

305 Now Reuters, just two days ago, reported that the German Cabinet had approved legislation to ban glyphosate from 2024. Our requête suggests the same date, the beginning of 2024. Now they have very big banks in Germany, it is a big country, it is the largest country in western Europe; it has got financial institutions, strong financial institutions, not just like here with branch banks, branches of banks from elsewhere. So they have a lot more to consider than little Guernsey, a country of 310 80 million with their people calling for the government to do something and do something quick because they are afraid of the effect, not only on the environment but also on public health.

315 And, interestingly enough, the manufacturer of glyphosate, Bayer, has its headquarters located in Leverkusen, Germany. So the legislature has had to fight, not only the fact that the headquarters are there, but the fact that that company was started by German entrepreneurs years ago in the 1800s.

320 So why a little jurisdiction like this with a few branch plants of banks and financial institutions should be that concerned when a country the size of 80 million, the largest in Europe, has approved legislation to ban glyphosate from 2024. It makes no sense to delay, no sense at all. There are other members such as Mexico, Spain and Luxembourg that have looked very closely at banning the product.

But one has to also remember that the WTO membership recognises the right of member states:

... to achieve legitimate policy objectives, such as the protection of human health and safety, or protection of the environment.

Those are written in. So there is no concern to Guernsey, we can just turn around and say, 'Look at our water. We have to do something and quick.'

325 In addition, P&R, in their Committee position, state that the proposed plan was at the risk of a successful legal challenge. Well as far as I am aware, there have been no challenges to Bayer's removal of glyphosate from the retail shelves worldwide. On the other hand, there are legal challenges to this toxic chemical internationally upheld by the Supreme Courts for many health issues in the United States and elsewhere.

330 In fact we know that there are 100,000 cases pending in the United States of people that have
been affected physically and medically by this particular product; and we know that there have been
big awards already through the Supreme Court of the United States, which we need to consider
very carefully here in this Assembly because people are going to be coming to the States and they
are going to be asking for answers.

335 Already Jersey is finding itself ahead of us having to carry out blood tests. Deputy Roffey, in his
comments to the Assembly, has gone along with the health executive policy accepting glyphosate
as a poisonous substance and taking it off the retailers' shelves, and has concern over the future
security of our water resources. Why would he then place the people of Guernsey at health risk and
further pollute our water supply stock? That inaction is totally irresponsible; it is not a matter of
delaying it is matter of getting on with it. He knows that the States' property unit policy prohibits
340 the use of glyphosate on farmland under States' management tenancies as well as States' land
adjoining buildings tended by States' Works. So why the delay?

STSB make much of WTO's global trading rules and sensitivities raised at international ministerial
councils at the WTO, but the rules make clear that we are able to ban it for legitimate policy reasons
such as, as I said, protection of human health and safety or protection of the environment and
345 certainly the public water supply.

I have had complaints from parishioners around the Airport having to close windows due to
airfield spraying of glyphosate. They argue that this practice goes on weekly with no notice of when
it is to take place. And you know with bonfires, when we were discussing that we said, well, one of
the things people have to do is notify their neighbours if they are going to shroud their washing on
350 the lines with debris and smoke.

But here there seems to be nothing in place. It is not right that families are being subjected to
poisons within their dwelling houses. As they say the point that a ban would compromise
international trade agreements is terribly weak because it has not stopped others from banning,
totally, the toxic chemical glyphosate. Guernsey Water has made the point that action is needed to
355 eradicate glyphosate and that they calculate a 65% increase in the chemical glyphosate in the water
supply in the three-year period, 2019, since we came first with the requête, to 2021. There is nothing
right about glyphosate in our drinking water; we need a fresh start with fresh minds to deal with
this.

That water resource of ours is somewhat different from other places where we depend so heavily
360 on water catchment here in Guernsey. I admit that the Water Authority do test but they do not test
here locally. The water is sent to the UK for testing, by the time it comes back they have told me
that it is a good three weeks. Now, when we had 30 times the level that is mandatory recently,
people were drinking that water from the taps during the period in waiting for the tests to come
back.

365 **Deputy Roffey:** Point of correction, sir.

The Bailiff: Point of correction, Deputy Roffey.

370 **Deputy Roffey:** As far as I am aware, and I am reliably informed, at no time has the water that
has been supplied to Guernsey's taps exceeded, nor is there any evidence that it has ever exceeded,
the recommended levels of glyphosate.

375 **The Bailiff:** Deputy de Lisle, I think there is a distinction to be drawn there, isn't there?

Deputy de Lisle: There may be, sir, but I am saying that if the tests come back that the reservoir
has to be closed and not used for drinking water and that is after three weeks of waiting for the
tests to come back. What does that tell you about the fact during those three weeks? Has that water
been suddenly pure? I do not think so. It was contaminated and it was in the taps, sir.

380

Deputy Roffey: I am sorry, sir, point of correction.

The Bailiff: Point of correction, Deputy Roffey.

385 **Deputy Roffey:** Whilst theoretically there may have been the possibility that if St Saviours Reservoir, or one of our other large reservoirs, was contaminated to that extent then I understand the theoretical risk.

I have to repeat that Guernsey Water do about 7,000 tests per year and there has not been a single instance of exceedance of the recommended levels in the drinking supply in Guernsey, and I think that Deputy de Lisle is at risk of causing panic and unnecessary concern amongst the public of Guernsey. I think it really is irresponsible, which is why I raised the point of order again. I am sorry to be persistent.

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

Deputy de Lisle: Sir, the public has real concern here in Guernsey. (*Interjection*) They have got every right to be concerned, particularly when they see reservoirs being closed and not used. The one that –

400 **Deputy Taylor:** Point of order, sir.

The Bailiff: Point of order. Deputy Taylor, what Rule is Deputy de Lisle –?

405 **Deputy Taylor:** Well, I will try Rules 8(6) and 17(4), sir.

The Bailiff: I do not think it is going to work, is it, (*Laughter*) on the basis that Deputy de Lisle is responding to comments that were made on behalf of Guernsey Water by the President of the Committee that is responsible for it. He is giving his own version of it, but we do need to move on a little bit please, Deputy de Lisle, to other points that have been made in the debate.

410 **Deputy de Lisle:** Thank you for that, sir.

I just wanted to mention the fact that, given Deputy Roffey's points, our reservoir in St Saviours was closed for a period of time because of polluted water – and that is a fact. I think it was a good three or four weeks that they could not use the water from there; they had to ship it in from the north.

415 I think the delay by E&I Committee really appears to be without concern to the pain and suffering this subject's fellow Islanders to, by not taking immediate action and supporting a complete ban. Why procrastinate when you have already recognised the toxic problem? E&I, through Agriculture and Land Management Services, uses glyphosate to control some invasive native species. There is a conflict of interest in what is being stated from the top bench there.

420 The bio-diversity officer says ACLMS has to use it in very certain circumstances; they say taking away glyphosate would add pressure already felt by the agricultural sector. But research shows huge savings in herbicide and fertiliser costs by the withdrawal of glyphosate from agriculture. Public health, water supply, bio-diversity for Guernsey population needs to be considered first and foremost.

425 They are also misleading the States, as far as I am concerned, by saying that there are no alternatives to invasive weeds and Japanese Knot Weed. There are alternatives being successfully used in the UK and on the continent; and our businesses have to bring in this new technology and not just continue with the old, and Guernsey is very slow very often in adopting new technology.

430 We have seen this in other areas, particularly in the whole Airport fracas^{10.17.35} that I had to go through a few years ago, trying to bring in new technology to save land, to save bio-diversity on the Airport.

435 RootWave provides better weed control with big cost savings. This has encouraged Transport for London to completely change their method of control for Japanese Knot Weed. The plant dies instantly with the use of RootWave and crucially grow-back is significantly reduced compared to previous methods. On small sites one treatment removes the plant but on large dense sites it takes two or three visits, halving the number of treatments expected with conventional methods of glyphosate.

440 RootWave reduces the operational team for treating a single Japanese Knot Weed site while seeing better weed control. Where a large area of Japanese Knot Weed would formerly be treated with injecting glyphosate using a team of 12 men, Transport for London now have a team of two men on site using RootWave and because the electricity kills the entire plant, including the roots, Transport for London are able to leave the plants on site to compost down to save man hours and the cost of disposal of an environmentally sensitive material.

445 In all, massive savings using a chemical free way of eliminating Japanese Knot Weed through new technology. And once treatment has finished, sir, the public and local wildlife can enjoy the area immediately without presence of chemical herbicide residues.

450 **The Bailiff:** Deputy de Lisle, I recall you saying something very similar when you opened the debate on this requête.

Deputy de Lisle: Yes, thank you, sir

455 **The Bailiff:** It is not your opportunity to repeat the arguments that you made in opening, because Members will have listened to those carefully and will bear those in mind. This is an opportunity to respond, particularly (**Deputy de Lisle:** Thank you, sir.) where there has been opposition from Members when replying to the debate. So, can we focus on that, please?

460 **Deputy de Lisle:** Sometimes, sir, they say that you have to make these points a few times for them to be heard, particularly in this Assembly.

The Bailiff: Well, I am just reminding you, Deputy de Lisle, that you do not have the opportunity to do that, so please desist.

465 **Deputy de Lisle:** I appreciate your point, sir.

Deputy Inder makes the point that farmers and landscape gardeners were not consulted, but the Health Executive has consulted professional users and they already work with the States' policy when renting land from the Government: the policy not to use glyphosate in farm management or on States' property. So they were consulted by the Government and as a result of those conversations and consultations, they placed restrictions on who could use the product, what areas were restricted and ran courses for people who want to actually engage in glyphosate spreading.

475 Concerns about the high toxicity of glyphosate led to guidance specifically with no spraying herbicides within three metres of any streams, douits, drains or ditch and now the withdrawal of glyphosate from retail shelves and the use by amateur gardeners. Banning pesticide is the best way to ensure drinking water remains up-to-standard, which is something that was quoted yesterday in the debate.

The requête is calling for that prohibition to be extended from the end of the year to professional users on grounds that usage presents risks to public health, bio-diversity, water supply and the environment.

480 Sir, Guernsey Water is clear about the damage being caused by glyphosate. Guernsey Water fears further increases in glyphosate in stored water, as will be necessary, a different treatment process if it cannot source sufficient water by selectivity, blending and transfer of water. This is the method they use: selectivity, blending and transfer of water.

485 Then there is need to invest in the next level of water treatment which is granulated activated carbon. That would cost tens of millions of pounds, with significant ongoing costs, with carbon renewal and would put upward pressure on consumers bills and increase our carbon emissions. Now is the time to do something about it, not to procrastinate.

490 The water quality manager at Guernsey Water said, 'Glyphosate has become the chemical of most concern. We can see the picture of the levels climbing,' she says, 'in all our waters and streams.' We have got no problems with any other pesticide at all, so let us get on with this one then and take action.

495 It is not only the catchment area of Vale pond, which holds enough water to supply the whole north of the Island, that is now unusable due to pesticide levels. The chemical causing the issue is glyphosate. It is not one body of water, as Guernsey Water is seeing increases in all streams across the Island and both domestic and commercial use of glyphosate is responsible. The use of glyphosate has limited what water can be collected and used for drinking water. Guernsey Water has warned it could mean, 'water-use restrictions in the future, importing water perhaps or price rises to fund new water treatment equipment.' Those are not my words, they come directly from Guernsey Water. There seems to be a conflicting situation there between those responsible for monitoring the drinking water and the top of Guernsey Water management.

500 Sir, if I can go on to the Committee for Health & Social Care, who stated that before any prospective total ban was introduced Public Health Services and the Office of Environmental Health & Pollution Regulation would wish to see an appraisal of alternative products with assurances that these would be less harmful so avoid any unintended consequences. They will await the results of a European Food Standards Agency peer review anticipated in July 2023 to inform its future position. But I say why delay, why delay currently, because we believe that there is evidence for banning glyphosate on public health grounds and it is very strong.

510 There have been hundreds of scientific articles published in scientific and medical journals on the link between glyphosate and autoimmune and neurological diseases and conditions including dementia, Parkinson's disease, cancer, autism, multiple sclerosis and diabetes. Many scientists have devoted years of research and written peer led scientific studies to show the connection.

515 Glyphosate is bio-cumulative, sir, in human bodies and the presence of glyphosate in human bodies has risen dramatically during the last three decades. Glyphosate kills bacterial species beneficial to humans yet allows harmful bacteria to persist. It affects the function of the gastrointestinal tract limiting the ability to prevent disease.

Deputy Gabriel: Point of order, sir.

The Bailiff: Point of order, Deputy Gabriel.

520 **Deputy Gabriel:** Rule 8(6) or 17(4), repetition or not relevant.

525 **The Bailiff:** I do think, Deputy de Lisle, that you are repeating the arguments that you raised when opening the debate on this requête and these Propositions and you are not really focusing on what has been said by other Members who have spoken during the course of debate and simply replying to that debate. So, please can we deal with that, otherwise I will have to ask you to move on each time?

530 **Deputy de Lisle:** Sir, I was just wanting to reply to also some of the points that were brought up by Deputy Queripel who called for the need for blood testing. He wants an answer to how much glyphosate is in our bodies, sir. There have been studies done already in the United States. More than 80% of urine samples drawn from children and adults in the US Health Study contained glyphosate, according to the US Centers for Disease Control and Prevention (CDC). Out of 2,310 urine samples taken from Americans intended to be representative of the population, CDC found

535 that 1,885, in other words 80%, contained detectable levels of glyphosate and scientists described this finding as 'disturbing and concerning'.

Now Deputy Brouard stated there is plenty of anecdotal evidence of the presence of glyphosate in people's systems, or words to that effect, but there is no conclusive evidence of its presence. But if they were to put a blood testing scheme in place, as is suggested, then surely that would establish whether or not it is here amongst our population and I think we have to do as Jersey is doing in the near future, and I will be calling for it.

540 But in all this, the policy is in place for health. The Partnership of Purpose Transforming Health Care, the number one key aim of that policy is prevention and early intervention, (**A Member:** Hear, hear) supporting Islanders to live healthier lives. There has been criticism in this Assembly actually by Deputy Soulsby and others that not enough attention has been taken to this particular policy. 545 The policy is in place, it needs proactive enforcement and willingness to take issues under it and this is one that should be brought forward and I am hoping that the Department and Deputy Brouard will see fit to assist, as he says, with Proposition 1 with working further with respect to this particular issue.

550 Sir, Members are pounding sand, in many cases. I was challenged by two senior members of the Public Works Department at Petit Bot over very evident leaching of PFOS into the Petit Bot stream and onto the beach and sea, and Deputies challenged by bathing in the waters on the beach at Petit Bot in front of me and the media to show the waters were safe for bathing!

Just last month the EPA Advisory set ground-breaking limits on toxic –

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Deputy de Sausmarez: Point of order, sir.

The Bailiff: Point of order, Deputy de Sausmarez.

560 **Deputy de Sausmarez:** With huge apologies for not remembering the number that has already been cited by Deputy Gabriel, I think 17(4) perhaps, I believe this is not only not relating to anything that has been said in debate but also not relevant to the subject of the requête.

565 **The Bailiff:** Well Deputy de Lisle, I have to agree with that on the basis that this is about glyphosate not about PFOS; that has been a debate previously. It is vital that you reply to the points that have been raised by those who have spoken and address them rather than bringing up extra things.

570 **Deputy de Lisle:** But all I am saying, sir, is it will fall on your heads again with glyphosate but by then severe damage will have been done to bio-diversity and public health which could be avoided by action taken today. (**A Member:** hear, hear) A lot of Members do not want to hear the facts, sir. I have to go on to other Members and their statements.

575 Deputy Dudley-Owen pointed to how glyphosate was not in-keeping with the strategy for nature, maximising diversity of species and the bio-diversity thrust of Environment & Infrastructure. She said that we have to be decisive with a complete ban.

Deputy Aldwell was concerned about the notable loss of bees in her garden locality. I might add that Mexico's honey industry was wiped out by glyphosate spraying. Glyphosate damages the good bacteria in the honey bee gut making them prone to deadly infections.

580 Deputy Burford asked to engage on two points. One, if banned it will lead to more toxic solutions. She does not know that, of course, but how to avoid consequence. To that, I answer: insist on farming practices that embrace regenerative organic agriculture, (**Several Members:** Hear, hear!) which I know she has been insisting on around her place. So the benefit of the soil biome, protection of soil health, bio-diversity and minimising erosion, it is not necessary at every two years to dig up these fields, to plough the fields and reseed. What is going on, particularly with glyphosate?

585 I will just finish my comments please. Managing weeds without agrichemical herbicides is entirely feasible. Organic farmers and growers have been doing this for years. (**Several Members:**

Hear, hear) There is a huge amount of experience, expertise, science and developed techniques for non-chemical farming. The science is clear, glyphosate damages the eco-system, beneficial insects, earth worms, soil biota must remain *in situ*, not be eradicated by glyphosate. Exposure to the herbicide poses a risk to human health and a variety of living organisms and threatens the future of agriculture.

Her second point was how to deal with invasive species. Well, for thistle and ragwort I have been very successful in hand picking, digging and shallow cultivation. I had recently cleared a three vergée field, believe it or not, by hand picking and digging out the root of a good 100 thistle and ragwort plants. It took me a whole afternoon to clear but they have not come back in the field. The field is clear after several years. Now, there are other methods, of course, that can be used, a wider range of crops and live stock in rotation and the use around the house of RootWave for Japanese Knot Weed.

Deputy Le Tissier was concerned, like many others, of double standards with farmers, growers, landscape gardeners treated differently – why? – from use in garden or as amateur product. Because they cannot function now in their own gardens, they are going to have to have assistance and they can get assistance actually from qualified people. So I do not expect a lot of change as a result other than, of course, more work for the landscape gardeners. But he prefers glyphosate bans to all, if it is to be banned at all.

Deputy Queripel called for the need for blood testing. He wants an answer to how much glyphosate is in our bodies and we will be, hopefully, getting some answers soon from the Health Department. He also quoted the Water Quality Risk Management manager of Guernsey Water that, 'banning glyphosate was the best way to ensure drinking water remains up to standards. Glyphosate was the only problematic pesticide; it would cost tens of millions to deal with glyphosate if levels continued to increase in the water supply.'

Now Deputy Gollop favoured a much more organic Island working in an ecological way. **(A Member:** Hear, hear) He supported the first Proposition and wanted to vote on the two Propositions separately. This was a view shared by Deputy Blin and Deputy Matthews who also drew attention to their support for the first Proposition. Proposition 1 would have the effect of instructing Committees to take action, he said, and that is to agree that action should be taken in Guernsey to eradicate the threat to its inhabitants and its eco-structure posed by the continued use of glyphosate in the Island.

Deputy Helyar stated that many people were concerned about the rise of chemical farming in Guernsey which he deemed was anti-social. The yellow fields that have sprung up this spring indicated, he said, excessive use of glyphosate in the Island at the moment. He also saw glyphosate use by farmers and others as an easy option rather than taking the traditional Guernsey way of regenerative, organic farming.

Deputy Soulsby was sympathetic to a complete ban and maintained that it would come about sooner than later. Deputy Prow was concerned over the risk to public health of animals and humans. He argued that we cannot allow one sector of the community off the banning of glyphosate; it should be a complete ban. Deputy Taylor was asking me a question with regard to section 15 of the requête with respect to the fact that the Health & Safety Executive have recognised glyphosate as a poisonous substance and withdrawn all 152 products containing glyphosate for use in the garden or as an amateur product. So it is 152 products that you are searching for.

Deputy Vermeulen was asking whether cases had come up with the Health Department as a result of autoimmune diseases and other illnesses associated with glyphosate in the reports that have been written. I am not sure of what response we got in that case but it is something that, I think, Deputy Brouard intends to follow up on in terms of that first Proposition which he says he will support.

So in conclusion, I would like to thank the requérants of the requête for their support and indulgence, that is: Deputy Prow, Deputy Helyar, Deputy Dudley-Owen, Deputy Mahoney, Deputy Aldwell and Deputy Queripel. And I would like to thank all Members also for their participation in this debate and listening to the evidence that I have put forward.

640 I know that there is a cross section of views, not only here but in society, with different risk preferences about their health and sanitary, and similarly with respect to this chemical glyphosate. But this does not change the fact that the chemical is damaging to health and bio-diversity. Just as with smoking and asbestos, people are demanding that we live in a more healthy environment, sir, and have taken steps to that end and all our actions as a result of this debate are accountable. It is your individual responsibility, you have been told. The health and safety of our community should
645 always be priority and we are proposing a full ban on the use of glyphosate by the beginning of next year on the grounds that usage presents risks to public health, our water supply and our precious environment.

I thank you for that, sir.

650 **The Bailiff:** Members of the States, we are going to take each of the Propositions in separate votes, so the first one would be Proposition 1 and I will invite the Greffier to open the voting please.

There was a recorded vote.

Proposition 1.

Not carried – Pour 10, Contre 23, Ne vote pas 2, Did not vote 0, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Burford, Yvonne	Blin, Chris	None	Gollop, John
Brouard, Al	Bury, Tina	Helyar, Mark		Kazantseva-Miller, Sasha
De Lisle, David	Cameron, Andy			Le Tocq, Jonathan
Dudley-Owen, Andrea	De Sausmarez,			Roberts, Steve
Le Tissier, Chris	Lindsay			Snowdon, Alexander
Mahoney, David	Dyke, John			
Matthews, Aidan	Fairclough, Simon			
McKenna, Liam	Falla, Steve			
Prow, Robert	Ferbrache, Peter			
Queripel, Lester	Gabriel, Adrian			
	Haskins, Sam			
	Inder, Neil			
	Leadbeater, Marc			
	Meerveld, Carl			
	Moakes, Nick			
	Murray, Bob			
	Oliver, Victoria			
	Parkinson, Charles			
	Roffey, Peter			
	Soulsby, Heidi			
	St Pier, Gavin			
	Taylor, Andrew			
	Trott, Lyndon			
	Vermeulen, Simon			

655 **The Bailiff:** In respect of Proposition 1, there voted in favour, 10 Members; against, 23 Members; 2 Members abstained and 5 Members were absent. Therefore I will declare Proposition 1 lost.

We now move on to Proposition 2 and again I will invite the Greffier to open the voting, please.

Proposition 2.

Not carried – Pour 7, Contre 25, Ne vote pas 3, Did not vote 0, Absent 5.

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POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Blin, Chris	Helyar, Mark	None	Gollop, John
De Lisle, David	Brouard, Al	Mahoney, David		Kazantseva-Miller, Sasha
Dudley-Owen, Andrea	Burford, Yvonne	Oliver, Victoria		Le Tocq, Jonathan
Le Tissier, Chris	Bury, Tina			Roberts, Steve
McKenna, Liam	Cameron, Andy			Snowdon, Alexander

Prow, Robert
Queripel, Lester

De Sausmarez,
Lindsay
Dyke, John
Fairclough, Simon
Falla, Steve
Ferbrache, Peter
Gabriel, Adrian
Haskins, Sam
Inder, Neil
Leadbeater, Marc
Matthews, Aidan
Meerveld, Carl
Moakes, Nick
Murray, Bob
Parkinson, Charles
Roffey, Peter
Soulsby, Heidi
St Pier, Gavin
Taylor, Andrew
Trott, Lyndon
Vermeulen, Simon

The Bailiff: And in respect of Proposition 2 there voted in favour, 7 Members; against, 25 Members; 3 Members abstained and the same 5 Members were absent so I will declare Proposition 2 also lost.

COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

6. The States Strategic Housing Indicator 2023-27 – Debate commenced

Article 6.

The States are asked to decide:

Whether, after consideration of the Policy Letter entitled 'The States Strategic Housing Indicator, 2023-2027' dated 05 January 2023, they are of the opinion:-

1. To agree the States Strategic Housing Indicator be set at creating 1,565 new units of accommodation between 2023 and 2027, with a plus or minus variance of 157 new units (10%) to give the flexibility to react to market changes, equating to an annual average of 313 additional units of accommodation; the total SSHI being made up of:

a. a Private Market Housing Indicator set at creating 844 units of private market accommodation over the next 5 years, with a plus or minus variance of 84 new units, equating to an annual average of 169 additional units of accommodation; and

b. an Affordable Housing Indicator set at creating 721 units of Affordable Housing over the next 5 years, comprising 473 in the Social Rental Housing tenure and 248 in the Partial Ownership Housing tenure, with a plus or minus variance of 72 new units, equating to an annual average of 144 units;

2. To agree that the indicators for property size within the Private Market Indicator be established based on a percentage split of bedroom requirements of 85% current profile, 10% maximum profile and 5% intermediate profile;

3. To agree that the property size indicators within the Social Rental Housing tenure be based on a percentage split of bedroom requirements of 90% minimum profile and 10% maximum profile;

4. To agree that the property size indicators within the Partial Ownership Housing tenure be established based on a percentage split of bedroom requirements of 70% intermediate profile and 30% maximum profile;

5. To agree that the housing needs model be run every year for monitoring purposes, unless required sooner, and that these findings be published;

6. To agree that, should the Island's modelled housing needs change to such an extent that they go beyond the tolerances set out in Proposition 1, they will be returned to the States of Deliberation for endorsement of a revised States Strategic Housing Indicator;

7. To agree that, unless a reason is identified for reporting sooner by either the States of Deliberation or the Committee for the Environment & Infrastructure, the next formal States Strategic Housing Indicator update to the States of Deliberation will be during 2027 to set an Indicator for the period 2028-2032;

8. To direct that all Committees of the States of Deliberation when laying policy letters before the Assembly, if relevant, should consult with the relevant housing or analysis teams to assess therein any consequential impact on the Island's housing need together with, where appropriate, proposing adaptation and mitigation actions;

9. To direct the Development & Planning Authority to take into account the indicators in Proposition 1 in the review of the housing land supply and to give consideration to how planning policies will be used to actively encourage housing developments to use land as efficiently as possible; and

10. To direct the Committee for Employment & Social Security, in its planning of the Affordable Housing Development Programme, to take account of the projected unit profile required for both the Social Rental and Partial Ownership tenures.

665 **The States' Greffier:** Article 6, Committee for the Environment & Infrastructure, the States' Strategic Housing Indicator 2023-27.

The Bailiff: I invite the President of the Committee for the Environment & Infrastructure, Deputy de Sausmarez, to open the debate please.

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Deputy de Sausmarez: Thank you, sir.

My ears pricked up actually – before I get onto the very serious matter that this policy relates to – when Deputy Queripel told us that he got a free lunch from Deputy Ferbrache because he successfully guessed the lyrics that Deputy Ferbrache did quote in the debate. So I am going to get in on this game because I think I can make a fairly good bet as to what Deputy Ferbrache might use and I think it might be his very own cover of *Bohemian Rhapsody*, particularly the bit which says: '... [I am] just a poor boy from a poor family' He is just a poor boy from the Charroterie, spare him the outdoor facilities ... (*Laughter*) So I look forward –

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680 **Deputy Ferbrache:** Point of correction.

The Bailiff: Point of correction, Deputy Ferbrache. (*Laughter*)

685 **Deputy Ferbrache:** Deputy de Sausmarez would have lost that bet because I would have quoted from The Boxer from Simon and Garfunkel: 'I am just a poor boy ... [whose] story's ... [rarely] told.' (*Laughter*)

690 **Deputy de Sausmarez:** I will keep trying. So onto the more serious matter and it does not get much more serious than housing because the States rightly identified housing as one of its highest priorities early in this political term and that is quite right, given how serious and how far reaching the impacts of our current situation are. From the acute human impact on individuals and families in our community to the wider, damaging impact on our economy.

This piece of work in isolation is no silver bullet but it is a useful tool that will help us more effectively address the problems in the situation that we face. The States' Strategic Housing

695 Indicator (SSHI) is a States' agreed figure that sets out the total number of additional units of accommodation that should be created each year if Guernsey is to meet its housing need.

Now the key word here is 'need'. Those households in need do not currently have appropriate housing that meets their essential requirements or households that will be without appropriate accommodation in the near future, and by 'appropriate' I mean housing that is affordable, adequate and secure. Access to appropriate housing is a fundamental human right and one that, as a responsible Government, we should aim to ensure that all Islanders have.

700 It is important to distinguish between need and want. This exercise is about identifying how many more housing units will be required to ensure that each household in Guernsey has appropriate housing that meets their household's basic needs and the evidence that we have collected shows that, at the moment, there is quite some shortfall.

705 There is an adage that says: 'You can't manage what you can't measure'. So to quantify the Island's housing need the Committee has developed an in-house evidence based model that uses the most up-to-date local data available and pulls on knowledge and experience from other jurisdictions. Now I hope Members will indulge me a brief aside just to note that bringing this process in-house means that we no longer need to engage consultants and do an expensive piece of work every five years and we can check and re-model whenever we need to, meaning that the process is now more accurate, more flexible and less costly.

710 The modelling shows that if we are to meet our communities housing needs we will need 1,565 new units of accommodation between now and the end of 2027 which equates to an annual housing delivery of 313 units each year over the next five years. To put this into context, the average rate of delivery over the last decade has been just 149 units so we would need to more than double that current average rate. Only once in the last decade have we seen more than 300 units delivered in a single year and that was in 2013. So, if we are to meet our housing need we need to sustain at least 2013's rate of development every year for years to come.

720 There are two points around delivery that I would like to clarify before I move on. The first point is that when I say we need to sustain a particular rate of development, by 'we' I mean us as an Island, and for the avoidance of doubt this relates just to Guernsey not Alderney as well – and of course, our Alderney colleagues are not able to join us today. One reason this is an indicator and not a target is because the delivery of this accommodation is for the private sector and the delivery arm of the States' Affordable Housing Programme which is currently the GHA. Although, of course, Government has a more direct role to play in the latter as we are involved in the decisions on sites, prioritisation and funding.

725 When it comes to the private sector, Government's role is to facilitate the delivery of housing, for example through the planning process; but listening to some of the commentary, you would be forgiven for thinking that these 1,500 new units of accommodation will need to be built by the States directly.

730 But that brings me to my second point, which is what the States can, and indeed should, do to facilitate the delivery of these much-needed homes. We know that the capacity within the construction industry is currently constrained and that as well as consider what we can do to improve that capacity we would also want to consider other mechanisms to enable to the SSHI to be met. But please be assured that the Committee has been doing a lot of work on these wider issues and will bring forward an action plan, I anticipate, within the next couple of months.

735 I mention this now to encourage Members to stick to the subject of this policy letter during this debate today. Today the Assembly is being asked to agree the number of units needed, how they can be delivered is one of the issues the Committee is addressing in that wider bit of work. So I would urge Members to resist popping down those rabbit holes during this debate.

740 I doubt that the number of units required has come as a shock to anyone as my sense is that there is good awareness of the extreme housing supply pressures the Island is currently facing. One of the most fundamental causes is not enough supply to meet demand, so it follows that one of the main ways to address the crisis is to increase supply. The proposed SSHI supports and enables this increase in supply. It is interesting to note that the number of units in the proposed indicator is very

similar to the level set by the various regular assessments in the last couple of decades, with the exception of the 2017 Housing Needs Assessment that was undertaken in a very different housing market than that of today.

750 So the headline figure is 1,565 new units over the next five years and the model also breaks it down into the number of units needed for each tenure, in other words for private market housing, social rental housing or partial ownership housing. It also provides further breakdowns with respect to the number of bedrooms needed in those units to meet the housing needs of the community.

755 The private market is projected to need 844 additional units in the next five years and the affordable housing market, which comprises social rental and partial ownership, needs an additional 721 units. Any keyworker or specialised housing needs are in addition to this 721. However, what may come as more of a surprise is the number of bedrooms required in these new units.

760 Being adequately housed means more than simply having a roof over your head. Once those that are likely to share a bedroom, such as couples and those that reasonably could share a bedroom such as young children, are taken into account households that have more non-room sharing people than bedrooms are categorised as living in a home that is over-occupied.

765 While we estimate that perhaps as many as 15% of Guernsey households live in over-occupied conditions many more households are categorised as under-occupying the property that they are living in. Now at first under occupancy might not sound like a serious issue and, on an individual level, it is generally not. My parents are typical under-occupiers, their children are grown up and no longer live with them so it is just the two of them in a house with more bedrooms than they need themselves, but they like having spare rooms for when the grandchildren stay the night or family and friends visit from off Island, and that is their choice and they are perfectly entitled to it, they are happy in their home and they are not currently looking to move.

770 However, that might well change in the future if, for example, the stairs become a problem, or the garden becomes too much work for them to cope with, or if they struggle with the cost of running it; and I have had loved ones who have found themselves in exactly that situation too. This is when over-occupancy does become a problem at an individual level and these people are often stuck because they cannot find a property that is more appropriate for their needs to move into, whether they are looking to rent or to buy. So the lack of supply prevents the market from moving
775 as efficiently as we would like and the inability of those looking to move out of larger homes also, of course, prevents larger households from moving into them.

780 But if we step back and look at the bigger picture for a moment, under-occupancy is an issue for us as an Island at a more macro level. The reason we are seeing so much under-occupancy in the Island is mainly because over the decades since so much of our housing was built, household sizes have reduced which is a trend consistent with an ageing population, and it is a trend that has been seen elsewhere as well. This has led to a mismatch of property sizes in the private market compared to the actual household sizes living in them.

785 It is an issue that is concentrated primarily in the private sector because, of course, in the affordable sector we have policies in place to make sure households are, as far as possible, living in a home that is adequate but not too large for their needs and if that situation does arise we can move people, if necessary, to free up larger homes for larger households.

790 To put some figures to this picture, approximately 55% of private market households have at least one bedroom more than they technically need to house them adequately and 38% would have at least two bedrooms more than their household size and composition would typically require. Census and annual housing stock bulletin data also shows that the proportion of family households in Guernsey has fallen by 13.4% since 1991 to below a third of all households while the number of single and multiple adult households in the same period has risen significantly. In particular, there has been a 44.9% increase in over 65s single adult households since 1991. However, in contrast to
795 this trend, since 2012 the number of four-plus bedroom properties in the Island's housing stock has risen by 19.6% resulting in almost one in five homes now being a four-bedroom property or larger.

This shift towards the provision of four-plus bedroom homes is inconsistent with the trend of reducing household sizes; in fact it is inversely aligned. We have seen an increase in larger houses

800 built just as the size of households that need to live in them has been shrinking. The Island's demographic has changed and Guernsey's housing market has to start reacting to support it.

Looking at that bigger picture, under-occupancy has a knock on impact on the rest of private housing market by preventing some households in need of larger properties from being able to access suitable accommodation because it is being occupied by people who, in some cases, cannot move out because they cannot find anywhere to move into.

805 So one of the things I find most frustrating about the situation is that at the moment, at a theoretical level, if we were only to look at the number of beds we could pretty much adequately house everyone in the Island, but of course that is not how it works in real life. Many of those bedrooms are, of course, unavailable because they are in someone else's home and many of them are not being used or not being used regularly.

810 If more smaller units are developed those who would like to move to a home that is smaller, potentially more accessible, manageable and affordable as well will have more opportunity to right-size, as it is known.

There is another aspect which is land supply and density. We are a small Island and space is a very valuable commodity. We really should make the best possible use of this precious resource because, as a general rule, we cannot create much more of it. Every area that can, under planning policy, be developed for housing counts and we have to make the most of that space. If there is a plot that could be developed for 20 four-bedroom homes or 40 two-bedroom units we would perhaps be able to better justify fewer larger homes if there was an evidenced shortage of four-bedroom homes in the Island. I have no doubt that they would sell either way because while there are many Islanders who can only dream of buying their own home, there are still enough people with enough money to buy homes that become available. Nothing seems to be hanging around on the estate agents books for very long at the moment.

820 Now I know that some hold the view that the development of units should be left entirely to free market choice, leaving developers to build the size of units that they consider will sell with Government having no say whatsoever; but our role as Government means we have a responsibility to ensure that the market is delivering not just what will sell but also what the Island needs – back to that word again. We have to consider the whole community's needs not just the needs of those that can afford to take their pick.

830 Of course, there will still be an element of this demand-led housing in the private sector, developers will build units that they consider the market wants and unit sizes that they consider will sell, as this is the nature of their business. However, as evidenced from the data that we set out in the policy letter and the current structural housing market issues, the market system is not currently performing optimally at meeting the evolving needs of the private housing market. So this model, the SSHI, will provide more detailed evidence and therefore more accurate guidance for developers on what the Island needs.

840 Now it gets a bit dry with all these numbers and it is quite technical language, a lot of this, so I want to bring it back to some real world examples. I do as much constituency case work as I can squeeze in to what remains of my time after Committee responsibilities, and overwhelmingly the pleas for help that I get from the community relate to housing and overwhelmingly those are the hardest, most difficult and most upsetting cases to try to deal with.

I have been helping one constituent who I am very concerned may actually find themselves homeless tomorrow. I have literally no idea, since the last time I checked my phone, whether they will have a roof over their head. I mean it is that acute. There is another couple that reached out to me which is very upsetting; they are expecting a baby and they are not currently able to live together. One of them is in shared work accommodation, which is totally unsuitable for a child and the other is sleeping on their mother's sofa and we know that that baby ... They have been on the waiting list for over a year, they are prioritised as highly as they can be prioritised, but we just do not have enough housing stock to provide the accommodation that they need.

850 This is a Guernsey family, that is a Guernsey child that will be born into what we know will be utterly inadequate housing. I mean it is really quite depressing and realistically there is very little

that we can do until we tackle this very real problem. We are working absolutely flat out on our affordable housing programme and we are trying to bring as much forward as we possibly can but it is just an inherently slow process.

855 So if we bring it back to the example of a plot that is on developable land and there is a theoretical choice between – I am just making these numbers up, but – 20 four-bed homes rather than 40 two-bed units, if that choice was made to deliver the larger homes at the expense of smaller units, that is then 20 households that cannot be housed and yet more land that has to be found to bring forward more units elsewhere and we know how challenging and how contentious, often, it is finding yet more land to zone for housing. There are very few places you can put any sizeable development in Guernsey without it causing real pressures.

860 As our policy letter sets out, the DPA is going to have to find quite a bit more land to zone. The more efficiently and effectively we can use the land already available to us, the less open or green space we will need to lose from elsewhere; and building units to more closely match the community's housing needs is one way that we can minimise that pressure, keeping housing as affordable as possible, guarding against urban sprawl and protecting our natural and agricultural environments as well. The proposals in this policy letter are a step towards doing this.

870 That is actually also why we included a Proposition on density. However, this is not a theoretical exercise; it has to work in the real world, so we have adjusted our recommendations accordingly. We know that a restrictive adjustment introduced overnight would be neither welcomed nor effective, but as the Committee with responsibility for housing, spatial land use, infrastructure, transport, agriculture, energy and climate change policies, all of which would be negatively impacted if the current mismatch between need and supply is exacerbated, it is our responsibility to encourage the delivery of housing that more closely matches what the community needs.

875 This is why we have used a mixed bedroom allocation policy in the modelling for the private market that encourages, in a modest and proportionate way, the development of the smaller units needed to enable right-sizing without imposing drastic changes in housing behaviour.

880 The SSHI expects and allows for 85% of newly created units to be based on current market behaviours, in other words supporting the *status quo* and encourages 15% towards creation of properties that will enable more of our population to right-size. This is particularly important for our ageing population as demand for smaller, more accessible, more manageable properties is only likely to continue to grow and without them the market is very much less dynamic.

885 Of course there will be people who will never look to right-size whether that is simply by choice, which is absolutely their right, or due to their financial position, lifestyle or emotional ties to their property. However, there is also going to be a proportion of the community who would like to right-size into a property they consider more suitable for their particular needs. So it is only right that we encourage the market to develop such units. The SSHI is therefore designed to improve choice for individuals that will, in turn, help the wider housing market and move more dynamically and effectively.

890 So focusing on the affordable housing market now, the projected 721 additional units of social rental and partial ownership accommodation needed over the next five years shows a requirement for both small units and four-plus bedroom units. What is clear from this data, and is supported by the waiting list, is that while we desperately need additional, affordable housing units we are also suffering a mismatch between the propensity of three-bedroom units that we have a high proportion of and the types of units needed by the households who live in affordable housing, or need to live in affordable housing.

900 Government obviously has direct control of managing households in the social rental tenure so under-occupancy can be much more easily and directly addressed. However, the problem comes when, like in the private sector, sufficient smaller properties to enable down-sizing or right-sizing within the same tenure simply do not exist. The development of smaller units or the sub-division of existing units is essential if we are to meet our obligations to house some of the most vulnerable members of society.

In striking contrast to the private market, there is severe under provision of four-plus bedroom properties in the social rental tenure. To meet the need of larger households in this tenure we have a lot of catching up to do. The data provided by the housing needs modelling and supported by the waiting list will be invaluable to informing the direction of the Affordable Housing Development Programme.

Now I know that some hold the view that if we can just let the private market develop enough units the need for social rental housing in particular will reduce. If Guernsey is ever at the point when the private market has delivered significantly more than the private market indicator and we have a technical over supply of private market units we may see some such effect but we are a long, long way of any prospect of that.

Current rates of private market delivery are, in my estimation, probably around half of the indicator at the moment. Those people assessed as needing social rental housing need it be virtue of their income or specific housing requirements, they cannot afford to live in the private housing market without support and therefore this social rental tenure must continue to be catered for.

Interestingly, compared to other jurisdictions, Guernsey has a much lower proportion of social rental stock with social rental units only equating to 9.5% of the Island's total housing stock compared with Jersey and England which have sectors of 14.4% and 17.6% respectively. Guernsey under provides affordable housing and in doing so it puts a further squeeze on the private rental market. This then negatively impacts on the entire private housing market. The evidence shows that we need to significantly increase our provision of affordable housing and that is what I can assure everyone that ESS has been working on, flat out, to do since the starting gun on this political term was fired through the Affordable Housing Development Programme.

Special mentions here should go to both Deputy Roffey, who led the charge on that and has banged that particular drum more urgently, more loudly and more persistently than anyone else to get this moving; and also to Deputy Ferbrache who has been a stalwart supporter on P&R and we could not have made the progress that we have this term without that support. And I think the DPA also deserves credit for streamlining planning processes wherever possible to aid the speedy delivery of affordable housing.

But, frustratingly, developing homes is simply and unavoidably a time consuming process. However, I really would like to assure Members and the wider public that our collective foot is very much pressing the pedal to the metal on this.

Now, finally, an important point to emphasise is that the SSHI is the acknowledgement of Guernsey's housing needs. It simply informs the planning and the housing policies that use it. It is an indicator. It is a tool that will help us with strategic planning, especially housing land supply and density expectations, helping the DPA to set the guidelines for each site around the number and variety of dwellings that each site can support and helping them to ensure that the units will be reflective of households requiring housing. The SSHI is one of quite a few considerations that goes into such planning considerations; it is not the only thing.

Now another point to stress is that the SH ... SSHI – it does not get any easier to say – in itself does not preclude the development of units which are different to those specified. For example, five-bedroom properties in the private housing market. It simply sets out a guide and a benchmark for what the Island needs and informs policy making and delivery in other areas to determine how this is addressed.

So any criticism of the application the SSHI should not be part of the debate, this report simply proposes the States' agreed level of housing needed in Guernsey as a base for other policy decisions to be made. But, my goodness me, are those decisions important, so I very much welcome this debate and look forward to the input of the Assembly on, what is certainly one of, but possibly arguably even *the* most pressing issue facing the Island today.

Thank you.

The Bailiff: Deputy Inder.

Deputy Inder: Sir, only quickly, I am just going to go through a few bits and pieces here.

955 So the good stuff is the Committee has identified the number of houses that needed to be built
a year, they have recognised that not much has been delivered in the private sector over that
period – well, not enough for certain sectors of our society. I think what this means, and this is what
I would like to hear from the DPA at some point, this is something the DPA can benchmark any
current or future housing search for sites? I take it this will be a document DPA will have; if approved
960 by the States, it will say this is the need and this is what you have got to start looking at for sites for
the type of housing. I assume that is going to happen.

And then the SSHI pays service to the recent decisions on net immigration of 300 and I know
that a fair amount of work has gone into that. So that is the good stuff, I get that; there is something
that looks like data. Deputy de Sausmarez asked us not to go down the rabbit hole, she basically
965 told us that there is not much to be debated, it is just a set of figures and then we should just agree
it and stamp it through.

Well, I might end up going down a bit of a warren, (*Laughter*) because what this sounds like is,
what she says is there is not enough supply to meet demand, absolutely correct, and then goes on
to inform us that there are issues with the building sector and that within two months we will be
970 presented with the solution. So I am assuming that if we agree this today within a couple of months'
time there is going to be a big reveal on how we are going to roll out these 330. That is what it
sounded like, Deputy de Sausmarez: you agree this today, what the problem is, in two months' time
you will find out how it is going to be done.

Then in the same conversation she said it is not going to be done by ... it sounds like it is not
975 going to be done by the private sector, so I can only assume this is going to be ... almost sounding
like this is going to be the plan for the GHA for the next few years. I am happy to give way at that
point because I am slightly fixating on this, but what I heard is we agree today and within a couple
of months' time there will be something that looks like a housing action plan and a plan, to me,
says delivery.

980 I am happy to give way to Deputy de Sausmarez.

Deputy de Sausmarez: I am grateful to Deputy Inder for giving way so that I can, hopefully,
clarify this a bit more now rather than having to wait for the end of the debate.

The point that I was trying to make is what we need to agree is how many units we need. The
985 issue of how they will be delivered is an absolute warren, to use Deputy Inder's own terminology.
There are very many different potential mechanisms that we can use, and I am not talking about
the physical delivery, I am talking about the kinds of things that we could put in place to encourage
the delivery, make it easier, remove the barriers. These are the kind of considerations that have been
ongoing actually since the start of term, through HAG, but those works streams have now gone to
990 their respective Committees and I know Committees have been working on them.

So that wider bit of work is looking at a very broad range of potential measures which will look
at a very much broader set of barriers, not just capacity in the construction industry, but will look at
everything that we can realistically do and when we think we might be able to do them, to remove
those barriers and aid the facilitation and delivery of housing.

995

Deputy Inder: I thank Deputy de Sausmarez for that give way.

But it does pose another question because what Guernsey has got a tendency to do in the
housing market is either the States does it or the private sector does it. So what I am hoping is there
is going to be a bit more innovation and it might be the case, for example, I am hoping when Deputy
1000 de Sausmarez sums up she might give, of these 330 houses, it is not going to be all the GHA because
the private sector cannot. Hopefully in a few months, which is the point of the Housing Action Plan
that I speak a lot about, and Deputy Murray is correct, I do count houses every night before I sleep.
(*Laughter*) I have only ever counted one so I sleep very quickly! We do not seem to build enough.
But I am hoping we are going to hear some innovative ideas.

1005 There might be ideas about self-build, there might be some ideas about the types of land, that Guernsey is on a bit of buying spree at the moment, that do not necessarily have to have the GHA written all over it. That is what I am hoping and Deputy de Sausmarez is nodding away there so hopefully she could actually clarify that when she sums up for the *Hansard*.

1010 The slight issue I have got, and this is one of the many rabbit holes, I am probably only going down one rabbit hole. Deputy de Sausmarez anecdotes her family circumstances and she understands that those with larger houses may want to downsize. But the bit I do not understand is, there is a political obsession because I have heard both Deputy de Sausmarez and Deputy Roffey talk, I can see a bit of her own politics running through this paper. I do not understand why they are so fixated with moving old ladies out of their under-utilised properties, because I have heard 1015 Deputy Roffey say this separately and I see this peppered through this paper. (*Interjection*) Under-occupied, sorry. Under-occupied, probably. Under-occupied and that normally being their words, not mine. Now I have seen this politically from them separately.

1020 So I think we have got to understand that when we see that some of these policy letters are always evidence- or data-based, they are not always. Everything has a little bit of political input put into them, and well, why wouldn't it? The problem with that, and this is what we do sometimes: I get a little bit bored of this talk ??? 11.23.40 and often we hear that Mrs Le Page in Torteval. One, I picked up the phone book some years ago and I found actually there are not any Le Page's living in Torteval anymore, if there ever were! (*Laughter*) The problem with that is that when we fixate and we create these imaginary figures we always think this Mrs Le Page living in Torteval is rattling 1025 around in a large house and she desperately wants to find this two-bed property. But we do have Cadastre, we do have data and there is nothing I have seen through here that quantifies the number of people. I do not know if it is 100, I do not know if it is five, I do not know if it is 1,000 of these Mrs Le Page's in Torteval desperately waiting for the two-bed houses.

1030 So I would really like them to bottom that out and what it actually means. And why is it the Government's business? Because this is this fixation with bedrooms I hear a lot of. Why is it the business of Government to decide that this Mrs Le Page, who does not exist, in this five-bedroom house, which does not exist, is only allowed to move into a needs-based unit which may be two bedrooms, because we have decided she is old, her husband is dead, her children ... she is only ever allowed to have one child back at a time at Christmas because she cannot ...?

1035 I find that a little bit odd. It does not detract from the good parts but it does worry me that there is a little bit too much state intervention, there is a mention of behavioural change, we need to create things. We have only had this conversation two days ago on another matter and it does concern me somewhat that Government has to decide the amount of bedrooms you might have as a private individual and if you do not subscribe to their view of the world therefore, 'we ain't building for you'.

1040 And we do not need to go into what a bedroom actually is because bedrooms nowadays are used for all sorts of things. One of the bedrooms in my house is basically a store room and it is part office as well. This fixation with bed and room I find very odd indeed.

1045 It does lead me onto Proposition 2 and I will not take up Members' time much longer. I would like a little bit of clarification here but I am sure I am going to hear from Deputy Haskins at some point on this one and this is Proposition 2 because, what was it, three of four times we have heard Deputy Prow, through you, sir, four times? To agree that the indicators for property size within the private market be established based on a percentage split of bedroom requirements of 85% current profile, 10% maximum profile and 5% intermediate profile. Why?

1050 Why do we have to determine the profile of houses today because almost certainly, it is a bit like leaving IT, like you did on a Monday some seven years ago, it changed on a Tuesday. If this was done pre-COVID and no one knew COVID was coming, a previous Assembly may have agreed this and it changed the next day. The good stuff, and I will repeat, search for sites, taking in the PIPR, identifying that we need 300 new units and there seems to be a drive to build something, what I 1055 struggle with ... and I am not entirely sure where the evidence is, I have not seen it anywhere, we

are told there is evidence, we are told there are indicators but nothing is evidenced in this, there are no appendices to this. *[Outside disturbance]*

1060 Why should Government ...? *(Interjections and laughter)* Are they children? No to SSHI ... and I am going to start singing *Sweet Caroline* in a minute. I have got the crowds outside! I learnt from Deputy Liam in the corner there – which isn't his name anyway! Forget it! Don't worry about it.

1065 Anyway so the point is this is number two, 'To agree the indicative property size ... I think one of the questions I would ask: is the private market ever going to be allowed to build a five-bedroom house again? Are they going to be allowed to build a five-bedroomed house again, **(A Member:** No.) because this Government today has decided the percentage split is thus? So, simple question: are we banning – banning – the private sector, are we telling them no-one can build a five bedroom house and only people of a certain size or certain age group can live in it?

I will give way to Deputy Taylor.

1070 **Deputy Taylor:** I was going to give Deputy Inder a yes or no answer but I think the question changed slightly. The question, 'Are we going to stop people from building five bedroom houses?' the answer is no.

[Outside disturbance]

1075 **Deputy Inder:** Thank you very much. Anyway, I am going to stop there but I think there is some good work in here. I do worry about the political input, I do worry about the split between it is either GHA or bust because we do not control the private sector. Deputy de Sausmarez has indicated there might be some novel ways of doing it but I do struggle with Proposition 2 and I would like to hear a little bit more about Proposition 2. Now the crowds have stopped cheering me I can sit down!
1080 *(Laughter)*

The Bailiff: Deputy Burford.

1085 **Deputy Burford:** Thank you, sir.
This whole session is one of, 'I was not going to speak but', and I was not going to speak on this but Deputy Inder has bought me to my feet. I think that Deputy Inder was listening to an entirely different speech than I was when I was listening to the President giving her speech and possibly also reading a different policy letter because I think mine appears to have appendices in it.

1090 But that aside the issue of moving old ladies out of properties, and maybe I will have a future interest in this in a few years' time myself. The speech that I heard from Deputy de Sausmarez was the fact that she was defending, and she repeatedly defended, the right of people to stay in a property of whatever size they happen to own in the free society that we live in. However, I mean I am aware of people and there will be people who live in large properties who have thought of downsizing and one of the things that stops them doing it is the lack of choice of houses to
1095 downsize into. So I think there is nothing ... you are saying this is not the business of Government and I completely agree, but I do not believe for a minute it is what Government is trying to do.

Deputy Inder also said that people would only be allowed to move into needs-based houses. Where is that? Nobody is making that assertion or claim and I think it is just needs to be nipped in the bud, quite honestly. Deputy Inder also asked why the obsession on house size. I think it makes
1100 utter sense to provide the right housing mix for the community –

I will give way.

Deputy Inder: Thank you, Deputy Burford.

1105 The problem with when Deputies open speeches, I hear what was said but I do not always understand, and as Deputy Burford remembers it, but my recollection is where Deputy de Sausmarez focused – and this is all peppered through this ... is that this is need based rather than demand based. That need is determined by Government. Demand is a market force. Your demand

as a market force it is based on what you want something to do. Now peppered through this, my interpretation of this is that Government is deciding what the market's need is.

1110 So that would suggest that your opinion is now at least somewhat diminished, and therefore your choice. So that is the point of that. Deputy de Sausmarez can shake her head and again I am looking forward to her responding later. But my interpretation of what is peppered through here is need versus demand and when she opened her speech she spoke particularly to need versus demand and that affects market choice.

1115 Thank you.

Deputy Burford: Well in that case I do not interpret it like that but I will sit down now because I was not going to stand up at all and I am sure Deputy de Sausmarez will clarify that point when she rises again.

1120

The Bailiff: Deputy Falla.

Deputy Falla: Thank you, sir.

1125 I fear this might be a bit like an education debate; we all went to school so we are all experts and we have all got houses so we might all feel like we are experts. (**A Member:** Not at all.) But I do think there are some good points made in this policy letter and some that were of particular interest to me. I think Deputy de Sausmarez said that 55% of people have at least one bedroom more than they need and therefore there is under-occupancy.

1130 I will declare an interest here because I live in a big house which is on the market at the moment, it has been on the market a bit longer than I would have liked and I have got a few more ... (*Interjection*) It is because of the unsightly property up the road actually, Deputy Roffey! (*Laughter*) I have a few more bedrooms than I need so I am looking to right-size. I am not doing that particularly because I am public spirited although a little bit of the reason is that. So I understand right-sizing and I see in 1.16 in the policy letter talk of a shift in behaviour.

1135 Behavioural change is a very difficult science (**Several Members:** Hear, hear.) and it needs to happen almost naturally, it is very hard to force it, it is very hard to socially engineer it, so to what extent we can change behaviour, I am not sure. Just like with the GST debate there is a need to take people with you if you want to achieve change. Very difficult.

1140 One of the things that I am very aware of, it does not necessarily stack up to downsize financially (**A Member:** Hear, hear.) because I cannot get, proportionally, the value in a three-bedroom house that I have got in a five-bedroom house. So it is a challenge and there is much more demand in the three-bedroom house market currently, so I understand the need to create more houses in the private sector in that area.

1145 Also I noted with interest that Aurigny has recently asked people, if they have got a spare bedroom, whether they would be prepared to put up crew that need to overnight in Guernsey and I applaud them for that. I applaud them for the initiative in asking people for that; it seems like a good idea. It is a slight tangent but it is indicative of the problems that exist in the housing market.

1150 Above all, I do accept, perhaps unlike Deputy Inder, that the SSHI is an evidence-based information tool and for that reason I will be intending to agree with the proposals that it has. So I thank E&I for bringing it forward.

The Bailiff: Deputy Queripel.

Deputy Queripel: Sir, thank you.

1155 In her opening speech, I think Deputy de Sausmarez said something along the lines of the DPA need to come up with more land. I think she said that. As I understand it, the DPA do not have the authority, the mandate or the power to actually come up with more land. Their duty, as I understand it, is to ensure that planning applications comply with planning laws. So I would like clarification of

1160 that, what Deputy de Sausmarez meant, if she said ... sir, when she said that. I do not understand how the DPA are expected to come up with more land.

The way I understand the current situation –
I give way to Deputy Oliver, sir.

Deputy Oliver: Thank you.

1165 What I gather from what Deputy Queripel says was, do current planning permissions have to comply with current policy; is that correct? I think that is what you said. Well, the answer is overwhelmingly, yes, of course they do! They cannot just get off on a tangent and do what they want.

1170 **Deputy Queripel:** Sir, I was not questioning that and I think Deputy Oliver has got the wrong end of the stick here. As I understand it, the current situation is that the States can purchase land but the DPA do not have the authority to do that. So I just wondered if Deputy de Sausmarez was saying we need to change the DPA mandate.

I give way to Deputy de Sausmarez, sir.

1175

Deputy de Sausmarez: Thank you, sir.

Again, I apologise for interrupting because I appreciate I will get a chance to answer these questions, but I think this is just a point of confusion and I would like to get it clarified at this stage rather than letting people potentially get the wrong end of the stick.

1180 The comment that Deputy Queripel is referring to is talking about the land that is zoned for development and the point that the policy letter makes is that, given the projected population increase that we have been told we need to plan for which informs the SSHI, so given the amount of accommodation that we anticipate we need to develop to meet the community's needs, we do not currently have enough land currently zoned for development to meet that need.

1185 So the point is that, through the targeted IDP review, the DPA will be considering, I hope, whether any new areas could be, so for example, zoned as a local centre in which residential development could take place.

So I hope that clarifies Deputy Queripel's question.

1190 **Deputy Queripel:** It certainly does, sir, and I thank Deputy de Sausmarez for that clarification. Thank you, sir.

The Bailiff: Deputy Dudley-Owen.

1195 **Deputy Dudley-Owen:** Thank you, sir.

I would like to make two points in relation to the debate and the policy letter: one is in relation to context; and the other is in relation to sustainability.

1200 The context for this policy letter coming through is clearly in what we anecdotally know as the housing crisis that we are suffering at the moment, but actually this has ever been thus. We are a small Island, we are reasonably popular, people want to come and live and work here, we want to maintain a locally based population, we have got more jobs and we need more work doing than we can supply with our locally born and home grown labour.

1205 So we have always had this problem to a degree, either greater degree or lesser. Over the years, as noted within the policy letter, different policy letters have come through and different reports have been undertaken to tell us how much housing we need per year to satisfy the demand or the need if we are going to cut down into the semantics, and I do understand why that has been done.

1210 But this policy letter, for me, falls short in providing the specific context and the nuanced arguments and the reasons why this is part of the solution. So we have the solution, or part of the solution, given to us within this model that has been presented by the Committee, but what we are not describing is what the problem is.

1215 So it is quite difficult for me to understand this in the round and to understand what the actual
problem is if this is the solution to it and will we discern what the problem is by this being part of
the solution. I know that I am not making myself particularly clear, Deputy de Sausmarez is looking
rather confused, but that is almost how I feel when I am reading this policy letter because I am
thinking, 'Okay, that is great, that's a great model, technical merits, I am sure that it is wonderful.
You have got lots of different scenarios in there. I understand what the profiling is, I understand
that there is a need to look at how much of the under-occupancy there is in the Island, etc. Okay,
so what is the problem then?' and I do not know what the problem is because it is not described
within the policy letter and there is not sufficient context given.

1220 I know that Deputy Murray is always going on about context, we need the context, and it is really
important because then we can place this in the round of what actually the problem is and we know
anecdotally that the problem is that the house prices are just too expensive at the moment for
people on the medium and average salaries to afford. We know that there is a problem with inflation
at the moment, we know that there is a lack of stock over here for people in certain price bandings.
1225 We know all of that, but we also know that a large amount of people came back during COVID and
that they may have been staying with family and now they want to stay in the Island and they want
to have their own independent accommodation.

We know that there are people who are occupying larger houses, and they may want to do that
for the rest of their lives, but that does cause us a problem especially if they are under-occupied, so
to speak. So that all needed to be here for me to provide the context because then I could see which
bit of this tool that has been created, how that is going to fix the problem because this in itself does
not fix the problem; part of the tools that we have been discussing this week with Deputy Oliver
and her team's policy letter coming through from the DPA was another tool in the box to help us
to fix the solution of the supply of housing within the Island.

1230
1235 That brings me to the next point around sustainability. I do not want something new if I know
that I have got something already that I can be continuing to use. Okay. So if we are looking at
1,500 new units of accommodation in a four-year period without knowing what our current supply
is, what our current rate of housing accommodation is in the Island, without a breakdown of
knowing exactly how many units of accommodation we have got and who is living where and why,
1240 and whether all of those are under-occupied or whether all of those are empty or not empty, again,
it is about that context, about what is our current situation – and I know that the policy letter does
speak, to a degree, about our current profile but for me it just does not give me sufficient
information. I do not work on this Committee so I come at it very much from a layman.

1245 The Island's current housing profile, that particular area in the policy letter on page 19, just does
not give me sufficient information to be able to put this model into context and how it works as a
tool to help us fix this problem that anecdotally we know is there. Could the problem be fixed, or
go some way to being fixed by the number of properties being bought in Guernsey, the more
affordable property prices decreasing, is that going to be going some way?

1250 Do we need this? Because actually will the natural market forces, decrease in inflation, go some
way to alleviate this? Will Deputy Oliver's policy go some way to alleviating this in terms of tackling
derelict properties and encouraging developers to do that? Will GP11 and that contentious DPA
policy, would playing around with that go some way to alleviating this? Rather than actually a need
for building new properties, notwithstanding those that are already in the pipeline.

1255 So I do remain to be educated about this matter, I really do want to be because I do not feel
there is sufficient information in the policy letter for me to be able to make an informed decision
on. And also another matter that I would like to have responded to is consultation. Was any
consultation undertaken by the Committee with people in the market place, with developers, with
those in the building industry, with architects and estate agents; because again I have not seen
evidence of that within the policy letter, and if it was undertaken it is a shame that it was not listed
1260 out in the policy letter and what their views were.

Thank you, sir.

The Bailiff: Deputy Leadbeater.

1265 **Deputy Leadbeater:** Thank you, sir.

I agree with Deputy Dudley-Owen: this is not a fix, this is not a magic bullet, and it is not going to solve any of our problems. It is a Government tool; it is an indicator for Government rather than private industry. We are not going to get developers picking this up and going, 'Right, we need to build X amount of houses for X amount of profile.' They are going to look at the market and they are going to look at sites and find out which are the most viable, which are going to produce the most profit and they are going to bring those on line. Regardless of what we do, that is never going to change.

1270
1275 This is a tool for us. Certainly when it comes to affordable housing, key-worker housing and key-worker housing is something that I want to touch on because it is not captured in this at this point. And 3.20 explains that

3.20 ... It is the view of the Committee that the generation of the figures for these tenures will be better informed once the Key Worker Housing Project, Elderly Tenures Project and the Market Intervention Project¹⁴ have been completed so that the most relevant policy position can be incorporated.

And it tells us that

²⁶ These three projects are prioritised for commencement in 2023 under the Government Work Plan ...

I am not quite sure when that is going to be commenced so that we can have those figures. It also goes on to tell us that the SSHI will slightly increase once these figures have been incorporated, but I do not know whether they will slightly increase because at HSC we have got over 400 vacancies and we have got over 100 members of staff in unsuitable accommodation so we could take up 100 units instantly over our current staff we have got, and we could probably take another 100 of vacancies we have got instantly. *Instantly!*

1280
1285 So I really think I do not want the keyworker housing aspect of this to be underestimated. I think that the figures that we have got here are unachievable as it is. I think every time we have set housing indicator figures we have never achieved them, *never*, and I do not think we have got the capacity within the industry to start achieving the ones ... certainly the ones we have got now, after the Population & Immigration Policy Review. It is looking like we are going to have to do what Deputy Dudley-Owen says: look strategically, look a bit more creatively, the work that she has outlined that has been undertaken by the DPA and the work that Deputy de Sausmarez outlined and the review of the IDP. We have to have more local centres; we have to grow the current ones we have got. We have to maybe build our main centres as well. We have to have that supply of land for us to be able to look to try and achieve these targets over a period of time.

1290
1295 But I really would like to see this come back with the keyworker housing element built into it so that we can have the proper figures of the proper number of units that we are going to need to create over this period of time and also we are going to need the review of the IDP, this targeted housing review of the IDP, to be able to synergise with the work that E&I are doing for us to be able to make headway here.

Thank you, sir.

1300 **The Bailiff:** Deputy Mahoney.

Deputy Mahoney: Thank you, sir.

1305 I am going to start by saying that, given the comments that many made yesterday in the DPA matters surrounding the Government's need to stay out of people's lives, we are then presented with this housing indicator. In various of those earlier speeches the DPA were chastised for wanting to eradicate just simply the worst excesses of dilapidations and the like but now the States, through E&I, is now seeking to tell the public the size of house that they can build.

1310 Deputy de Sausmarez has said that this is simply an indicator but when I queried this with the responsible officers, because we met with them at P&R, we were told – and this flies in the face of what Deputy Taylor has just said – that the DPA would have to take heed – *take heed* – of this indicator when considering planning applications. Now you can bet your bottom dollar that ‘take heed’ means a little bit more than take heed. You can hear the words now, ‘The States decided these numbers and the DPA have no right to try and overrule that.’ You can hear it now. (**A Member:** Hear, hear.)

1315 If the States backs this today we will be tying the hands of the building industry. (**A Member:** Yes.) We already know that it is unlikely we will meet the building targets – many people have said that already today – that are required and needed; and this policy letter will make it impossible for builders to meet what is being demanded. (**A Member:** Hear, hear.) This goes to the point made by Deputy Inder, now when he was making the point re the free market he was using the words
1320 ‘demand’ and of course along with the word ‘supply’ and that is exactly what a free market is. It will sort itself out, supply and demand; it is as simple as that.

It must be a given that the people that know what is needed and is being demanded are the local building firms, the Construction Forum, the estate agents and anyone else involved at the sharp end of that property market; and yet, in answer to the question which someone just raised –
1325 sorry, I cannot remember – no estate agents were consulted, no local builders were consulted.

Deputy de Sausmarez: Point of correction.

1330 **The Bailiff:** Point of correction, Deputy de Sausmarez.

Deputy de Sausmarez: We did actually, we used the same forum that the DPA used and they were consulted so that is not a correct statement.

1335 **Deputy Mahoney:** I do not accept that because in my meeting with the Construction Forum they said that they had *not* been consulted about it.

Deputy de Sausmarez: Point of correction.

1340 **The Bailiff:** Point of correction, Deputy de Sausmarez.

Deputy de Sausmarez: Okay, Deputy Mahoney might not accept it but the consultation took place. We used the same forum that the DPA uses to talk with developers; it might have been at a later date than the conversation that Deputy Mahoney had, I do not know, but that certainly did take place.

1345 **The Bailiff:** Deputy Mahoney, please continue.

Deputy Mahoney: This is going to be a long speech I think, sir, because it did not happen when I was told, when I asked that question which was fairly late in the game because we had already had the meeting at P&R with the officers in respect of this policy letter.

Sorry, I have lost my place, I beg your pardon.

1355 So this policy letter – and this will set a few hares running – smacks of social prescribing, queue people running backwards. This is telling the public what they can have. This is restricting access; this is trying to second-guess what is going to happen in the next four years without having spoken to those that know best. This is the Government telling people what they need – there is that word again. (**A Member:** Hear, hear.) What business is it of the Government to tell us about under-occupancy in the private market? (**Several Members:** Hear, hear.) The whole under-occupancy thing smacks of the politics of envy.

1360 If you are fortunate enough to be able to live (**Several Members:** Hear, hear.) in a house with
'too many bedrooms', whatever that phrase means, then so what? Good for you. This is madness.
Deputy de Sausmarez told us in her opening that bringing this in-house has meant a more accurate
forecast. How is it possible that E&I have decided that only 13 four-bedroom houses will be required
in the next four years in the private market? *Thirteen!* How in the name of whatever is holy to any
of you can we have faith in that number? Those current owners of four-bedroom houses must be
1365 rubbing their hands with glee.

Worst still is that – no, I am not going to give way – no five bedroom houses are forecast to be
required in the private housing market in the next four years – *none, no five bedroom houses!* – and
new houses with more than five bedrooms, obviously none of those as well. I would like to say that
I cannot believe that a single Member sat here today has any confidence in those numbers but, of
1370 course, presumably those Members in E&I do believe them because this policy letter was supported
unanimously. (**A Member:** It wasn't!)

However, according to this report, apparently the Island will need 154 new four-bedroom houses
for social housing, 14 four-bedroom houses for the private market but 154 for social housing!
Apparently the Island will need 69 new five-bedroom houses for social housing and apparently the
1375 Island will need 32 new houses for five-bedrooms or more for social housing. So that is 13 houses
of four bedrooms or more for the entire private sector in the next four years, but 255 new houses
of four bedrooms or more for the social housing stock.

Bunging up the top of the market achieves nothing. If a five-bedroom house is built and it
accommodates a family from a four-bedroom house then we are winning since that four-bedroom
1380 house is now available and so on down the ladder. E&I have engaged the services of arc⁴, a UK
company that assesses housing needs, it is a specialist company that does that. But I believe – I am
happy to be corrected here – their findings are not in this report. In fact I do not even think they
have been received to date but I will accept if they have. They have been, so I accept that they have
now been received.

Perhaps, interestingly, when we found out about this in P&R I queried why a UK company had
been appointed to give a report on the Guernsey housing market and shortly after their
appointment I received a call from the company, as I wear the hat for lead on Property Services.
They wanted to talk to me, and others locally, to help them understand the Local Market. So, from
memory, and I caveat this because I may have the figures slightly wrong, the States of Guernsey
1385 were being charged £40,000 for this service, I think it was higher but I am erring on the side of
caution in case I am accused of deliberate exaggeration. Just for the record they had a very
reasonable invoice from me for my input.

Perhaps the President of E&I, in her summing up, could confirm when the States can expect that
report or if, indeed, it has already been received, which I think from the nodding it may have
1395 happened already.

To finish, sir, yesterday lunchtime I was contacted by a local builder that knew this matter would
be coming up today, or hoped it would be coming up today, and pleaded that common sense raise
its head and this not be approved. This is a builder that is a big player in the private housing market,
if this is rejected it will have no negative impact on the house building industry. I am nearly finished.
1400 The industry view is quite the opposite that this would have a negative effect, it will not and this is
a time when the last thing builders and the whole industry needs are handcuffs.

The President noted in her opening that this is about numbers and cautioned about rabbit holes,
about [????11:57:28](#) achieved, so I have avoided going down any of those. So I urge Members, look
at those numbers, ask yourself if you believe them, ask why no consultation was undertaken with
1405 builders locally and vote against this policy letter.

Thank you, sir.

The Bailiff: Deputy Brouard.

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

I just want to pick up on one point, I only have one point to make and I will try and make it three of four times, so hopefully we will just have one point out at the end of it. But I just want to reinforce what my colleague on HSC said – and I am picking up on the policy letter on 1.21. Probably HSC's biggest priority, and it is not even in our hands and it is not even in our gift to fix, it is going to require teamwork, it is going to require a practical approach and it is going to require compromise and that is key-worker housing. (**A Member:** Hear, hear.)

Health & Social Care's point of view, and therefore not only our point of view but your point of view and also the Island's point of view, is that we need to provide accommodation for keyworkers coming to Guernsey as permanent staff. It is a real problem, it is urgent and we need to address it as soon as we can.

New accommodation, if sufficient, will even also allow us to release some property which is not so suitable for our particular needs as well, releasing that back into the market. What would really be helpful to me, and I think to the rest of our Committee, is if Deputy de Sausmarez when summing up can give out some indication of how keyworker accommodation dove-tails into (**Deputy de Sausmarez:** Yes, that's fine.) the strategic housing indicator, how it will be done, when it will be done and when we can see some results so that we can actually get on and get some spades into the ground.

Thank you very much.

The Bailiff: Deputy Dyke.

Deputy Dyke: Thank you, sir, and I thank Deputy de Sausmarez for presenting this important document.

Obviously it does not solve our housing needs. It is, however, an important document from the point of view of the DPA. I daresay that our President will speak on DPA matters later and better than me. These figures in here are very important because we do have to take heed of them. I do recall last year looking at a planning application that had been rejected and I was a bit surprised and disappointed by it but was told that, it was from some time ago, that we did not need four-bedroom houses so that planning application was rejected and the property sits there derelict now with nothing built on it.

So these needs issues we have to get right otherwise we are going to be making bad planning decisions based on heeding bad figures, so they have to be right. Deputy Mahoney has made some points about the larger housing which I agree with; it does seem extraordinary the number of four-, five- and five-plus bedroom houses allowed to the private sector and needed by the private sector is so low whereas it is so high in the social sector. The figures are curious to me.

Going into the figures for the social housing, I note they do not include keyworker housing and that is going to be dealt with separately. If you add the two together looking at the projections, I do not know what the projections will be for keyworker housing, but it looks like over the next four or five years roughly 50% of our housing is going to be somewhere in the social sector and 50% in the private sector, which seems quite a curious balance in terms of society as a whole and how we see it moving. A great shift into social housing, I think that needs possibly some more consideration.

Deputy Brouard has made a key and vital point regarding keyworker housing. On that, perhaps Deputy de Sausmarez and Deputy Roffey, at some point, can clarify the distinction between keyworker housing and regular social housing. I think we all think we know what we mean but I am not quite clear in my own mind. Are we talking about a particular size of housing that is rented to temporary workers or what? But certainly that is something we need to be getting on with and obviously is not covered by this document, which is not necessarily going to get that done.

On planning we are reviewing the IDP, the review is about to start so we will be looking at issues of: do we tweak the edges of St Peter Port; do we put in new local centres; do we enforce an increased density; do we allow higher buildings; do we insist on higher buildings? All of that has to be decided and we are all going to need some input from this Assembly, other Committees, in terms of what we should do and how we get on with that.

I suppose the idea of this paper is potentially useful but it is not, of itself, obviously getting done. I mean things one could consider are: can P&R do some public-private partnership deals with the private sector to help some projects that might get done in the private sector but need a bit of help with financing; can we do something there? I have got a particular project in mind but I will not discuss it. That sort of thing might get things moving and I am looking at, again, the figures for social housing in here: there is an over-supply of three-bedroom social houses. The need for three-bedroom social houses is at negative 356, so I would be interested to know what can be done with that. Could some of them be sold off – some of them might not be suitable selling off, some of them might be – and then those funds repurposed into one- and two-bedroom social housing (**A Member:** Hear, hear.) perhaps, I do not know. I would be interested to hear if that can be done.

So this is all very interesting and all the issues, I think, have been raised, although possibly not quite answered yet. As to these actual figures, looking at it from the Planning Department, I would not want our hands to be so tied that effectively we can allow virtually no four-, five- or six-bedroom houses. That is part of the market, others have spoken to this, we must focus more on the actual demand that comes out of the population rather than what we deem them to need.

Although I absolutely do appreciate that Deputy de Sausmarez has raised some useful points and given us some useful figures, I do not think we should allow the focus on what we see as need to override what the market requires and then what the market requires, it will come to planning for planning permission and I do not want us to have to reject, effectively, most planning applications for four-, five- or five-plus bedrooms houses. (**A Member:** Hear, hear.) So personally, I respect all the work that has been done with that but from a planning point of view, I would find this very difficult so I would have to vote against this.

Thank you.

The Bailiff: Deputy Haskins.

Deputy Haskins: Thank you, sir.

In response to Deputy Dyke and Deputy Leadbeater, I am aware of the refusal, I think it was at Grey Lodge, of the four-bedroom houses back in 2019 perhaps. Sir, that was based on MC2 so that is housing in main centres, main centre outer areas. The main thing that it failed on was this part: 'where they are able to accommodate a variety of dwellings they provide an appropriate mix of type and dwelling.' Now, what is appropriate? Well we know what is appropriate; it is the SSHI.

So the planners – and this did not come through to the political department, the Planning Department themselves – refused it based on, hang on let me go and look, what does it say, right, sorry, 'these are four-bedroom houses and we do not need all of those four-bedroom houses.' So it is not quite fair to say it is an indicator or a target but if there were ... and I think this might be a useful question to the DPA. If the SSHI only had, all of its properties were one bedroom – *one*, that is it, that is the only number you have got: zero on two, three, four, five – would someone coming with planning permission be able to say, 'I would like to build a two, three, four and a five'?

So I was going to ask the rhetorical question of, 'Have there been any refusals based on the indicator?' but I think I have just highlighted one. So I think it is fair to say that, myself, I was – and I am sure my E&I ex-colleagues would agree – the most challenging on this in these meetings and I explicitly said I would support an amendment to this policy letter if one was to come forward. The one that I would be thinking was the 85% of the private over to 100%.

It was touched on by Deputy Burford saying, 'Nobody is saying people should move to needs-based accommodation.' Well unfortunately, that is exactly what we are saying but we are only partly saying it because we are saying only 5% of the intermediate; that is based on the needs. So the intermediate profile is where you have no spare bedroom – yes, that is in the policy letter, Deputy Burford.

So 85% is current profile. So if we were to continue to build the needs based and let's take it as an intermediate need 100% of all intermediate profile, then we would eventually, if we continued

1515 to build year on year on year for eternity ... that intermediate profile, well there will not be properties available with spare rooms. So, yes, we are but we are only slightly saying it.

A lot of my challenge – and I think this comes really in response to Deputy Mahoney – was on the data and I think it is fair to say that there are other people on E&I questioning that data because part of the data is very old. Officers from the DPA came and said one of our major challenges with the SSHI at the moment is the data is too old, it is a moving market. But in the policy letter we do
1520 say, 'We are going to review it every five years so it is going to come back to the States every five years. Now that we have got the in-house model we will try and model it every year and if it changes outside of the threshold when we will bring it back to the States.'

So that is the kind of catch for me: well, okay, so we know that the old data is old, the new data is also old. This new data is from – part of it, some of it is rolling census – 2016. That is what a lot of
1525 this data is based on for the private sector, which what we essentially were told is, okay, we know that the data is old, we know it is a bit patchy because there were some assumptions on extensions as to did that mean an extra bedroom, but it is the best we have got. So that is why we have it. Because if we do not accept this we are still left with the SSHI which is an indicator which is a lot lower.

So I agree it needs to be updated and that is why I would support the amendment from 85% to
1530 100% rather than cancelling the whole policy letter. There are a couple of other issues that I took issue with. Now this data or this policy did not quite take into account the cost of living and by that what I mean is that we have seen a huge increase in people getting a lodger and that is not really captured in this. It might be in the arc⁴ report about .. it is kind of a want really, isn't it, because it is
1535 cheaper for me to rent a two-bedroom house and share it with a buddy than just rent a one-bedroom house because we can share certain costs.

So that is where that has been happening but that is not really captured in the needs which is saying you only need a bedroom or you look at the other profiles, we are happy with the minimum
1540 profile, we are happy with two children between 11 and 18 if they are the same gender then they will share a room.

The other point with this intermediate profile, the data was not quite robust enough on this part, it is if you have got three people – this is assuming the intermediate profile so there is no spare
1545 bedroom – if three people live in the property, well, they are allowed two bedrooms that is assuming one of those is the couple, so you have got the couple and then you have got a lodger or an adult. But we have seen the increase and I think it is 25% in recent years, of people sharing. So you have got three people, we forecast you only need two bedrooms but actually those three people are three people that need three bedrooms, one each, and that is not quite captured here.

Again, that is why I was hesitant with a lot of this data and people who know me, I do try and get to the bottom of the data so I can make sure it is robust to then go, right, that is evidence based
1550 so okay now I can make the decision. I need to make it correct. But sometimes it just cannot be. So with this policy letter, the data is not that accurate but it is the best that we have got. We do need to update it, the ideology of the 85% to 100% – well I was more of the 100% – what that really means is there is a bit more of a lag in the market because the private construction companies go, 'Right, this is what I will build because I think we need it' or rather it will sell, but that is supply and
1555 demand.

But they are slightly more reactive, so what E&I are doing is saying, right, we foresee this with the change in living, we see it being a problem so we might as well put it in sooner rather than later. There is some merit to that and the reason that I then accepted this was that next year we are going
1560 to keep looking at the data and assess whether it is right or what impact it has. But I do think it would be useful for Deputy Oliver to confirm that MC2 is informed by the SSHI and this *will* affect developments.

Thank you.

The Bailiff: Deputy Roffey.

1565

Deputy Roffey: Thank you, sir.

As Members would expect, I am going to focus quite heavily on Proposition 10. But before I do that I want to make a few more general remarks. This indicator, if accepted today and I hope it will be, will replace the KPMG report from some years ago which was the last attempt to quantify the amount of additional housing that was required in Guernsey.

I have to say I think this is a far superior document to the one that was produced by KPMG and I am pleased that it was done in-house and it is, I think, probably the least political policy letter I have seen for a very long time. It was very much the work of cross-departmental officers from as wide as the DPA to E&I, ESS and others, and P&R indeed, that were looking at this from a very statistical and analytical basis. I am not aware of any attempt by any other political Committees to actually put spin on it or change it. We have accepted that it is basically a statistical exercise as a guide to where Guernsey needs to go.

It is not the answer of how to get there; that is going to be hugely important, and I think there has been reference by Deputy Mahoney to the employment of arc⁴. I think that they produce some very useful suggestions and reports, and I think the fact they are from outside the Island is really useful. We do have experience and what we have tried to do in Guernsey is actually to have people who have got ideas from elsewhere – and I am not going to talk about this too much because we are talking about the indicator today but it came up – yes, it may have cost £40,000-odd. Actually E&I probably should have been the ones commissioning them but it was actually Deputy Ferbrache, myself and Deputy de Sausmarez who actually pushed the button on doing that, and I think it was one of the best decisions we have probably ever taken – a very cost effective report, and I am looking forward to the solutions of how we get there coming forward from E&I relatively soon.

But today we are talking about trying to establish what the Island needs in additional housing. Unlike Deputy Haskins, I think that 85% figure in the Proposition for the private housing is absolutely right because I do not know where Deputy Inder has been living when he says I have been going on about downsizing. (*Interjection*) Yes, I have, what I have gone on about is that this Assembly should not ever pressurise people to downsize from places where their precious memories were made and where they feel emotionally attached to. I made that in TRP debates and everything else and I make it again now. Well, I would be hypocritical not to because I am one of those people, a single household, and in about one weeks' time I will add to the growing number of households over 65 living alone, but at the moment I am not in that category.

But the point is that what has been said is that many people do not want to downsize; they love their house, they are attached to it and they do not want to move! (**Several Members:** Hear, hear) But it has been identified by others, several people have said today, there are others who are not in that position and if there were sufficient supply of the right quality and type of small – no, I am not going to give way because I am going to be struggling to finish before lunchtime as it is, I think. If there was sufficient supply they would want to do it. So what does this Proposition say? It recognises that: 85% takes the current occupancy model on the assumption that most people will not want to change (**A Member:** Hear, hear.) the household size they have at the moment.

But there is a minority – this is trying to guide what we are doing with new housing – saying that there is going to be a change to downsize. People recognise the fact that there are some people who, if we provide the stock that is required, will downsize. So I actually think that Proposition 2 absolutely hits the nail on the head.

This is not, anymore than the KPMG was, a set of handcuffs; it is not an, 'Absolutely shall not do this, you shall do that'. If you look at Proposition 9, which was the indicator to the DPA and they would be really the only ones that were able to say 'no', 'yes', 'no', then read the context to direct the DPA to take into account the indicators of Proposition 1 and the review of housing and land supply and to give consideration of how planning policies will be used to actively encourage housing developments to use land as efficiently as possible.

We do, we have 24.5 square miles; some of it is precious and we do not want it built on, we have got limited amount, we do need to have some kind of direction from Government about how we use that land efficiently. Some people think that is Stalin and state control; I do not. I think maybe

1620 there is a philosophic gap if we think that we should be doing nothing to try and encourage the best use of our land. I think that is what we have got a DPA for and I do not think that is saying you shall never, ever build another five-bedroom house.

1625 I want to address a couple of specific points that have come up already, and maybe I should have waited in case others do, about social housing. Deputy Dyke, I think, was surprised that we need so many more large houses amongst our social housing and he also raised the over provision of three-bedroom houses. I think the two are linked to some extent and I am going to make an admission on behalf of housing authorities past and ESSs past: we have not made proper provision ever for the number of large families that live in social housing.

1630 We have had endemic over-occupancy of three-bedroom houses by families that needed larger homes of four- and occasionally five-bedroom houses. We have had children sleeping in dining rooms that were designed as dining rooms but just get turned into extra bedrooms. It has been a failure. We have had a template of three-bedroom houses that we have shoe horned people into and we should not have done so and that has been exposed by this indicator, and rightfully exposed, and we need to react to it. (**A Member:** Hear, hear.)

1635 So some of the new social housing that we build ought to be four and five bedrooms, but that is not the only way to provide the four- and five-bedroom homes that have been identified because we have a surplus of three-bedroom homes and many of those will be able to be adapted, extended and changed to provide the four- and five-bedroom homes that have been identified as being needed, and that would be our preferred route where possible.

1640 Deputy Dyke also said, 'What else are you going to do about this surplus of three-bedroom homes? You need minus, whatever it is, 300 of it.' Well, we have been trying to do that. When I talked about redevelopment of [12:23:58](#) which unfortunately is going to probably be some way away because we need to provide that slack in the system in order to be able to decant, if that is not a rude word, existing tenants in order to redevelop. It was partially because that estate needs reroofing, it was partially because the design is not particularly ... well, it is an awful design actually, but it is largely on top of that we can produce on that site far more of the stock we do need of one- and two-bedroom units and reduce, as a side effect, the number of three-bedroom units that are surplus to requirement. So that is the type of philosophy that is going to have to be approached throughout.

1650 However, I want to turn to Proposition 10 and also it refers, obviously, to Proposition 1(b) about the affordable housing we need. As well as the, I think it is, 721 that is needed over the next five years in social rental and partial ownership alone, there are two other tenures that come under the affordable housing stream: one has been mentioned strongly already this morning, which is key-worker housing, and we need quite a lot of those in order to solve the problem of recruitment. It will not solve the problem of recruitment; I think sometimes it is overstated that that is the only problem. I think even if we had sufficient key-worker housing HSC are still going to find it pretty difficult to recruit and retain the staff that they want, but I accept that it is a big element and needs to be dealt with.

1655 As well as that there also are, which is mentioned far less often, the specialist housing requirements for various client groups that do need to be provided for where HSC, rightly, look to us as the affordable housing programme managers to actually do that.

1660 So taken together we are not talking about 723 we are talking about roughly 1,000 units of affordable housing needed over the next few years. Now that may ring a bell with some people because actually that is just what I have been saying for the last year or so and people have been looking askance at me and saying, 'He is making it up, this must be nonsense.' Well, it is not and I think that that is confirmed by the analysis in here.

1665 What I will have to say is I do not know, I genuinely do not know, how on earth we are going to achieve that. I have been accused of – it was not me actually, it was GHA and P&R that have done any purchases, I have not bought a single bit of land but accused of – trying to buy up the whole of the Island. I tell you, even with the sites, one of the problems that this ESS faced when it came in

1670 is that the GHA as the principle provider of affordable housing, social rental and partial ownership, had run out of anywhere to build.

Now, we have been trying to rectify that because until you have got the sites the next bit cannot come on and I echo what Deputy de Sausmarez said about Deputy Ferbrache's stoic support of us in this respect and we have made some progress. But even with all of the sites that are now in either States' or GHA ownership, we will come nowhere near building 1,000 units of affordable housing, when you take into account key-worker and specialist over the next five years. We cannot. Even if we had all of the building workers and all the money – and I am going to come on to that in a minute, I am afraid, because money does come into this – I think we are going to fall short of this target. So I am going to talk about how we can at least get close to it, because I would be dishonest if I felt there was any way we could actually achieve this but I will try to get as close as I can.

1680 This in my number one political priority. When I went home from the States last night I spent several hours working on key-worker housing and that is what I did over breakfast this morning. So, please I am trying, I really am trying, to address it but there are very few silver bullets.

1685 If we develop Fontaine Vinery, if we develop Parc Le Lacheur, or Kenilworth Vinery, whatever you want to call it, if we do CI Tyres, if we do even the other sites that we are looking at – and we are still negotiating to buy other sites, of course we are, and I cannot name them for obvious reasons – we are still going to be well short of where we are.

1690 Deputy Mahoney said that he and I disagreed over the use of Castel Hospital; well, he is right. Given that the private sector can do private houses and many of the developers have actually got land banks, and many of them have got extant planning permissions to build demand housing, if you want to call it that, I think our precious States-owned land, like the Castel, should absolutely be put aside for affordable housing because that is the bit that we are responsible for far more directly and that is the bit that we should be addressing. (**A Member:** Hear, hear.)

Well, alright lunch will be late but I will give way to Deputy Leadbeater.

1695 **Deputy Leadbeater:** I thank Deputy Roffey, for giving way. I just wanted to ask a question: if we could have secure, say for example the Castel Hospital, sites like that for affordable housing, would he be happy to see GP11 dispensed with?

1700 **Deputy Roffey:** Would I be happy to see GP11 suspended? Well, I think there is going to constantly need to be a stream of land required for affordable housing in Guernsey and I think if there is any question of getting rid of GP11 another device will have to be bought in, in order to ensure that flow of land. I accept that at the moment cash is probably ... because we have some sites and cash is the main constraint, it is easy to be allured by that approach.

1705 But I have to say on Castel Hospital – and it is a bit of an academic argument at the moment, because it is still being used by HSC – I know the GHA have got extant plans. One plan is that they can demolish it; another plan is they have to keep the façade, which is very impressive, I have to say, and I would quite like to see it retained myself and developed behind. But my understanding at the moment is that P&R are mindful facilitate more demand private housing on that site, which as I say there are a hundred other opportunities around the Island for that and very few at the moment for affordable housing.

1710 But also it is going to come down to cash. We have in the capital reserve a set amount; I think it was £34 million was set aside for the Affordable Housing Programme. That sum was determined on two things: one, the KPMG estimate of how much affordable housing was going to be needed and obviously the sort of building costs and therefore grant requirements of the GHA or any other affordable housing provider at the time; it is not going to come anywhere near achieving what is required under this indicator of really 1,000 units probably going forward over the next few years.

1720 So it is a really uncomfortable message when we have just flunked the whole idea of – well, I think we have flunked it, other people may disagree – the need to raise sufficient tax to actually balance our own books. But my message, and we are reviewing the capital programme – I think by review it means cut down, but I am going to say actually in reviewing the capital programme, P&R,

please can we have more money for affordable housing because if we do not there is no way we are going to come anywhere near meeting this target.

1725 That is for the grant funding side; there is another side of it as well. Obviously the GHA go and borrow the vast majority of their money for their developments because they get an income stream from the rents and traditionally they have done that from the bonds. Well way back they did not, they did it privately and then since the bond was taken out they have done it through the bond. Going forward they are going to need another source of affordable borrowing and I do thank Treasury for saying that they are going to pull out all the stops to facilitate that and they realise how important it is. But I do urge that that is done asap, because otherwise it will form a brake on
1730 the creation of affordable housing just at a time when we need to be pressing the accelerator in that respect.

I think there were a few other points that were brought up that I would like to respond to but I am going to not do that because I realise that people's tummies are rumbling.

1735 But what I would say is that it is striking, isn't it, it is striking just in ... People have been saying, I have heard throughout the last two-and-a-half years this term, 'Why all this obsession on affordable housing? It is not that important really, it is the private sector that counts.' Well, at the moment, 9.5% of housing in Guernsey is social rentals. We look at the analytical statistical and analytical dispassionate work of our own officers from multiple Committees, from P&R through to DPA, and they are saying pretty much 50% of what we need going forward is affordable housing and only
1740 50% amongst the current 90% in the private sector.

It just shows where the real ... and it is a shortfall in all sectors and I do not think it is one against the other – I want the private rental sector to flourish, I want the home ownership to flourish, I want to facilitate home ownership – but I think it just proves that we were right to say there is a particular problem with affordable housing and people who are on affordable housing lists are there because
1745 they cannot afford ... even if, unless we built so many houses that the price of housing dropped to about a third of what it is now, most of the people in our social rental housing, however many private houses you built, will not be able to afford them.

They are not properly housed, their shelter is not adequate and unless we actually focus, as I identified, the fact that there is a real crisis of under provision of affordable housing, we will be
1750 letting down the economically weaker section of our community. I am pleased this identifies that problem, I agree with; I think trying to tackle it particularly without extra money – and goodness knows where that is going to come from now – is going to be supremely difficult. But I think this is a great document; it is not meant to be the solution, it is meant to be flagging up the problems. Let us accept it and flag up those problems, let us identify what is needed and then let us move on to the delivery phase.
1755

The Bailiff: Well, Members of the States, we will now adjourn until 2.30 p.m.

*The Assembly adjourned at 12.35 p.m.
and resumed its sitting at 2.30 p.m.*

**The States Strategic Housing Indicator 2023-2027 –
Debate continued –
Propositions carried**

The Bailiff: So does anyone else wish to speak in general debate on this matter?
Deputy Oliver.

1760

Deputy Oliver: Thank you.

1765 From a planning sense we currently are working from the KPMG plan which is a seven-year-old plan so all the figures are actually really, really out of date. So this is better, inasmuch as it can be reviewed every year rather than looking at it on a very long basis and a very outdated way of looking at statistics.

In answering Deputy Haskin's question, we would be looking at the indicators to give us a guide on how we actually address what property should go where, so we will be doing that. I think that this model really is designed to focus on the need rather than the demand of it and it does say that in 1.4. So, I think that in other words it is looking at what we *absolutely* need for this first year going forward and then after we have kind of got that sorted we then can start looking at the demand if and when in another letter.

1775 I think this was never ever designed to fix the problem of housing at all, this was actually designed to look at what our need is and how we could possibly address it going forward so really it is just the start of a piece of work – this is how I look at it, it is just the start of a piece of work going forward.

I think a lot of people are concerned about how the breakdown is and the breakdown can be changed, it can be changed two ways, once in the IDP Review so we look at how we actually look at the indicator so that will be coming forward in two years and it can also be changed when it is next reviewed the following year. So I think –

1780 I give way.

Deputy Haskins: I am grateful for Deputy Oliver giving way. Just on that point of the review every year, it is not quite fair to say that that is reviewed, it is within keeping, it is the tolerance, let's say, the 10% but one thing to note on there is what is a 10% difference of zero?

1785 **Deputy Oliver:** That is very true, that is very true.

I just think that if people are actually thinking of voting against this my response would be actually do not vote against it just vote for Proposition 1 and then at least the DPA have something much more up to date than we would if this was not around at all because if it was not around at all then, as I said previously, we are working off seven-year-old data which, as people know from what was happening seven years ago to what is happening now, it is so different, it is chalk and cheese. So please just vote for Proposition 1 if you really do not want to vote for it.

1795 **The Bailiff:** Deputy Murray.

Deputy Murray: Thank you, sir.

Following on from Deputy Inder's lead this morning I have got some good news and some not so good news. In terms of the good news, there is some very useful data in this policy letter most specifically, however, in relation to the assessment of needs for the social or public housing sector. I am sure much work has gone into compiling very reliable data of what can be determined from known needs and trends.

1805 Where I have a concern, however, relates to attempts to model the private sector albeit it is well intentioned and I do understand that. Let me illustrate that with an analogy that might appeal to Deputy de Sausmarez. Climate change, (*Laughter*) here is an eco system with so many variables and dynamics that by assuming we fully understand it we presume we can influence it or model it. We risk mistaking apparent links between cause and effect and then we take action that may not actually be appropriate to the circumstances.

1810 So, too, the private housing sector in Guernsey: it is not simple and it is dynamic. We have the Local Market, we have the Open Market and, of course, we have the rental market. We have got cost factors heavily influenced by supply and demand, we have a demographic issue and in that particular regard we have heard already about downsizing and right sizing. There are also two other major influences that I would suggest, which are the planning for retirement and care homes, and

the elephant in the room, SLAWS; and what impact any decisions about that strategy may have on the housing needs – let alone issues around the economy such as mortgage rates and so forth.

1815 So the needs for social housing are a lot easier to model but I would argue that for the private sector the sheer number of variables introduces a level of complexity which we could easily get wrong and my particular concern is that already touched on by Deputy Leadbeater and Deputy Mahoney, what the DPA then use for planning purposes in the private sector which I think was just touched on by Deputy Oliver.

1820 I do applaud E&I for making an attempt to try to model housing needs and in respect of the social sector I am very supportive. Consequently, there are some Propositions I will support and some I will not; and I would ask, therefore, separate votes on 3, 4, 5 and 10 Propositions please.

Thank you, sir.

1825 **The Bailiff:** Deputy Taylor.

Deputy Taylor: Thank you, sir.

I rise really just to reiterate the point about demand versus need because I think it is quite important here. Need is not a new concept in planning or various other areas of Government, we need to consider the needs of our Island. But in the planning context, which is where I think most of the hang up or perhaps apprehension from some Members on this policy letter are, the needs side of it is quite related to planning and it seems to be suggesting a more demand led.

1830 I will be totally honest; I had a very similar view when this was first presented to us as a draft stage at a DPA meeting many months ago. I very much took the view that demand ... developers know what they need to build, they know what they can sell and that is absolutely true they do know that, but if you apply that logic the whole way through the system there would be considerably more demand for homes along our south coast cliffs all the way around the coast, but we do not allow that demand for these huge houses ... and there would be the money, there would be the people there to build them, but we do not allow that demand to get in the way of our desire and our need to protect those beautiful areas of our Island.

1840 The real thing here ... this is a smarter way of working going forward. If you do not support this policy letter, as Deputy Oliver has just said, we will just be continuing to work with old data. **(A Member:** Hear, hear.) If you throw out this policy letter, it does not mean that developers will then get the say in exactly what they build. They have that say in the same way they have the say in where they build but it is within the confines of the framework that we set out and it is sensible that we set out that framework to meet the needs of our Island. Not just to suit exactly what developers might want to do and there will still be plenty of work for developers to do.

1850 I think Deputy Roffey has touched on it, that there is a significant amount of work that needs doing for housing, both affordable and the private market. There is not going to be any shortage of work in the construction industry for a foreseeable time. So, please accept that developers will work within the framework, as they have done for many years, and let us put forward and agree on this very sensible policy letter.

Thank you.

1855 **The Bailiff:** Deputy Moakes.

Deputy Moakes: Thank you, sir.

1860 First of all, I would also like to thank the Committee for Environment & Infrastructure for laying this policy letter, I think there is a huge amount of good work in there and there are a lot of good points as well. We are – as I keep on reminding my Committee, the Committee *for* Economic Development, that is – in the middle of a jobs and housing crisis so I truly welcome any idea that comes forward which will lead to more homes being built.

I regularly talk to businesses and almost all of them say they are struggling to fill vacancies because of the lack of affordable – and when I say affordable I mean affordable across all sectors –

1865 housing. This policy letter does recognise that we need to build more homes, which is great; it also recognises that we need to build both social and private sector homes which is also great.

On the public sector side we, of course, will have lots and lots of data and that data will help us to inform what type of homes are required. I think I am right in saying that the States spent £32.6 million – please stand up and correct me if I am wrong – on land last year to build affordable homes on; and I believe also that the GHA is estimating that it has enough land now to build somewhere between 500 and 900 homes.

I will give way if Deputy Roffey wants to. That is the number I took of the website, I think.

Deputy Roffey: Thanks for giving way.

1875 I think the sum he quoted was the amount that is allocated inside the Capital Reserve for that. I do not recognise that as the sum that was actually spent in purchasing land. Out of that sum is land purchase and grant funding for the DHA which are two different things. As for the number of homes, there can only be estimates at this stage because a number of the larger sites have yet to go through the planning process and in one particular case, and I am thinking of the business park, it was bought only after the DPA agreed in principle a majority of the site could be used for housing. Whether that is 51% or 99% we do not know, but I suggest the amount of land we have got will not provide anything like 900 homes. That is probably what the need is but I do not think we have got the land to do it.

1885 **Deputy Moakes:** Thank you.

I guess the point I am trying to make here is there is land there already and I think that is great and I hope that the GHA get on with building those absolutely much-needed homes.

On the private sector side this is where I have an issue. I am not sure how the assumptions were made in terms of the number of houses that we need and in particular the number of bedrooms required. I guess my question is how many builders, developers, estate agents or, indeed, local businesses were consulted on this?

The businesses that I referred to earlier who cannot fill open positions could provide an awful lot of useful input for this particular area because they will need things like one- and two-bedroom flats but I suspect the more senior people will need probably homes. Private builders face enough barriers already today; somebody has already mentioned GP11. I think suggesting what kind of homes they should build seem preposterous because they will always try to build the homes that people need or want. We should be looking at ways of removing barriers so that private developers can focus on building the homes that we desperately need. (**Several Members:** Hear, hear.)

1895 If this policy letter was solely about social housing alone I would wholeheartedly approve it because I agree with everything it says in it, as I have already said. However, I cannot agree with Government intervention in the private building sector.

And one final point, I dislike the term 'right sizing', I think it is a dreadful term because we are saying on the one hand nobody is going to force somebody to move house because it is too big but then we say that they need to right size almost implying that they are living in the wrong house (**Several Members:** Hear, hear.) and I think that is wrong.

1905 I think people have a choice to live where they want. (**A Member:** Hear, hear!) If we can build housing and people choose to move into it when they get a bit older perhaps, decent quality housing, then great if they want to let them but if they do not they should be allowed to live wherever it is that they are living currently.

1910 **A Member:** Hear, hear! (*Laughter*)

The Bailiff: Deputy Ferbrache.

1915 **Deputy Ferbrache:** I commend the work that has been done on this particular policy letter but I just wish we could get on and build some more homes for people. (**Several Members:** Hear, hear!)

We have just had a discussion when Deputy Moakes asked Deputy Roffey to interject, which he did, after a bit of hesitation, I think he was a little surprised but nevertheless he did, in relation to the Data Park Centre; why couldn't the planners describe all of that for housing rather than 50% or 51%? We do not know if it is 51% or 99% at the moment, it is the majority so the majority could be 51%? Why don't we get on with things?

What it does show is that when you have these kinds of policies, (a) they can become a straight jacket and (b) they soon become outdated, because this particular one which goes back to July 2018 – it was approved by the States or the previous one – the SSHI, paragraph 1(2) of the policy letter, was set an annual average of only 127 new units a year. Well, as Deputy de Sausmarez has said, we are talking about 1,500-odd units over the next five years – four years, nine months – we have only ever exceeded 300 units for one year in the last whatever it was, not very often.

The building industry, which moans that it might not have enough work dependent on what happens on the capital projects debate in July ... you try and get a builder to build anything at the moment, you have got to have more money than some of my colleagues in the States have got to be able to procure that in relation to that.

Also, we have not got enough social houses. The work done by my colleagues is excellent, I think it might build about 500 units, I am not sure; it is a bit iffy. (**A Member:** Hear, hear.) But we need probably another 300 or 400 units at least of social housing. We have got this policy over the next few years where they are going to build that number. Deputy Roffey has explained why we need more five-bedroom, four-bedroom houses for people in the social housing: it is not because they have more children, it is because we have got too many three-bedroom houses and we have got quite a few families with three or four children so they need three, four or five bedrooms whatever it may be, in respect of that.

Where I do have some difficulty is trying to proscribe the number of four-bedroom units etc. in the private sector. Paragraph 4.53, I think, of the policy letter sets out – it has been referred to by Deputy Mahoney in his speech – 13 units over the next four years and nine months of four bedrooms, no five bedrooms, nothing else in relation to that. Now I appreciate that the one thing we are very short of in Guernsey, one of the many things we are very short of in Guernsey, is land. So, obviously you want more units, more smaller units than big units so you can get more units of accommodation.

But we have really got to do something. I mean I am in favour of every social housing unit that we can get, every bit of land that we can grab and properly build social housing units on; I am in favour of that because there was a period I think from about 1980s to 2000 where very few, we used to call them States houses in those days, very few States houses were actually built and when Deputy Dave Jones became President of the Housing Authority he changed that, with others, others deserve credit too, but he changed that pretty quickly.

So you can do it but it is going to be difficult to build 1,500-odd units in the next few years; but the more restrictions that we impose the more difficult it is going to be (**A Member:** Hear, hear.) in relation to that. It is all right Deputy Vermeulen ... I am grateful he said it here, I would like him and the other Members of this Assembly to perhaps join that task force that I want to join to take away some of the restrictions that we have got, to actually look at it, not in the round, look at it, not even evolutionary, revolutionary and what are we going to do.

I watched Question Time last night and there was a 25-year-old young woman in Bristol, she asked a question basically saying, 'What chance have I ever got of having a house?' This is in Bristol, Bristol is quite an affluent area of the UK but it is still not as expensive as Guernsey. And the politicians, of course as politicians do, waffled and waffled and waffled and did not come up with any solution at all, so I switched off after a time and watched something called Shooter on Netflix which was much more interesting because at least there was a direct response to that than politicians just talking about rubbish.

But these are the solutions, these 25-year-olds, we have got 25-year-olds in Guernsey ... When I was 22 I had no money behind me etc. I thought I could buy a house, go to the building society in the village I was living in and buy a house. My aspiration was then. A 22-year-old in Guernsey now,

1970 probably earning a fair bit more money than I was earning in real terms as a 22-year-old brand new lawyer in England, has not got a snowballs chance of buying a house in Guernsey. A 32-year-old has not unless there is bank of mum and dad or they are a partner in a law firm or an accountant's firm or finance firm of some kind. They have not got a chance.

1975 That is dreadful in this aspirational ... because we have always been an aspirational Island, that is absolutely dreadful. We have got to be doing more and it is all right me just saying we have got to be doing more, we want to see action. We want to see people –
I give way to Deputy Burford.

Deputy Burford: I thank the President for giving way.

1980 Deputy Ferbrache has said that he is in favour of every bit of land that can be used for social housing being used and pressing on with this; I think that is a correct paraphrasing of what he said. Given what we were informed by Deputy Roffey this morning, I do not think it is necessarily news, the fact the GHA do have a selection of plans available for the Castel Hospital and that piece of land is within P&R's gift, would he be prepared to take that forward?

1985 **Deputy Ferbrache:** What I would rather do ... I am going to answer that question. If we could get ... I am making the figures up; I have got no idea what the Castel Hospital is worth. I know somebody decided that even though the building has got to be knocked down it should be listed; can you understand that? The DPA, the Heritage Committee decided – it is alright Deputy Oliver putting her hands up; somebody in her department, she is responsible for that department, they have decided – it is going to be listed. A building that should be bulldozed! (**A Member:** Hear, hear.) But she has decided it has got to be listed, so she can nod, so hopefully on Monday she will be telling her officers to delist it because it is a nonsense.

1990 I would prefer, I am making the figure up for Deputy Burford, if we could get say £3 million for that site, I think it might be worth more, and we can invest that £3 million better somewhere else for social housing ... (*Interjection*) No, I do not know where and I am not saying there is an easy answer.

2000 She is asking me for a yes or no answer, I cannot give her one because I want to do what is best. If best is building social housing at the Castel Hospital site, fine; if best is getting £X million from a private developer and investing that money elsewhere and getting better value for the money, that is fine. I am not into theory, I am not into philosophy because I had to read the policy letter two or three times, I do understand it but the difference between housing need and housing demand is a bit too philosophical for me. I did not study sociology at Warwick University or something like that, but in relation to those kinds of things I would rather we had practical thinking and got on and made practical decisions.

2005 The practical decision is to approve most of this, I am not going to vote for the straight jacket in relation to ... well, I do not think I need to because I think paragraph 4.53, I can vote for the number of units at number one without necessarily doing that. I hope we can even be aspirational. I know from practical experience as an advocate that the planning officers look at the 2018 one and say you cannot do that, you cannot have another unit there, you cannot have a three-bedroom unit there, you have got to have two-bedroom unit and you think sometimes the developer is just not going to do it, it is not going to be economical for the developer to do that. But there is a policy and the civil servant says there is a policy and his political masters have not got the courage to tell him or her –

2015 No, I am not giving way.

Deputy Oliver: Point of correction, sir.

The Bailiff: Point of correction, Deputy Oliver.

2020 **Deputy Oliver:** It is not that I do not have the courage to do it, it is in Law and that is the problem, which we are reviewing to try and sort out.

The Bailiff: Well, that is fair, Deputy Ferbrache.

2025 **Deputy Ferbrache:** No, I do not accept it is fair, sir. I picked up X as my impression??? 14.53.00 I appreciate your ruling, sir. I have got to accept it, but I have not got to agree with it.

In relation to that the position is that political masters can exercise a reasonable degree of control over their civil servants. There are certain lines beyond which they cannot do. I am not always satisfied that the political masters in the Development & Planning Authority, who I have much respect for and they are certainly better than their predecessors, **(Severall Members:** Hear, hear.) do as much as they can to actually chivvy things along. I hope that is –
2030 I will give way to Deputy Mahoney.

Deputy Mahoney: Thanks, Deputy Ferbrache, for that.

2035 I just wanted to correct one thing, probably could have been a point of correction actually. The Heritage are 'looking at' listing **(Deputy Ferbrache:** I am sorry.) the Castel, so it has not been listed at the moment. They are looking at whether it should be listed rather than the decision has already been made.

2040 **Deputy Ferbrache:** I do accept fully that point of correction and I am grateful for it but I hope they take their gaze away and put it on something more productive rather than putting their gaze towards a derelict building that should be bulldozed.

But let us cut out the talk, let's get on, this is a good piece of work, let's adopt most of it, but let's build more social housing, let's build more housing generally and let's have more of a consultation; because I think there has been – and I know you could consult and consult to the death but I think there has perhaps not been 100% degree of consultation – I am not criticising anybody and I appreciate, I do not want Deputy de Sausmarez to get up and say there has not been any, I am not saying there has been none – with the private developers to just see what is practical because they are not going to build houses or apartments that they cannot sell because they are in the business of building properties that they need to sell.
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Against that, they would rather build more four-bedroom houses, I appreciate that, because they have more value than a two-bedroom unit, but we do need a mix of accommodation and we do need to help the people who need to be able to get on the housing ladder, whether that is renting a property at a reasonable price or buying a property at a reasonable price.

2055 Sorry, it is Friday afternoon, rant over, I am going to sit down now.

The Bailiff: Deputy Le Tissier.

Deputy Le Tissier: Thank you, sir.

2060 The States Strategic Housing Indicator sounds pretty innocuous and I admit I thought it was, but as every the devil is in the detail and the more I read it the more disturbed I was. Now I am not going to take up too much time because I would like to finish today, so I am not going to forensically dissect every last word. So I will just pick some points that jumped out at me.

2065 It does not mean that I agree with everything else, I do on some things and it makes some very good points on social housing, so I am going to concentrate on the private side. The sections on under occupancy are particularly troubling to me. If persuasion fails to get people to downsize it is only a short step to forcibly require pensioners to sell their three- and four-bedroom home that the live in quite happily, that could be by increasing tax rates.

I am not going to give way.

2070 So housing need, I would like to say to E&I, 'Who are you to tell me what I need?' I think the appropriate phrase, if it is parliamentary, is how dare you? The reports say that no new five-bedroom

houses are required in the private sector, however, in social housing the policy letter is quite clear we need more five-bedroom, or more, houses. Now if this policy letter is passed are we going to see the DPA refusing a larger private property build whilst at the same time approving similar proposals on social housing? (**Several Members:** Yes.) We will see, but I think so.

Another unsettling comment, and it is just a technical point, is in section 2.14, and I quote:

2.14 Under current legislation ... Government cannot compel private market development proposals to come forward ...

Well that is true and maybe it is just me but why use that phrase? Maybe it is just in the construct of the sentence but is it E&I are planning to propose a change in the Law? Modification of behaviour – it says shifting behaviour; that all sounds a bit ominous to me. (**Several Members:** Hear, hear.) These words remind me of a communist state where the Government tells you what to do. (**A Member:** Yes.) (*Interjections*) That is an opinion. It reminds me.

But I do not think we should be interfering in the free market, it is big government again. We need to let Guernseymen live how they want to; we do not need or want interference on this scale. By all means, do you research, come up with what you think we need but leave it at that: a report, an indicator, just as it says in the title.

So I am asking Deputies to reject this policy letter but I have got one question I would like to put to the President. The report mentions a model and a visit to Wales; can I ask the President to tell us, did we need to buy this model and what did it cost, and what is the budget for this project?

Thank you, sir.

The Bailiff: Deputy Meerveld.

Deputy Meerveld: Thank you, sir.

I will be voting against this policy letter because I do not agree with the principle of creating unrealistic expectations and then subsequently looking at whether it is possible to deliver. Deputy de Sausmarez has stated that an action plan will be presented to the Assembly detailing ways to meet these targets in the next few months. In my opinion, this paper should include the action plan for delivery without which it runs a risk of creating unrealistic objectives and expectations which serve no one well and sets the States of Guernsey up to fail in the eyes of the electorate.

The States Strategic Housing Indicator targets development of 1,565 additional dwellings, is obviously a project of extensive analysis and considerable amounts of Civil Service committee efforts; and it comes to similar conclusions as previous housing objectives declared by the States of targeting developments of over 300 dwellings a year. However, the fact that these targets are unrealistic is supported by the fact that a Guernsey Annual Residential Property Stock Bulletin of 2021, the latest one published, the average net number of new dwelling units built between 2015 and 2021 inclusive is only 121 units a year, a number which represents the total development of residential units by both the States of Guernsey and the private sector combined.

I am reliably informed that the private sector currently simply cannot, or does not have the capacity, to develop over 300 dwellings a year so unless Deputy de Sausmarez's action plan will include the States of Guernsey setting up a large scale residential development company, these targets are creating completely unrealistic objectives and unrealistic expectations, which as I said before, sets the States up to fail.

As Deputy Ferbrache mentioned in his Statement on Wednesday there is a housing crisis and this is probably the largest issue we face. (**A Member:** Hear, hear.) To address this crisis and provide any hope of achieving the housing indicator targets we need to analysis the housing market in a different way. Rather than examining what we want or need and then creating unachievable targets, we need to analysis what is hindering the market from delivering.

In a free market supply grows to meet demand at a price the supplier can profitably deliver and the consumer can afford to pay. People bemoan the ever increasing house prices in Guernsey but

that is a direct consequence of demand exceeding supply. If we were building more houses than the market could absorb, supply exceeding demand, prices would drop.

2125 I believe that one of the main reasons the States of Guernsey cannot deliver enough social housing to meet demand and the private sector cannot produce enough houses to meet private demand is the actions of us, the States of Guernsey. Our well-intentioned, but ill-conceived, interventions in free markets combined with overly bureaucratic processes.

2130 **Public???**15.02.35 development concerns all communities but is even more of an issue in a small island community where land constraints are more acute. The States of Guernsey have struggled with ways to manage development for decades, with the latest attempt at a solution coming in the form of the Island Development Plan.

2135 The Island Development Plan is a 10-year plan with specified review after five years, which ironically took 15 years to develop. It was presented to the Assembly on 12th October 2016 and after very extended debate was finally approved on 2nd November after facing 33 amendments. Many of the 33 amendments, I would have liked to support, were rejected after advice from Law Officers that adopting them would require another Island wide planning review as required in the Statute of the Island Development Plan. Effectively, we started the planning development process potentially wasting years of work. This is a very important point for Members to understand, as will become clear shortly.

2140 The Island Development Plan was written into Law including the requirement for an Island wide planning review prior to any significant changes on the reassurance that, as it stipulated, a review after five years when its performance would be evaluated and change could be introduced to address any issues.

2145 Guess what, the Island Development Plan is now entering its seventh year and I have been informed by the principle officer of the DPA that and I quote, 'The DPA's intention is to conclude the statutory process,' the review I mentioned, 'and report to the States within this term of Government.' The five-year review is currently a year overdue and if presented to the Assembly in 2025 the five-year review will be presented for consideration approaching four years late. I understand the reason for this delay and lay absolutely no blame on the political Members of the Development & Planning Committee; however, the fact remains that the prescribed opportunity to review and amend the Island Development Plan has been missed.

2150 I give way to Deputy Oliver.

Deputy Oliver: Thank you.

2155 What Deputy Meerveld has said is correct but the States last term voted as a whole not to review at the five-year review because of COVID. So it was not me saying I do not want to review, it was my predecessor, the President that came in and from officers, saying they cannot do the work that is relevant because of COVID.

2160 **Deputy Meerveld:** I thank Deputy Oliver for her interjection and, as I said, I lay absolutely no blame at the Committee and there were also resource issues and everything else to be included in there. But the fact is it was meant to be reviewed at five years and the reason for the review was to see whether or not there were intrinsic issues in the very complex plan and give this Assembly the chance to tweak that plan or make changes to make sure that it was delivering what we want, which is a well-managed and facilitated property market that delivered the accommodation demands of our Island.

2165 So that opportunity has been missed, we have to go through this full planning process to be able to implement changes and that has been confirmed by the Law Officers. So the fact is there are issues within the Island Development Plan that are exacerbating the housing crisis and cannot be addressed until that review is undertaken. As I said, it is written into Statute.

2170 Let me give an example of one part of the IDP that is actually creating problems, it gives a very vivid example of what we are facing. On 1st July 2020 this Assembly passed a Resolution to, and I quote:

Examine the case for developers to make a tariff payment (financial contribution) in lieu of affordable housing contribution to be set aside for affordable housing and to report back to the States by the end of 2022 with proposals,

2175 This is in regard to GP11. However, members of the DPA and Law Officers have confirmed that
the DPA cannot make recommendations to change the GP11 contribution from land to cash,
something that was first directed by a successful amendment in 2016 without undertaking the
statutory review process stipulated in the IDP Law. The review I mentioned previously. GP11
desperately needs addressing as it is contributing to the housing crisis. It requires that any
2180 development of 20 or more dwellings must provide up to 30% of the building plots to the Guernsey
Housing Association for the provision of social housing –

Deputy de Sausmarez: Point of order, sir.

The Bailiff: Point of order?

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Deputy de Sausmarez: Rule 17(6). I am really struggling to see the relevance to the Propositions.

The Bailiff: What is the relevance, Deputy Meerveld, of what you are dealing with at the
moment?

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Deputy Meerveld: We have housing indicator numbers; I am reviewing why they are flawed, why
they cannot be delivered and will be coming to a conclusion where I make a recommendation for
a way forward. (**The Bailiff:** Yes, well.) We are discussing the housing market, how many houses
should or can be built in Guernsey.

2195

The Bailiff: I will let you continue for a little bit but I do not think we need a historical reminder
of all the steps that have been taken in relation to the matters that you are addressing at the
moment to make the point that I think you are trying to make.

2200

Deputy Meerveld: Okay, sir, but my point is ... I will skip through some of this and just point
out that basically during that debate in 2016 it was, and I quote from the day, that 'the GP11
proposal could deliver probably £20 million worth off the burden of the general taxpayer.' In other
words, GP11 would probably deliver £20 million worth of free land to the GHA for social housing.
To put this in perspective, the GHA are currently paying £60,000 to £70,000 per building plot; based
2205 on this £20 million would buy 300 building plots and considerably more at 2016 prices.

However, GP11 has failed to deliver a single plot for social housing. What it has done is restricted
the development of large development sites and consequently exacerbated the housing crisis –
(**A Member:** Hear, hear.) a fact which is supported by the fact that only sites for more than 20
dwellings built are those that can get exemptions to provide free land under GP11. Dare, I go past
2210 the history, sir.

The ability of this Assembly to implement much needed change is constrained by the statutes
enacted by previous Assembly and the Law Officers have been unable to identify a way to expedite
much needed changes. So what can this Assembly do to address this?

2215

Once we have recognised that the housing crisis has very broad reaching implications which are
negatively impacting every member of our community in one way or another, such as: the lack of
supply is driving up accommodation costs to unaffordable levels, forcing people to leave the Island,
particularly the younger generation; the lack of accommodation is restricting the ability to import
labour, undermining our economy; the accommodation difficulties are adding to the problems
hiring hospital staff and increasing our health care costs, threatening levels of service and potentially
2220 impacting health outcomes; the accommodation difficulties are adding to the issues of hiring
teachers and is potentially negatively impacting the quality of education of our future generation.

2225 In his Statement on Wednesday, Deputy Ferbrache indicated the accommodation crisis is the
largest issue currently facing the States and that, and I quote: 'Seeking to operate within the existing
rules is now inadequate.' Based on how serious and urgent this issue is, I recommend that the Policy
& Resources Committee work with the Development & Planning Authority to develop
recommendations to suspend sections of the Island Development Plan, such as GP11, to as Deputy
de Sausmarez said in her opening, to facilitate delivery and bring a policy letter to this Assembly
recommending we declare a housing emergency; to utilise emergency powers to temporarily
suspend sections of the IDP and issue a challenge to the private developers to utilise the suspension
2230 to deliver much needed accommodation in the next few years much more than they have in the last
few. (**Two Members:** Hear, hear.)

2235 Declaring an emergency would show bravery, as Deputy Ferbrache mentioned, and follow his
action now mantra. (**Several Members:** Hear, hear!) I hope that P&R and the DPA will take this
suggestion seriously and can act on it. In the meantime, as I say, I cannot vote for this policy letter
because I am unwilling to put my name to totally unachievable and unrealistic targets, although I
do commend the work that has been done in the analysis but you have to link that to how you can
physically deliver or we are just setting ourselves up for a fall.

Thank you, sir.

2240 **The Bailiff:** Deputy Fairclough.

Deputy Fairclough: Thank you, sir.

2245 Speaking to Deputy Meerveld's last point, the work will be linked going forward, as I think we all
hear. There is indeed a housing crisis and this policy letter helps us understand the nature of it.
Firstly, I would like to record my thanks to the officers for the hard work that they have done cross-
committee in bringing this policy letter (**Several Members:** Hear, hear.) before us today.

2250 As we have heard, it is the result of a new approach to assess local housing needs within the
Island. It makes so much sense to have brought this in-house so that the data can be updated
annually to project accommodation requirements by tenure and by property size and I would once
again, unfortunately I feel as though I have to, point Members towards paragraph 1.4 which sets
out the difference between housing need and housing demand.

2255 The evidence and the best and most up-to-date data which we have which was used to write
this policy letter has been robustly challenged by the Members both past and present and non-
States' members on the E&I Committee and has been used as the basis of the recommendations
before us.

I agree with Deputy Roffey this is virtually as least political as a policy letter can get. Quantitative
data rather than qualitative data and I would just be interested to know how Members who have
questioned the whole approach think the Island's housing need could or would be assessed going
forward if they reject this policy letter: out-of-date figures or a finger in the air perhaps.

2260 Speaking to Proposition 2, specifically because that has been referred to, I would refer Members
to sections 1.13 to 1.18 which explain the thinking behind the suggested change in profile and
Members are quite free to vote against Proposition 2 if they want to. I mean no amendments have
been placed to this policy letter but it is every Member's right to vote for or against each of the
Propositions.

2265 In this policy letter before us it is acknowledged that delivery of the required number of units in
the private market is influenced by factors beyond the control of the States and flexibility is needed
to allow developers to respond to the opportunities available. The clue is in the title, States Strategic
Housing Indicator. This policy letter and its Resolutions are a mechanism which helps to define
housing need, to act as a guide to the total number and type of additional units of accommodation
2270 that should be created if all the Island's residents, including those mentioned in Deputy de
Sausmarez's opening speech, could be appropriately housed.

Is it perfect? No. Do we know how many people are living in every dwelling in the Island right
now or how many spare rooms they have? No. Will we ever know? No. Is it an exact science? No.

2275 No one is pretending that it is but what we do know and can put a number on is the chronic shortage
of affordable housing right now. Not for the next five years, but right now. This is merely a snapshot
that we have of the Guernsey housing market but it is the best image we have and I urge Members
to endorse it as a policy to help inform the work of E&I and other States' Committees moving
forward.

Thank you, sir.

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The Bailiff: If no one else wishes to speak in debate then I will turn back to the President to
reply to the debate please. Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

2285

I did not want to make my opening speech much longer but I think having reflected on the
debate I may be assumed a higher level of understanding than actually was, and I do not mean
that ... I really genuinely mean that I think some of the really fundamental points of this are maybe
not very well understood. So I am going to respond to debate by going back over some of those
core themes and explaining what this means because it is very data driven and it is just a bit
2290 extraordinary that we are in a position with people standing up saying I am going to vote against
the whole policy letter. So I will go through and explain what each bit means.

First of all, I think I need to start – and on reflection I should have included this in my opening
speech – with what the SSHI does, why we use one, why we need one and it is really mainly for the
DPA and for the very important job that the DPA does. So the SSHI provides a factual baseline data
2295 set that can be then used to benchmark. It has no influence or affect other than through the policies
which use it and that is why it is an indicator, not a target, not a set of handcuffs, nothing else. It is
just data. As Deputy Fairclough has just mentioned, it is not perfect by anyone's admission but it is
as accurate a snapshot of the situation as we can currently get and actually we have been told by
the independent experts, arc⁴, that our data is an awful lot better than many other jurisdictions.

2300

So the headline figures for the number of units that we need assist with strategic planning,
primarily the DPA's policies and those in relation to land supply needed for more residential
accommodation. So basically the IDP or the SLUP requires the IDP to provide the scope and
flexibility for enough housing to meet all identified needs. It also requires the IDP to provide for the
annual requirement for new homes, well, the land supply for the new homes and provide for an
2305 appropriate mix of tenure, size and types to meet housing needs.

Deputy Mahoney: Point of order please, sir.

The Bailiff: Point of order, Deputy Mahoney.

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Deputy Mahoney: I am going to try Rule 17(4). Given the introduction was that Deputy de
Sausmarez would now explain everything for the people in front of her, is this really responding to
the points that were made in debate?

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The Bailiff: Well, I am going to rule that it is on the basis that what Deputy de Sausmarez has
said in opening her reply to the debate, and it is apparent from the debate as well, that there has
been a degree of absence of clarity, shall we say, as to what the component parts mean. So I will
give Deputy de Sausmarez some latitude in that regard, but please do not press my patience too
far, Deputy de Sausmarez.

2320

Deputy de Sausmarez: Thank you, sir.

I do not plan to go through on a particularly granular level individual speakers, so it really is
these high levels points and your analysis was spot on, in that I am responding to debate or replying
to debate from what became apparent to me was not as well understood as I would like it to be
2325 understood from the comments that were made.

2330 So the current policy is – this is what the DPA has to work with – only where a site can accommodate a variety of dwellings is there an expectation that units will be reflective of households requiring housing. That only applies to sites that are capable of accommodating such a mix. It needs to be reflective of households requiring housing, that could relate to demand as well as need, so that is open to interpretation and all the concerns that seem to be around the fact that developers are going to be told that they cannot develop certain types of homes; that is absolutely not the case.

2335 And the SSHI is, of course, only one consideration; there are lots of other relevant things that the DPA has to take into account, and it does also acknowledge that in some circumstances there may be reasons for certain types and different sizes of dwellings that are appropriate for that site. So there is flexibility within the policies that the DPA uses to allow for more than what the SSHI indicates, and it is an indicator. So it is very much based on the fact that this is something that tells us more about what the community needs, it is not saying that this is a requirement, it is how this data is used.

2340 Now the land supply is very important because that is something that the DPA need to do, that is something that they will be looking at through their targeted review. So we do need to have an understanding of what the community's housing need is in order for the DPA to do their very important job and to decide whether we need to designate more local centres or to increase the size of existing ones or whatever it is. But we know that we are likely to need more land supply, and this brings me back to a more fundamental point which is just, I think it was in October last year this States agreed a strategic population objective of +300 inward migration which basically was the States agreeing to grow our population, and it directed all States' Committees and Authorities including E&I and including the DPA to plan for such a population increase.

2350 So the data that the DPA is currently working off is old data, that is 2017, that report was brought forward in a very, very different housing market where we actually had a fall in population very different market conditions, all sorts of different problems then. And that is the data that the DPA are currently having to work off, because that is the agreed States Strategic Housing Indicator and if we do not agree a new States Strategic Housing Indicator today then we will be stuck with the old States Strategic Housing Indicator, which is very much significantly lower; it was 127 units on average with the variance built in a year for the private market and 117 per year for affordable housing.

2360 Now I mean this puts us in a ridiculous situation if we do not agree a more up-to-date indicator than the DPA presumably having to work off data which we know is wildly, wildly inaccurate for today's market. They are being told one thing by one part of the States, we are saying go forth and plan around a growing population but the very same States is going to tell them, well, hang on, we are not going to give you a more accurate and up-to-date assessment of what the housing need is. This is why I am struggling to understand how anyone could be considering voting against Proposition 1, it is just a fact. It is not perfect, Deputy Fairclough was quite right, but it is the most accurate assessment we have got of the community's housing need.

2365 So I am just going to try and pick out some of the points where again I think clarity would be helpful. Deputy Dudley-Owen asked a question about the context and the sustainability, and I think it is important to clarify that in assessing the up-to-date needs that we have done through this process the starting point is our existing housing stock because obviously that is what we have already got, we have got the community, we have got the various projections about what the size of our population is likely to do and we have got a lot of data around population composition, etc. I have to say Deputy Mahoney did not like the data; his team were the ones providing an awful lot of that data and I think they have done a fantastic job actually, I think it was really, really great and is a really great team of officers and they have worked incredibly well cross-departmentally.

2375 So, that is the context. To hopefully answer Deputy Dudley-Owen's question around the context, the fundamental process in all of this was looking at the housing stock that we have now, looking at the housing compositions as far as we have now, looking at all the data that informs how those align and then using that to inform what we need in order to meet the need from the people who

are not currently adequately housed and the people who we think will not be adequately housed in the near future. So hopefully that gives Deputy Dudley-Owen a little bit of a clearer idea about how the existing data, which includes data on our existing stock and existing population which is, as has been confirmed by independent experts, actually quite a good data set compared with many other jurisdictions, that is what helps inform the need.

I do give way to Deputy Dudley-Owen.

Deputy Dudley-Owen: I am very grateful to Deputy de Sausmarez giving way, sir, because I know that she is on her home straight with her final remarks, but I am afraid I do understand how the figures have been arrived at and derived, it is actually the broader context of our economic circumstances juxtaposed against the population indications that we agreed within the population management legislation. And actually, for those listening and I am sure that Members will have seen their emails or if you have not I did send around exactly what I meant that was produced by arc⁴ actually that was helpfully brought altogether within a report that they had done for 2018 for the States of Jersey, exactly how they had laid it out, given the context, given the circumstances, given the type of unique housing system that Jersey runs and obviously we have a unique housing system as well over here.

All of that information for my purpose needed to be bought together in order to give us the clear context of what actually this particular housing indicator does, what it is set to solve because it is part of the tools in a box at our disposal but actually because it is not put within the context in which it needs to be it is sort of out of place and it does not allow me to fully understand what the housing indicator is designed to really do.

Deputy de Sausmarez: Okay, right. So maybe I can explain it in a slightly different way. I actually wanted to bring forward this policy letter at the same time as the Population and Immigration Review policy letter, in fact, because I thought the connection between the two was so pivotal, but it was basically decided because of a couple of nuances around the timing, and also because we would have had to plan for too many variables without knowing what the outcome of the Population and Immigration Review debate was, it was decided to actually agree the strategic population objective first and then use that figure to put into the model to calculate the need.

Now, the need is just we are talking about the number of units, all the other things that Deputy Dudley-Owen points to, she is quite right, are very important but they relate to the deliverability of that. So we are just talking about need, we are talking about who is in our community, what those household compositions are, what is our existing housing stock at the moment and how that is broken down and then we are looking at the misalignment, essentially, we are looking at the gap, between what our community needs and what we have currently got and that is what gives us the housing need, the number of units.

So basically how many people have we got, how are they configured in terms of households, what is our existing household stock, how are those households currently living and a huge amount of data has gone into inform that. Actually, it is kind of the other way round because arc⁴, who have been doing this work for us, have used all of that data to inform the next bit of work which is about how we deliver. So that is why I said at the opening that I hoped this debate would not get too side-tracked on the issue of how we go about doing that.

Now no one agrees more strongly than I do that that is a huge challenge, but I think just voting against the number is not going to solve that problem. I think we do need to recognise that we have got **(A Member: Hear, hear.)** a very significantly increased need from the last time we made this assessment, and remember we have been doing these housing needs assessments every five years for, I do not know, decades and the figures that we are working with at the moment are very much not an accurate reflection of what the community currently needs.

So we just need to establish, at this stage because we do not have time to waste and the longer we delay this debate the longer the DPA are forced to work with out-of-date figures. That is why I was keen to bring it forward and debate it last October alongside the population policy letter but

2430 that could not happen. We were hoping, obviously, to debate it in the February States' Meeting but that got gazumped by the Tax Review, understandably. So this is already later than I would like and every single moment that we do not have a more up-to-date indicator is the longer we hamper the DPA and give them out-of-date data to work from.

2435 Hopefully that helps explain all the issues that people have raised about capacity in the construction industry, etc. they are all very, very valid points but none of that changes the fact that we have got a housing need that is currently not being met and we have got a huge challenge but we do just need to basically agree the indicator because there is a lot of work that that number informs, primarily for the DPA and that is why Deputy Oliver did make the plea that she made.

2440 Deputy Dudley-Owen, the sustainability point, again just quickly, and Deputy Oliver and I have been like a broken record on this all term saying that actually the quickest route, quicker than building new homes, is how can we make the most of existing ones? And all of those ideas about how you can encourage house shares, I think someone used the example of Aurigny calling out for spare bedrooms, there are some lovely examples in Holland and stuff about key workers living with some elderly people sometimes to mitigate against loneliness and help out with a bit of shopping or whatever. There are all sorts of really good ideas about how you can use existing homes better that I have been championing all of this political term and I know Deputy Oliver has too; and those are all the kinds of things along with all the funding mechanisms, someone mentioned private-public partnership, funding arrangements and every mechanism you can think of, they are all around the delivery, how we meet the need.

2450 But what this policy letter is asking Members to focus on is the quantification of the need itself because until we have agreed that number we are working off numbers that bear no reflection to the current reality.

2455 So there are a couple of points around this issue which is really about Proposition 2. What has really got a lot of people animated is this idea that we are somehow not allowing developers to build larger homes. Obviously that is not the case; I did explain when I started on this that that just quite simply was not the case at all. The SSHI is just one of the considerations that inform the policies that the DPA use and the formula.

2460 At its heart, I explained this when I opened, one of the fundamental factors is that we saw a very significant increase in the trend of building larger houses, say four-plus-bedroom houses, at exactly the same time as we saw a significant decrease in household size. So we are getting a sort of widening gap between the household composition and the sizes of homes that are available for them to choose between.

2465 Now Deputy Roffey I thought had answered the issue about why we need more larger homes in the affordable housing market but basically in the private market we have had over quite a significant period of time a lot of larger houses already built. So we have already got an awful lot compared with the typical household sizes, if you see what I mean. So it is the gap between household size and property size and basically one trend has been going in one direction, the other trend has been going in the other direction so we have seen a much bigger gap between them.

2470 Deputy Roffey explained that in the affordable housing market it is slightly different, we did not see a trend in those larger houses and that was an error, that is a criticism that can be laid at the door of those politicians responsible for not insisting that we build larger houses and quite often the real pressure arises, as it does in the private market as well, where you have blended households. So one partner with custody of two or three children and another partner with a couple of children and suddenly you have got a large household on your hands and we have just got such a dearth of larger houses in the affordable market which is in very stark contrast to the private market where we do have a lot of larger houses, that we have been cramming, we have been shoe-horning families into homes that were not designed to accommodate the number of people that we are shoe-horning in.

2480 That is the problem that we have got and that is why the indicator recognises the need for significantly more larger homes in the affordable housing market, but basically the bottom line is in the private housing market we have already seen that trend, that trend has been very, very strong

for building larger houses for quite some time so a significant portion of our existing housing stock, I think it is around 20%, is already four-plus bedrooms.

2485 So hopefully that clears that up. This is the fundamental issue, and again it relates to the same proposition, Proposition 2: people seem to have got the idea that we are trying to persuade people to downsize or right-size. No. Not a bit of it, not at all, no way. We are absolutely not trying to persuade anyone to do anything they do not like. We are looking at need, what we are saying is that ... and we recognised through our split that we have put in Proposition 2, we recognise that we think the majority of people who live with two or more spare bedrooms are probably very happy to do that, but we also recognise that for some people they would prefer to downsize but they are not able to because we have insufficient supply of the smaller units.

2490 So that is what we are trying to provide, additional guidance to the industry, to the property development and construction industry to say actually the community need is for more smaller units because that is what, in some respects, is creating or is stifling movement within the market.

2495 My aunty, who sadly died a few months ago, was in this very situation. She lived in a four-bedroom house, kicking around on her own and her mobility needs got to the point where she really could not manage the stairs; and she really wanted to move into a small apartment but she struggled for years to find something that was ground level access and small enough for her to manage and to move about in. The whole time that she was rattling around in that big house on her own was preventing the private market from moving as efficiently as we would like it to move. Other people, who are after a bigger home, maybe because they are a blended family with four children or whatever, were not able to move into that house even though she was desperate to move out.

2500 So this is what the guidance in Proposition 2 is there for. It is really just guidance.

2505 **Deputy Queripel:** Point of order, sir.

The Bailiff: Point of order, Deputy Queripel.

2510 **Deputy Queripel:** Rule 17(4).

The Bailiff: Well let me simply remind Deputy de Sausmarez that the story about a relative is probably rehearsing a new argument, that is the point that is being taken there but you are entitled, obviously, to address the various Propositions at this stage.

2515 **Deputy de Sausmarez:** Okay, thank you.

I just wanted to put it in human terms really because it does get very technical when you are just talking about numbers the whole time. So the reason I introduced that anecdote and I do accept your ruling, sir and I do apologise, was just to try and give it a real world flavour. That this affects real people's lives.

2520 So the whole point about Proposition 2 is not even ... I mean it is certainly ... we had a suggestion from Deputy Le Tissier that we were a step away from *forcing* people to move house! There is nothing in this policy letter ... I mean I am just so shocked and appalled by that comment. We are so far away from forcing people, we are not even trying to persuade anyone. This is all about meeting need.

2525 This is about recognising that there are some people who may want to right-size, which in some cases is downsizing, in other cases actually it is upsizing because we have got families who would like to be able to find a bigger home and cannot, as in the anecdote that I was not allowed to use; and it is about recognising that there is this unmet need in the market which we are not currently proving for and this speaks to one of Deputy Mahoney's points which was Deputy Mahoney basically said, 'Just supply and demand, it is simple obvs,' – I paraphrase, I do not think he actually said 'obvs' – 'it is as simple as that, the market will sort itself out.' Well I think we have got pretty solid evidence by the state of the market today that it does not and it has not. We have got very

2535 significant problems that the free market has not been addressing, otherwise if it were that simple we would not have the problems.

So this is just about providing more detailed evidence-based guidance on what the community needs to help inform the DPA, and through the DPA developers, on the types of housing that the community needs.

2540 Members will be delighted to know that I am, I think ... 'No one is being forced or will be forced to move,' I have got in block capitals. It is simply about providing the kind of accommodation that will better meet the community's needs than we are able to do now.

2545 Deputy Moakes seemed to be labouring under the same sort of misconception. We are not saying that people need to right-size, nothing in the policy letter, nothing around the Committee table is saying that people need to right-size, not a bit of it. We are just saying that some of the people who currently want to right-size cannot easily do so because there are not enough smaller units because the trend for building very large homes has increased very significantly just as the trend has been for household sizes to become significantly smaller.

2550 Deputy Le Tissier asked a question about the model. We developed that model in-house at no additional cost. Wales were absolutely lovely. A big shout out to Wales! I cannot imagine they are listening, but big shout out to them, they basically gave us that model for free. We made, though, very substantial expansions which the Welsh Government was unable to do because they did not have as good data as we have. So really ours is actually much more granular I think and more accurate.

2555 But basically I think Deputy Ferbrache hit the nail on the head when he said, 'We really need to do something, we do'. This is us doing something! (**A Member:** Hear, hear.) We really need our data that informs the DPA's policies in particular to reflect the current situation, and that current situation is that we are urgently and rather drastically in need of more housing. So I really would urge Members to support this Proposition, certainly Proposition 1, in order to update ...

I give way to Deputy Haskins.

2560 **Deputy Haskins:** I am very grateful. Would the President agree with me that the Committee had also a discussion around the size of buildings and that generally there was the consensus to use the motto 'Build up, not out'?

2565 **Deputy de Sausmarez:** Yes, that is absolutely right and that is why that is reflected in one of the Propositions. I think I will just quickly whip through the Propositions to hopefully explain what each one is. So the first one is really what I have just been trying to explain with more clarity that this is about updating the data that the DPA in particular really, really need to inform the very important work that they are doing. I do not think there is anything contentious about Proposition 1; as
2570 accurately as we can, it is effectively a statement of fact, it is a snapshot of need and it is what it is. And the reason that the affordable housing indicator is nearly as large as the private housing market indicator, even though the affordable housing market is only about a tenth of the overall market, is because we have got a lot of catching up to do. So that is why that is proportionately bigger than it is in relation to the overall housing stock. But really I do not think there is anything contentious
2575 about Proposition 1. Please, for the sake of Deputy Oliver's sanity, please support that.

So Proposition 2 is really what I was saying before, this is about enabling better matching need and supply so that those who would like to right size, whether that is up or down, have got a better chance of finding a property that better suits their families, their household's requirements. Proposition 3 is really the same thing in terms of the social rental tenure; and Proposition 4 is the
2580 same thing in partial ownership.

Really Proposition 5 is to agree that the housing needs model be run every year for monitoring purposes. Now we have got this in-house we can do this so that seems like a sensible thing to do and we can always do it sooner if we need to. Proposition 6 is to agree that should the Island's modelled housing needs change to such an extent that they go beyond the tolerances set out in

2585 Proposition 1 they will be returned to the States of Deliberation for endorsement of a revised States Strategic Housing Indicator.

So had we had the modelling in-house basically when COVID hit we could have done this exercise and come back much, much sooner with that updated and much more accurate data to help the DPA out. So really that is just saying that this gives us the ability to be more agile. Again, I do not think there is anything particularly contentious about that.

2590 Proposition 7 is that to agree that unless a reason is identified for reporting sooner that the next formal States Strategic Housing Indicator update to the States will be during 2027 to set the indicator for the following five-year period. This is kind of how it normally works, apart from the only difference this time will be that we will be able to keep more of a running watch on our data and react much sooner if anything drastic does change. But again, there is nothing particularly contentious.

2595 Proposition 9 very much speaks to the point that Deputy Haskins made and I am grateful to him for pointing it out. This is really, and actually it was a sentiment echoed by Deputy Ferbrache which is about we have an awful lot to do, we do not have very much land, we need to make the most of it, let us be clever about it. So that is what that one says and this is something that E&I has discussed with the DPA before.

2600 Proposition 10 is to direct ESS in its planning of the Affordable Housing Development Programme to take account of the projected unit profile required for both the social rental and partial ownership tenures which I am pretty confident they would do anyway. And, of course, it goes without saying that ESS did work very, very closely, E&I obviously accepted the recommendations of ESS. I was furiously switching hats when it came to the social rental and the partial ownership tenures and the modelling around those. So there was a lot of involvement obviously on the parts that engaged ESS's mandate and that final direction is really quite obvious.

2605 So I give way to Deputy Brouard who I think has a question that I have not answered, he is going to remind me.

Deputy Brouard: I was just going to remind you, (*Laughter*) Deputy, if you would not mind if you could kindly give some indication of how the key worker accommodation dovetails into the Strategic Housing Indicator, and how and when we will see that come through.

2615 **Deputy de Sausmarez:** Yes, I can assure Deputy Brouard, and I do apologise for missing his question, that the fact that we have not set it a specific indicator is really just because there is a further bit of work, as I know he knows, around how we define key worker housing before we can do that. So basically it is in the next stage of work and he will be closely involved in that, I am sure, but I can also assure him that of course the fact that it is not set out explicitly here does not for a moment mean that we are not working very, very hard to bring forward key worker housing. As Deputy Brouard knows, that is something that ESS have consulted with HSC on and are doing our absolute best and, fingers crossed, making some progress towards. So I can assure him that remains very much front of mind for all those involved.

2620 So in summary, I really would urge Members to support all Propositions, it really is mostly just about updating the data that we need to inform a range of very important policies which are all going to help inform and ultimately help deliver the housing that the community so desperately needs. And I really would say that voting against it just means that we are less able to do that. So I would whole heartedly encourage everyone to support the Propositions.

2630 Thank you.

The Bailiff: Well, Members of the States, as you will see there are 10 Propositions. Bearing in mind those who have spoken in favour or against various Propositions, I think we will end up with potentially 10 votes but we will see how we are doing. So, we will start with Proposition 1, which is there and the voting has already been opened! (*Laughter*)

There was a recorded vote.

Proposition 1.

Carried – Pour 24, Contre 10, Ne vote pas 1, Did not vote 0, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	De Lisle, David	Dudley-Owen, Andrea	None	Gollop, John
Blin, Chris	Dyke, John			Kazantseva-Miller, Sasha
Brouard, Al	Helyar, Mark			Le Tocq, Jonathan
Burford, Yvonne	Inder, Neil			Roberts, Steve
Bury, Tina	Le Tissier, Chris			Snowdon, Alexander
Cameron, Andy	Mahoney, David			
De Sausmarez, Lindsay	Meerveld, Carl			
Fairclough, Simon	Moakes, Nick			
Falla, Steve	Murray, Bob			
Ferbrache, Peter	Vermeulen, Simon			
Gabriel, Adrian				
Haskins, Sam				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				

2640 **The Bailiff:** In respect of Proposition 1, there voted in favour 24 Members; against, 10 Members; 1 Member abstained and there are the 5 absentees who I will not refer to again. Therefore, I will declare Proposition 1 duly carried.

We will move on to Proposition 2 please, and will you now please open the voting, Greffier.

There was a recorded vote.

2645

Proposition 2.

Carried – Pour 19, Contre 15, Ne vote pas 1, Did not vote 0, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Blin, Chris	Oliver, Victoria	None	Gollop, John
Brouard, Al	De Lisle, David			Kazantseva-Miller, Sasha
Burford, Yvonne	Dudley-Owen, Andrea			Le Tocq, Jonathan
Bury, Tina	Dyke, John			Roberts, Steve
Cameron, Andy	Haskins, Sam			Snowdon, Alexander
De Sausmarez, Lindsay	Helyar, Mark			
Fairclough, Simon	Inder, Neil			
Falla, Steve	Le Tissier, Chris			
Ferbrache, Peter	Mahoney, David			
Gabriel, Adrian	Meerveld, Carl			
Leadbeater, Marc	Moakes, Nick			
Matthews, Aidan	Murray, Bob			
McKenna, Liam	Prow, Robert			
Parkinson, Charles	Queripel, Lester			
Roffey, Peter	Vermeulen, Simon			
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				

The Bailiff: In respect of Proposition 2, there voted in favour 19 Members; against, 5 Members; with 1 Member abstaining. Fifteen, I do apologise: 19 votes in favour, 15 votes against, 1 abstention and the 5 that are absent. So Proposition 2 is also carried.

2650

And we move on to Proposition 3. If you will open the voting please, Greffier.

There was a recorded vote.

Proposition 3

2655

Carried – Pour 26 Contre 9, Ne vote pas 0, Did not vote 0, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	De Lisle, David	None	None	Gollop, John
Blin, Chris	Dudley-Owen, Andrea			Kazantseva-Miller, Sasha
Brouard, Al	Helyar, Mark			Le Tocq, Jonathan
Burford, Yvonne	Inder, Neil			Roberts, Steve
Bury, Tina	Le Tissier, Chris			Snowdon, Alexander
Cameron, Andy	Mahoney, David			
De Sausmarez, Lindsay	Meerveld, Carl			
Dyke, John	Prow, Robert			
Fairclough, Simon	Queripel, Lester			
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Haskins, Sam				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

The Bailiff: In respect of Proposition 3, there voted in favour 26 Members; against, 9 Members, no abstentions and therefore I declare that Proposition also duly carried.

And we move on to Proposition 4. And will you please open the voting please, Greffier.

There was a recorded vote.

2660

Proposition 4.

Carried – Pour 24, Contre 11, Ne vote pas 0, Did not vote 0, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Blin, Chris	None	None	Gollop, John
Brouard, Al	De Lisle, David			Kazantseva-Miller, Sasha
Burford, Yvonne	Dudley-Owen, Andrea			Le Tocq, Jonathan
Bury, Tina	Dyke, John			Roberts, Steve
Cameron, Andy	Helyar, Mark			Snowdon, Alexander
De Sausmarez, Lindsay	Le Tissier, Chris			
Fairclough, Simon	Mahoney, David			
Falla, Steve	Meerveld, Carl			
Ferbrache, Peter	Prow, Robert			
Gabriel, Adrian	Queripel, Lester			
Haskins, Sam	Vermeulen, Simon			
Inder, Neil				

Leadbeater, Marc
 Matthews, Aidan
 McKenna, Liam
 Moakes, Nick
 Murray, Bob
 Oliver, Victoria
 Parkinson, Charles
 Roffey, Peter
 Soulsby, Heidi
 St Pier, Gavin
 Taylor, Andrew
 Trott, Lyndon

The Bailiff: In respect of Proposition 4, there voted in favour, 24 Members; against, 11 Members, and therefore, I will declare Proposition 4 also duly carried.

2665 Proposition 5, if you will open the voting please, Greffier.

There was a recorded vote.

Proposition 5

Carried – Pour 30, Contre 5, Ne vote pas 0, Did not vote 0, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Helyar, Mark	None	None	Gollop, John
Blin, Chris	Le Tissier, Chris			Kazantseva-Miller, Sasha
Brouard, Al	Mahoney, David			Le Tocq, Jonathan
Burford, Yvonne	Meerveld, Carl			Roberts, Steve
Bury, Tina	Queripel, Lester			Snowdon, Alexander
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Haskins, Sam				
Inder, Neil				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

2670 **The Bailiff:** On Proposition 5 there voted in favour, 30 Members; against, 5 Members, no abstentions and therefore, I will declare that Proposition also duly carried.

As Proposition 1 was carried, we will have a vote on Proposition 6 next please. And will you open the voting please, Greffier.

There was a recorded vote.

2675 *Proposition 6.*
Carried – Pour 28, Contre 5, Ne vote pas 2, Did not vote 0, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Helyar, Mark	Dudley-Owen, Andrea	None	Gollop, John
Blin, Chris	Le Tissier, Chris	Inder, Neil		Kazantseva-Miller, Sasha
Brouard, Al	Meerveld, Carl			Le Tocq, Jonathan
Burford, Yvonne	Murray, Bob			Roberts, Steve
Bury, Tina	Queripel, Lester			Snowdon, Alexander
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Haskins, Sam				
Leadbeater, Marc				
Mahoney, David				
Matthews, Aidan				
McKenna, Liam				
Moakes, Nick				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

The Bailiff: On Proposition 6 there voted in favour, 28 Members; against, 5 Members, 2 Members abstained. Therefore, I will declare that Proposition also duly carried.

Now Proposition 7 on its own please. And will you now please open the voting please Greffier.

2680

There was a recorded vote.

Proposition 7.
Carried – Pour 28, Contre 7, Ne vote pas 0, Did not vote 0, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Helyar, Mark	None	None	Gollop, John
Blin, Chris	Inder, Neil			Kazantseva-Miller, Sasha
Brouard, Al	Le Tissier, Chris			Le Tocq, Jonathan
Burford, Yvonne	Mahoney, David			Roberts, Steve
Bury, Tina	Meerveld, Carl			Snowdon, Alexander
Cameron, Andy	Murray, Bob			
De Lisle, David	Queripel, Lester			
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Haskins, Sam				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Moakes, Nick				

Oliver, Victoria
 Parkinson, Charles
 Prow, Robert
 Roffey, Peter
 Soulsby, Heidi
 St Pier, Gavin
 Taylor, Andrew
 Trott, Lyndon
 Vermeulen, Simon

2685 **The Bailiff:** On Proposition 7 there voted in favour, 28 Members and against, 7 Members; no one abstained and therefore I declare that Proposition also carried.

Proposition 8 on its own please. And will you please open the voting, Greffier.

There was a recorded vote.

2690 *Proposition 8,
 Carried – Pour 24, Contre 9, Ne vote pas 2, Did not vote 0, Absent 5.*

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Inder, Neil	Oliver, Victoria	None	Roberts, Steve
Blin, Chris	Le Tissier, Chris	Prow, Robert		Snowdon, Alexander
Brouard, Al	Mahoney, David			
Burford, Yvonne	Meerveld, Carl			
Bury, Tina	Murray, Bob			
Cameron, Andy	Vermeulen, Simon			
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Haskins, Sam				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Moakes, Nick				
Parkinson, Charles				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				

The Bailiff: In respect of Proposition 8, there voted in favour 24 Members; against, 9 Members; 2 Members abstained and therefore, I will declare Proposition 8 also carried.

Now Proposition 9 on its own please. And will you open the voting please, Greffier.

2695

There was a recorded vote.

*Proposition 9.
 Carried – Pour 22, Contre 11, Ne vote pas 2, Did not vote 0, Absent 5.*

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	De Lisle, David	Dudley-Owen, Andrea	None	Gollop, John
Blin, Chris	Dyke, John	Inder, Neil		Kazantseva-Miller, Sasha
Brouard, Al	Helyar, Mark			Le Tocq, Jonathan
Burford, Yvonne	Le Tissier, Chris			Roberts, Steve
Bury, Tina	Mahoney, David			Snowdon, Alexander

Cameron, Andy
 De Sausmarez, Lindsay
 Fairclough, Simon
 Falla, Steve
 Ferbrache, Peter
 Gabriel, Adrian
 Haskins, Sam
 Leadbeater, Marc
 McKenna, Liam
 Oliver, Victoria
 Parkinson, Charles
 Queripel, Lester
 Roffey, Peter
 Soulsby, Heidi
 St Pier, Gavin
 Taylor, Andrew
 Trott, Lyndon

Matthews, Aidan
 Meerveld, Carl
 Moakes, Nick
 Murray, Bob
 Prow, Robert
 Vermeulen, Simon

2700 **The Bailiff:** In respect of Proposition 9 there voted in favour 22 Members; against, 11 Members; 2 Members abstained and therefore I will declare that Proposition also duly carried. And last, Proposition 10. Will you open the voting please, Greffier.

There was a recorded vote.

Proposition 10.

2705 *Carried – Pour 26, Contre 6, Ne vote pas 3, Did not vote 0, Absent 5.*

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	De Lisle, David	Dudley-Owen, Andrea	None	Roberts, Steve
Blin, Chris	Helyar, Mark	Dyke, John		Snowdon, Alexander
Brouard, Al	Le Tissier, Chris	Inder, Neil		
Burford, Yvonne	Mahoney, David			
Bury, Tina	Meerveld, Carl			
Cameron, Andy	Vermeulen, Simon			
De Sausmarez, Lindsay				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Haskins, Sam				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				

The Bailiff: In respect of Proposition 10, there voted in favour 26 Members; against, 6 Members; 6 Members chose to abstain. Therefore, I will declare that Proposition also carried. So all 10 Propositions have been carried.

**Procedural –
Order of business**

The Bailiff: Deputy Ferbrache.

2710

Deputy Ferbrache: Sir, I have spoken with Deputy Meerveld and we appreciate the restrictions of time but would it be convenient to proceed to the legislation?

2715

The Bailiff: Well, Members of the States, the proposal is that rather than take the next item which is the States' Assembly & Constitution Committees proposals for Statements and Questions, Rules 10-15, that we skip that for now, see how well you are doing and may come back to it. But those in favour; those against?

Members voted Pour.

The Bailiff: I will declare that carried.

LEGISLATION LAID BEFORE THE STATES

**The Amalgamation and Migration of Companies (Fees payable to the Guernsey Financial Services Commission) (Amendment) Regulations, 2022;
The Financial Services Commission (Limited Liability Partnerships) (Fees) Regulations, 2022;
The Limited Partnerships (Fees) (Amendment) Regulations, 2022;
The Limited Partnerships (Fees) (Amendment) Regulations, 2022;
The Protected Cell Companies and Incorporated Cell Companies (Fees payable to the Guernsey Financial Services Commission) Regulations, 2022;
The Public Holidays (Coronation of His Majesty King Charles III) Regulations, 2022;
The Companies (Annual Validation) (Amendment) (No. 2) Regulations, 2022;
The Parochial Elections (School Committees) (Torteval) Regulations, 2023;
The Forfeiture of Money, etc. in Civil Proceedings (Bailiwick of Guernsey) (Amendment) Ordinance, 2022 (Commencement) Regulations, 2023;
The European Union (Sea Fisheries, etc.) (Brexit) (Bailiwick of Guernsey) (Amendment) Regulations, 2023**

The Bailiff: So, Greffier, can you mention next the legislation that is laid before the States, please.

2720

The States' Greffier: Yes, sir.

2725

2730

The following legislation is laid before the States: The Amalgamation and Migration of Companies (Fees payable to the Guernsey Financial Services Commission) (Amendment) Regulations, 2022; The Financial Services Commission (Limited Liability Partnerships) (Fees) Regulations, 2022; The Limited Partnerships (Fees) (Amendment) Regulations, 2022; The Limited Partnerships (Fees) (Amendment) Regulations, 2022; The Protected Cell Companies and Incorporated Cell Companies (Fees payable to the Guernsey Financial Services Commission) Regulations, 2022; The Public Holidays (Coronation of His Majesty King Charles III) Regulations, 2022; The Companies (Annual Validation) (Amendment) (No. 2) Regulations, 2022; The Parochial Elections (School Committees) (Torteval) Regulations, 2023; The Forfeiture of Money, etc. in Civil Proceedings (Bailiwick of Guernsey) (Amendment) Ordinance, 2022 (Commencement) Regulations, 2023; The European Union (Sea Fisheries, etc.) (Brexit) (Bailiwick of Guernsey) (Amendment) Regulations, 2023.

2735 **The Bailiff:** Well, Members of the States, we will simply note that all of those measures have been laid before this meeting of the States, I have not received any motions proposing that any of them be annulled.

The Bailiff: Next item please, Greffier.

POLICY & RESOURCES COMMITTEE

9. The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) Ordinance, 2023 – Approved

Article 9.

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) Ordinance, 2023", and to direct that the same shall have effect as an Ordinance of the States.

2740 **The States' Greffier:** Article 9, Policy & Resources Committee, the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) Ordinance, 2023.

The Bailiff: I invite Deputy Ferbrache to open debate.

2745 **Deputy Ferbrache:** Sir, hopefully it will be a short debate. I think the first two or three lines of the explanatory amendment memorandum say it all. The Ordinance purports to amend the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law 1999 by inserting a new Schedule which makes provision for a statutory minimum standards test for accountants.

2750 **The Bailiff:** As I do not see anyone rising to comment on this draft Ordinance at all, I think we can move straight to the vote as to whether you are minded to approve the draft Ordinance. And will you open the voting please, Greffier.

There was a recorded vote.

2755 Article 9.

Carried – Pour 31, Contre 0, Ne vote pas 0, Did not vote 4, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	None	None	Haskins, Sam	Gollop, John
Blin, Chris			Inder, Neil	Kazantseva-Miller, Sasha
Brouard, Al			Mahoney, David	Le Tocq, Jonathan
Burford, Yvonne			St Pier, Gavin	Roberts, Steve
Bury, Tina				Snowdon, Alexander
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Helyar, Mark				
Le Tissier, Chris				
Leadbeater, Marc				

Matthews, Aidan
McKenna, Liam
Meerveld, Carl
Moakes, Nick
Murray, Bob
Oliver, Victoria
Parkinson, Charles
Prow, Robert
Queripel, Lester
Roffey, Peter
Soulsby, Heidi
Taylor, Andrew
Trott, Lyndon
Vermeulen, Simon

2760 **The Bailiff:** In relation to the single Proposition, there voted in favour 31 Members; no Member voted against; no Member abstained. There were 9 Members, 5 who were absent and 4 others, who did not vote and so I will declare that duly carried.

COMMITTEE FOR HOME AFFAIRS

10. The Trading Standards (Fair Trading) (Guernsey) Ordinance, 2023 – Approved

Article 10.

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Trading Standards (Fair Trading) (Guernsey) Ordinance, 2023", and to direct that the same shall have effect as an Ordinance of the States.

The States' Greffier: Article 10, the Committee for Home Affairs, the Trading Standards (Fair Trading) (Guernsey) Ordinance, 2023.

2765 **The Bailiff:** I invite the President of the Committee for Home Affairs, Deputy Prow, to open debate.

Deputy Prow: Thank you, sir.

2770 The implementation of the Trading Standards (Fair Trading) (Guernsey) Ordinance, 2022 is in many ways overdue. The Ordinance was drafted following a Resolution from the last term in February 2016 and October 2017. And amongst other things it will provide rights and remedies relating to customer contracts and protection from unfair commercial practices.

2775 The Resolution and the legislation as drafted reflects the UK Fair Trading legislation but is also proportionate and fit for purpose for Guernsey in order to protect local consumers without imposing unnecessary burdens on business. But as we recover from the economic impacts of COVID and Brexit and prepare for a post-Brexit future based on access to other markets, the implementation of this Ordinance is now more timely and important than ever.

2780 Economic growth is critical to all successful communities and Guernsey is no different. Businesses that are able to thrive are also able to grow and this creates good employment. Where businesses are most able to thrive is in a competitive environment that is fair, fair to business and fair to consumers.

2785 So effective trading standards help to ensure that those markets are fair. They ensure that criminality, whether this is from unsafe goods or practices that disadvantage consumers, does not impact on the vast majority of businesses that want to comply with the Law. Trading Standards provides advice to those businesses that need it but are also equally important to consumers.

Consumers are able to access advice and information to assist them in avoiding or to resolve disputes with businesses when they buy products or services from them.

2790 Trading Standards has a role to play in creating a fair and competitive environment for businesses and in ensuring customers are fairly treated. So, in short, Trading Standards supports competitiveness.

Consultation has taken place at officer level in 2015 with the Guernsey Financial Services Commission to agree the scope of the Ordinance in relation to financial services and with the Guernsey Competition & Regulatory Authority (GCRA) to ensure that the Ordinance would operate, without prejudice, to GCRA exercising its authority under its own legislation.

2795 Despite changes in working practices and a move from advisory to regulatory action, the anticipated demands on the service are nevertheless expected to remain largely within the historical range of 20 to 25 fair trading cases and two to four weights and measures cases per month. The legislation enshrines current good practice in Law.

2800 There is no expectation that there will be a significant increase in the number of cases raised with the Trading Standards service, rather a change in response and the effectiveness that the service will be able to provide. This means that we can be confident and the Committee will ensure that there will be no requirement to grow the size or cost of the Trading Standards Service. Instead the Ordinance will support fair markets and fairness for consumers and will provide clear standards for businesses in the Island and will play its role in helping support economic growth.

2805 Thank you, sir.

The Bailiff: Deputy Soulsby.

Deputy Soulsby: Thank you, sir.

2810 Like Deputy Prow, I am delighted to see this Ordinance come to the States eventually. I think it goes further back than he said actually, the whole debate started 2016 in last-but-one States, because I laid an amendment to make sure particular offers for sale and price comparisons were taken into account so we avoided perpetual sales and comparisons with UK prices and fiddling round with VAT prices. So I am pleased it is here but it is disappointing it has taken quite so long.
2815 It is about eight years, but I have to say I am delighted that we have got it now because it is good for the public and bringing in that and the fair trading is really important so I am glad to see this today and will vote for it.

2820 **The Bailiff:** As I do not see any other Member rising, Deputy Prow, I am not sure there is anything that you really need to reply to there.

Deputy Prow: No, thank you, sir. I thank Deputy Soulsby for her support.
Thank you, sir.

2825 **The Bailiff:** Let's see how she votes! (*Laughter*) There is a single Proposition, Members of the States, whether you are minded to approve this draft Ordinance – lengthy draft Ordinance. Will you open the voting please, Greffier.

There was a recorded vote.

2830 *Article 10.*

Carried – Pour 34, Contre 0, Ne vote pas 0, Did not vote 1, Absent 5.

POUR

Aldwell, Sue
Blin, Chris
Brouard, Al
Burford, Yvonne

CONTRE

None

NE VOTE PAS

None

DID NOT VOTE

Mahoney, David

ABSENT

Gollop, John
Kazantseva-Miller, Sasha
Le Tocq, Jonathan
Roberts, Steve

Bury, Tina
Cameron, Andy
De Lisle, David
De Sausmarez, Lindsay
Dudley-Owen, Andrea
Dyke, John
Fairclough, Simon
Falla, Steve
Ferbrache, Peter
Gabriel, Adrian
Haskins, Sam
Helyar, Mark
Inder, Neil
Le Tissier, Chris
Leadbeater, Marc
Matthews, Aidan
McKenna, Liam
Meerveld, Carl
Moakes, Nick
Murray, Bob
Oliver, Victoria
Parkinson, Charles
Prow, Robert
Queripel, Lester
Roffey, Peter
Soulsby, Heidi
St Pier, Gavin
Taylor, Andrew
Trott, Lyndon
Vermeulen, Simon

Snowdon, Alexander

The Bailiff: In respect of this draft Ordinance Proposition, there voted in favour, 34 Members; no Member voted against, no Member abstained and the other 6 votes were those who did not vote so I will declare that Proposition duly carried and therefore the draft Ordinance is approved.

POLICY & RESOURCES COMMITTEE

11. Transfer of Fee Making Powers to the Guernsey Financial Services Commission – Propositions carried

Article 11.

The States are asked to decide:-

Whether, after consideration of the Policy Letter entitled 'Transfer of Fee-Making Powers to the Guernsey Financial Services Commission' submitted by the Policy & Resources Committee, they are of the opinion:

- 1. To approve the re-vesting of fee-making powers in the Guernsey Financial Services Commission.*
- 2. To direct the preparation of such legislation as may be necessary to give effect to the above decision.*

2835 **The States' Greffier:** Article 11, the Policy & Resources Committee, Transfer of Fee Making Powers to the Guernsey Financial Services Commission.

The Bailiff: I invite Deputy Helyar, who is going to open on behalf of the Committee as the Vice-President to open debate please.

2840

Deputy Helyar: Thank you, sir.

2845 Hopefully, again, this will be a relatively short debate. It is a binary choice for Members really: we either leave things the way they are at the moment with the Policy & Resources Committee signing the regulations which approve the fees which have been already set by the Commission itself and where it has gone out to industry to consult; or move that signing authority over to the Commission itself so the Commission would follow exactly the same process, go to industry with its proposals to raise fees, industry would say yes or no, as it has done recently, for example. The Commission went out to consultation looking for a 10% rise and industry said no in many areas so the compromise was landed at 8% and the Policy & Resources Committee then signed off on that and then that regulation in the normal constitutional process comes before the Assembly for its approval and at that point Members have the opportunity, if they wish to, to annul the regulation that has been made.

2850 Now advice has been received that with our forthcoming inspection from Moneyval the independence of the Commission is one of the things that will be in its list of things to tick or not to tick and for which we will either receive a good mark or a bad mark and this is one of those things which, in accordance with that approach, it would be sensible for us to change.

2860 Now it is a minor change so instead of Policy & Resources signing the regulation it would be the Commission. It does not remove the constitutional supremacy of the Assembly to refuse that regulation if it were signed by the Commission and it came before it. I think if it were in circumstances where the Commission sought to put fees up too high, I suspect Members of the Assembly would be strongly lobbied by industry and its organisations to ensure that common sense prevailed. So I would just ask Members to approve the proposals as they stand.

Thank you.

2865 **The Bailiff:** Deputy Inder.

Deputy Inder: Just briefly, sir.

2870 Economic Development has had a role in this in the past, we were written to by Policy & Resources and there was no descent from our Committee so our Committee, as far as I understand, fully supports that.

The Bailiff: Deputy Aldwell.

Deputy Aldwell: Thank you, sir.

2875 I have been described as risk adverse and that is probably true; I always appreciate a safety net, it gives me comfort. Last year we approved the Lending Credit and Finance Law 2022 and it affected small businesses who were agents for credit businesses. With a new Law, new fees were set up and became a requirement. Whether your business was selling a kitchen or a car, if your client needed to take out a credit agreement with a credit lending business a fee would need to be paid to the Guernsey Financial Services Commission. The original figure put forward included a registration fee, plus a yearly fee rising each year by RPI.

2880 There was a great deal of upset among the small businesses with the new fees proposed. P&R stepped in and new fees were considerably reduced and so agreed upon. I am all for the GFSC being independent, which they are in every other way, but I appreciate the safety net of P&R agreeing the fees, it gives me comfort.

Thank you, sir.

The Bailiff: Deputy Queripel.

2890 **Deputy Queripel:** Sir, I am struggling with this one. We are told in paragraph 1.3 the Commission has advised the Committee that the current position is likely to be viewed negatively by any external body examining the efficacy of the regulation of the financial sector. The

Commission has also advised the Committee that this arrangement could call into question the independence of the Commission from the States; but this was set in 2014, we are now in 2023.

2895 Paragraph 2.2, going back to 2014, the report was commissioned following recommendations made at the States' debate which highlighted concerns among policy makers and in the financial sector over recent growth in GFSC fees and raised concerns over the transparency of the GFSC's finances. So I am struggling to understand; those concerns surely still exist? I might be missing something somewhere along the line but I would just like Deputy Helyar to expand on that please
2900 when he replies.

We are told in paragraph 3.1 the Committee currently sets the Commission's fees through regulations made following an industry consultation undertaken by the Commission. So if it has been okay for the last few years why isn't okay now?

Thank you, sir.

2905

The Bailiff: Deputy Roffey.

Deputy Roffey: I welcome this. I see it as the completion of a process. I remember when the Guernsey Financial Services Commission was first set up and the President of the Advisory & Finance Committee actually used to chair the Commission and that was regarded as far too much political control and sometimes it is difficult for parliaments to give up. We like to control everything, but sometimes, and I think it is absolutely right ... In a way I would quite like P&R to still be able to do this but we will be looked at from outside, the independence of the Commission will be of really significant importance when Moneyval do their inspection and therefore just this extra layer of procedure of having P&R inserted is just not worth a candle for risking that.
2910
2915

Also I would just, maybe slightly tongue in cheek, say that in this particular Assembly to hear P&R saying they want to give up some of its power rather than take it upon themselves, (*Laughter*) I think we should be welcoming that!

2920 **The Bailiff:** Deputy St Pier.

Deputy St Pier: Sir, I think that is as good an introduction for me to give a contrary view because in this Assembly, for me to encourage P&R to retain power rather than give it up is perhaps not to be expected. However, as ever, perhaps just to give a little bit of the context because Deputy Roffey is right that perhaps originally there was too much political control by A&F and the President of A&F. But he has missed out the stage in between which was where the Financial Services Commission did have this regulatory making power. So they did sign off the regulations having consulted with P&R.
2925

So this policy letter takes us back to the future, back to the pre-2015 position and actually listening to Deputy Aldwell I was not quite sure which way she was going to end up voting on this because at the moment she has the comfort of P&R actually being the Committee that will sign off on the regulations or not sign off on them, and in the future P&R will only be consulted and the fees will be signed off by the Commission not by the Committee.
2930

So at the moment the position actually gives the constituency that she was speaking to in terms of small business greater reassurance than that which is now proposed by the Committee. Now Deputy Helyar, quite rightly, said if the Assembly does not like the regulations which have been put forward by the Commission then, of course, they will have the power to annul. However, I would submit that that is probably more theoretical than practical.
2935

If it has got to the point that the Commission have gone through a consultation with the industry, they have consulted with P&R and this Assembly then throws out those regulations and those fee increases we will be at a point of crisis; and this was very similar to the situation we did face in 2013 when the Assembly very nearly failed to approve the accounts of the Financial Services Commission, which would very likely have triggered the resignation of the Commissioners and a very real crisis and an unwelcome spotlight by regulators and those from outside the Island. And that was one of
2940

2945 the reasons why the Law was changed so that the regulations rested with P&R rather than with the Commission.

Now the argument which has been touched on that we have the Moneyval spotlight upon us in the next couple of years and this is, perhaps, an unwelcome loose thread; there are far more important issues and there are some longer loose threads that Moneyval will pull than perhaps this one. I do not think, with respect to Policy & Resources, that the case has been made out strongly enough that the position has changed sufficiently since 2014, since the Towers Report was commissioned and presented, since the States debated this and made the decision in 2014 followed by 2015 to amend the law then.

2955 So, circling back to where I began, sir, I stand at the opposite end to Deputy Roffey of encouraging P&R to retain this particular power, so I will not be supporting the Propositions for that reason, sir.

The Bailiff: Deputy Moakes.

2960 **Deputy Moakes:** Thank you, sir.

Some interesting views on this coming out, I would say to my good friend down here looking for a safety net, so to speak, that I think if you are looking for a safety net for protection then I would take P&R's advice on this particular policy letter; and if you had the chance and you have read through page 7 which includes a summary, you can actually see for yourself some of the very good reasons why P&R are proposing this.

2965 Let me read a couple out for you; I certainly will not read them all out because I am sure you have read them all.

4.1 Following consideration of a broad range of international standards, the Policy & Resources Committee has decided to recommend to the States of Deliberation that the Guernsey Financial Services Commission's ability to implement its own fees be reinstated.

4.2 The principle grounds for this decision are to ensure that the Commission can be clearly seen to be a credible, operationally independent regulator, complying with international norms as set out by the Basel Committee on Banking Supervision, the International Association of Insurance Supervisors and the International Organisation of Securities Commissions.

So I do not think they woke up one morning and thought this was a clever trick; it is being done for extremely good and extremely genuine reasons.

2970 We have spoken before about the importance, the absolute critical importance, of Moneyval to the Island. So I would strongly recommend that people do approve this and follow the advice of P&R.

Thank you.

2975 **The Bailiff:** Deputy Prow.

Deputy Prow: Thank you, sir.

I will be extremely brief. I completely endorse everything that Deputy Moakes has just said and he saved me the job. The independence of the GFSC must not be questioned at the time when we get evaluated by Moneyval.

2980 Thank you, sir.

The Bailiff: As no one else is rising I will turn back to the Vice-President, Deputy Helyar, to reply to that short debate.

2985 **Deputy Helyar:** Thank you, sir, and thank you to Members for their contribution.

Just to set the record straight for Deputy Queripel's benefit, P&R does not set the fees for the Commission; what happens is the Commission decides what it needs to charge and then it consults with industry and then those proposals come back to the Committee, the Committee takes a view

2990 on whether they are reasonable or not. So it is not the Committee setting it, it is the Committee
approving the proposals that come from the Commission; and in practice I suspect that will not
change because clearly any regulation has to come back through P&R in order to be submitted into
the Billet and so on and to be considered.

2995 Deputy St Pier raised the most important point I think, and it is a relevant point because it does
create potential constitutional lacuna where you have effectively an independent regulatory
authority signing off on a regulation which then subsequently may not be approved by the
government.

3000 In practical terms I do understand that and I do understand the circumstances in which that
almost happened last time. I think we do have quite, if I am being diplomatic, a significant change
of personnel involved in some of those relationships and responsibilities, and I do think these days
that that is less likely to happen. One of reasons being that we have a much closer working
relationship through Economic Development and P&R directly with the Commission, we meet with
them directly very regularly, the Commission is also represented on the Finance Sector Forum where
if there is any negative feedback to be given about fees it is given quite strongly and without
3005 anybody holding back.

So I certainly would say that the political arm is very much in touch with industry in terms of how
this process runs and whether the fees indeed are reasonable. I also think that the criticisms that
were levied in the Tower Report about the lack of transparency in the Commission's accounts, those
things have been corrected since that time and there is much more transparency in terms of the
3010 way things are done.

So, notwithstanding that objection I would commend this to Members that passing –
I will give way to Deputy Queripel.

Deputy Queripel: I thank Deputy Helyar for giving way.

3015 I am still struggling with this because if it has been considered to be appropriate and acceptable
for the last nine years, I ask the same question I asked earlier: what has changed that this is
considered to be not appropriate or acceptable now? I am struggling with that one, sir, that is why
asked for clarification.

Thank you.

3020

Deputy Helyar: Thank you for that and just to reiterate again, the Commission has advised and
we compare ourselves with other regulatory authorities, say for example in Jersey, where this is
done independently and in the UK where the Prudential Regulatory Authority and the SCA are able
to set their own fees subject to government consent.

3025 This is considered to be something that if we do not do will lead to a black mark against us in
the forthcoming evaluation and the reason that things have changed is because the inspection that
we are just about to go through is likely to be significantly more stringent than the previous
inspection we had from Moneyval and the one before that from the IMF, which I also took part in;
and we have seen the results of that in other jurisdictions such as Cayman, for example, being put
3030 on a grey list.

This inspection is going to be much more significant and stringent than in the past so we need
to make sure, I think, as a Government and as a jurisdiction, that we do everything we possibly can
to score the right number of points to get us through that process satisfactorily. So I would ask
Members to approve the Proposition.

3035 Thank you.

The Bailiff: Well, Members of States, both Propositions are interlinked so they are going to be
voted on together and I invite the Greffier to open the voting please.

There was a recorded vote.

3040

Carried – Pour 28, Contre 1, Ne vote pas 4, Did not vote 2, Absent 7.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Blin, Chris	St Pier, Gavin	Aldwell, Sue	Brouard, Al	Gollop, John
Bury, Tina		Burford, Yvonne	Mahoney, David	Kazantseva-Miller, Sasha
Cameron, Andy		Haskins, Sam		Le Tocq, Jonathan
De Lisle, David		Taylor, Andrew		Roberts, Steve
De Sausmarez, Lindsay				Snowdon, Alexander
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Helyar, Mark				
Inder, Neil				
Le Tissier, Chris				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				
Trott, Lyndon				
Vermeulen, Simon				

The Bailiff: The voting on the two Propositions is as follows, there voted in favour 28 Members; against, 1 Member; 4 Members abstained and 7 Members were absent at the time of the vote. Therefore, I will declare both Propositions carried.

ASSEMBLY & CONSTITUTION COMMITTEE

8. Statements and Questions – Rules 10-15 – Propositions carried

Article 8.

The States are asked to decide:-

Whether, after consideration of the policy letter entitled 'Statements and Questions' dated 9th January 2023, they are of the opinion:-

1. To amend Rule 10(2) to read:

"Any Member holding the office of President or member of a Committee who has tendered a resignation from that office who wishes to make a statement regarding that resignation may do so at the next Meeting after tendering the resignation or during the meeting at which a successor to the vacated office is to be elected:

a) at the time prescribed in Rule 9; or

b) at such other time as the Presiding Officer may direct.

Provided that the Member has supplied the Presiding Officer with the text of the statement in advance and that the statement shall not exceed 15 minutes in duration.

2. To amend Rule 10(3) to read:

"Any Member who has obtained permission from the Presiding Officer to make a statement on behalf of, and approved by, a Committee or otherwise relating to States' business which, in the opinion of the Presiding Officer, should be made may make that statement:

- a) at the time prescribed in Rule 9; or*
- b) at such other time as the Presiding Officer may direct.*

Provided that the Member has supplied the Presiding Officer with the text of the statement in advance and that the statement shall not exceed 15 minutes in duration (which may be extended at the discretion of the Presiding Officer in exceptional circumstances). In respect of (3) only, after the Member has made the statement, the Presiding Officer shall allow a period not exceeding 15 minutes (which period may be extended at the discretion of the Presiding Officer) for questions to be asked within the context of the statement.

3. To amend Rule 10(5) to read:

"Any statement made under the provisions of paragraph (4) shall not exceed 15 minutes in duration and shall be approved by the Committee. In respect of statements made under the provisions of paragraph (4) only, after the statement has been made, the Presiding Officer shall allow a period not exceeding 20 minutes (which period may be extended at the discretion of the Presiding Officer) for questions to be asked on any matter within the mandate of the Committee, or in the case of any statement made on behalf of the States of Alderney any matter for which the States of Alderney has responsibility, except any topic which is part of another item of business at the Meeting in question.

Provided that:

after any question asked further to a statement made under Rule 10, the Member to whom questions are addressed may decline to answer a question if, in his or her opinion, any answer given might be inaccurate or misleading but shall provide the answer to the said question in writing not later than five clear days (excluding Saturdays, Sundays and Public Holidays) following the date of the Meeting. Each individual question shall not exceed one minute in duration and the answer thereto shall not exceed one and a half minutes in duration."

4. To create a new Rule 10(5)(a) to read:

"A Member asking or replying to a question or a supplementary question who:

- (a) has a direct or special interest in the subject matter of the question; or*
- (b) is aware that his or her spouse, co-habiting partner, infant child or any company in which her or she has a controlling interest on his or her, or their, behalf has such an interest shall, without prejudice to the requirements of Rule 29, before he or she asks or replies to the question declare the said interest by disclosing it to the Meeting."*

5. To amend Rule 11(2)(c) to read as follows:

"shall not relate to the business of the day, with the exception of general update statements made during the meeting in question;"

6. To amend Rule 12(2)(d) to read as follows:

"shall not relate to the business of the day, with the exception of general update statements made during the meeting in question;"

7. To amend the first sentence of Rule 14(1) to read as follows:

"A Member may at any time place a question on any subject in accordance with this Rule for written reply by addressing the same to the President of a Committee and by furnishing a copy thereof to the Presiding Officer, His Majesty's Procureur, the States' Greffier and to the official postal or email address of the relevant Committee."

8. To amend Rule 14(3) to read as follows:

"The States' Greffier shall cause to be published within one working day, or as soon as possible thereafter, on the States' website and in such other form as he or she may determine, a copy of every question and of the reply thereto deposited in accordance with this Rule."

Deputy Meerveld: Yes, sir.

3050 **The Bailiff:** We will invite the Greffier to open the debate. I will, however, potentially be drawing a close to this matter by no later than 5.15 p.m.

The States' Greffier: Article 8, the States' Assembly & Constitution Committee, Statements and Questions – Rules 10-15.

3055 **The Bailiff:** I invite the President, Deputy Meerveld, to open debate.

Deputy Meerveld: Thank you, sir.

3060 This policy letter has taken on a new significance today. For quite a few months now we have been suffering from deferral of items from one agenda to the next from month to month but with the conclusion of this item, hopefully by 5.15 p.m. today, we will have caught up, we will be up to date. So I beg the indulgence of my Committee, I am not going to read out the prepared speech; instead I am going to take a leaf out of our abled Vice-President's book, Deputy Queripel.

3065 On the single occasion when he presented a policy letter in my absence he told the Assembly, 'I am sure all Members have read the paper and it is self explanatory and I hope that they will restrict their comments to it.'

This policy letter just covers Rules 10-15. As I said before, we will be taking suggestions for other Rules from Members that we will address in our next policy letter of this nature but in the meantime I put this on to Members to, hopefully, debate succinctly so that we can catch up with our workload and possibly even leave a little early.

3070 Thank you, sir.

The Bailiff: Deputy Roffey.

Deputy Roffey: I hope I will be equally brief. I support the vast majority of this.

3075 Proposition 3, on balance, I will be voting against, that is the one about extending the – I think I have got the right one anyway – length of the regular update statements from Committees from 10 minutes to 15 minutes. I am told that one of the reasons is that sometimes Presidents run out of time at the end of 10 minutes. Well, I make a prediction: sometimes Presidents will run out of time at the end of 15 minutes! (*Laughter*) (**A Member:** Hear, hear.) Sometimes we have more than
3080 one, sometimes we have two if things have been pushed back, sometimes we have three; the whole morning can sometimes go. I really like them, they are good and, great, that they are not taking on board any cutting down of the questioning time, I think that is excellent. I will not lose any sleep if this is extended to 15 minutes but my personal view is that the current rule of 10 minutes followed by 20 minutes is probably better than moving it to 15 minutes.

3085 **The Bailiff:** Deputy Dudley-Owen.

Deputy Dudley-Owen: I hear the groan. Just to respond to Deputy Roffey, given the broad, broad mandate that the Committee for Education, Sport & Culture have in respect of update
3090 statements we can probably do an update statement once every three months and still not satisfy people (**A Member:** Hear, hear.) asking questions of us, but there is such an interest in our mandates. So, I am quite happy with it, with the extended five minutes and I think that allows us to cover some topical items, things that arise that are of public interest and it is an opportunity for us to tell a little bit more of our story and the work that we have been doing. So I have no
3095 problem with the extension to five minutes on those particular statements and I will be voting for it.

I just wanted to mention to Members that I had actually been considering an amendment to be laid to this, and Deputy Queripel and I discussed this, and myself and Deputy Meerveld. It was

3100 around putting breaks in to our days because I think that it is actually physically really quite
arduous for some people within the Chamber to be sitting for very long periods of time without
any comfort breaks, without any opportunity to go and walk around. Many of us have got, not as
visible health issues and I think it is really unhealthy actually for us to have to be forced into a
position of sitting for this length of time. We would not have to do this in an office environment
but we do have to do this, so I think that it is something that I did not do because it was out of
3105 kilter with this particular policy letter but I do hope that that matter has been taken into
consideration.

I did consult with the Bailiff's office and also with the Greffe about how this could be done. I do
appreciate it is not as easy for them but actually in terms of our wellbeing and health issues, I do
think it is something that we should take into consideration. Every time one of us gets up and
3110 goes out we stand the chance of missing what has been said or even worse a vote, and certainly
from a public perspective the amount of criticism that Members have had of getting up at certain
times of the day and walking out, there is no judgement on those individuals, I do not know why
they are going but I can it is because they need a comfort break or they need to walk around and
it does happen to happen at a certain time of day. But certainly some of the criticism that has
3115 been levied at Members for walking out has been disproportionate and a little bit inhuman
actually.

So I just wanted to raise that as an issue and hope it will come back from the States' Assembly
& Constitution Committee.

3120 **Two Members:** Hear, hear!

The Bailiff: Deputy St Pier.

Deputy St Pier: Briefly, sir, I commend the Committee for this short and clear policy letter and
3125 their recommendations, in particular Proposition 5 which deals with questions which may be laid
under Rule 11. Sir, as currently drafted, it has not been possible for Members to pose questions to
those Committees who happen to be giving a routine statement and that therefore precludes
specific questions being asked of that Committee. Whilst there is, of course, the opportunity to
ask supplementary questions to the statement of anything across the mandate of the Committee,
3130 that does not give the same extent of opportunity to provide scrutiny to a Committee through the
question process. So it was an issue which I raised with the Committee and I am grateful that they
gave it their consideration and support but generally I think all the Propositions are very practical
and sensible and I will be endorsing them all, sir.

3135 **The Bailiff:** Deputy Matthews.

Deputy Matthews: Thank you, sir.

I think first of all I would like to second Deputy Dudley-Owen's suggestion of breaks
(**A Member:** Hear, hear.) which I think would be a very useful idea to try and incorporate in. I tend
3140 to just get up and leave when I think it is needed and I think people should feel free to do that as
long as they are able to listen in and come back in in time to make any votes.

But I would also like to put to the President that since this particular change includes a time
limit of 15 minutes for the President's statement, perhaps this might be, on reflection after this, a
good time to consider time limits for speeches and statements in general debate as some of the
3145 statements, especially I think during this session we have experienced some particularly long
speeches and I know that people listening in might think that it might be a good idea for us to
think about how SACC could provide some advice to Members about how the length of speeches
could be more concise in some circumstances.

Thank you.

3150

The Bailiff: As no other Member is rising, I will turn back to the President to reply to the relevant matters from debate please.

Deputy Meerveld: Thank you, sir.

3155 In responding to Deputy Roffey, I appreciate that he would prefer not to extend the statements. It was really a case of standardising it so that all statements were 15 minutes, it was not much beyond that.

3160 I thank Deputy Dudley-Owen and acknowledge her suggestions for a break, which I tend to support but I also thank her for not laying it as an amendment to this policy letter, because what we did not want to do was turn this into a free for all. But I would extend that invitation again: if any Members have got suggestions, like Deputy Matthews regarding times of speeches, send them in, we will send out an invitation in the not too near ... sorry distant, future! *(Laughter)* Freudian slip there! I will send out an invitation to Members to prompt them to give us feedback on the questions they want addressed but because of our lack of resources we will be, instead of doing chunk by chunk or section by section of the Rules in the policy letters, we will come back with one that directly address all of the Rules that Members believe should be addressed.

3165 Deputy St Pier, absolutely, it was an issue that Deputy St Pier raised. We looked at it and Rule 11 operates in a different way to questions after statements and therefore we have clarified the Rule for exactly that reason. I thank everybody for their input and encourage them to vote for the policy letter.

3170 Thank you, sir.

The Bailiff: Voting on Propositions of course, I got the impression that Proposition 3 should be taken discreetly. I am almost tempted just to run through them one at a time rather than batch them, but does anyone disagree that they would rather just have a handful of votes, so we will take one and two together, three discreetly and then four to eight?

Deputy Haskins, do you want to vote on something separately?

3180 **Deputy Haskins:** Yes, five please.

The Bailiff: Well, let us just take them all discreetly it is going to be quicker. Proposition 1 and will you open the voting please Greffier.

There was a recorded vote.

3185 *Proposition 1.*

Carried – Pour 31, Contre 0, Ne vote pas 0, Did not vote 4, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	None	None	Blin, Chris	Gollop, John
Burford, Yvonne			Brouard, Al	Kazantseva-Miller, Sasha
Bury, Tina			Mahoney, David	Le Tocq, Jonathan
Cameron, Andy			Parkinson, Charles	Roberts, Steve
De Lisle, David				Snowdon, Alexander
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Haskins, Sam				
Helyar, Mark				
Inder, Neil				
Le Tissier, Chris				
Leadbeater, Marc				

Matthews, Aidan
 McKenna, Liam
 Meerveld, Carl
 Moakes, Nick
 Murray, Bob
 Oliver, Victoria
 Prow, Robert
 Queripel, Lester
 Roffey, Peter
 Soulsby, Heidi
 St Pier, Gavin
 Taylor, Andrew
 Trott, Lyndon
 Vermeulen, Simon

The Bailiff: There voted in favour, 31 Members; no Member voted against; no Member abstained and there were 9 Members absent at the time of the vote. Therefore, I will declare Proposition 1 duly carried.

3190 Proposition 2 next please and will you open the voting please, Greffier.

There was a recorded vote.

Proposition 2.

Carried – Pour 31, Contre 0, Ne vote pas 0, Did not vote 4, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	None	None	Blin, Chris	Gollop, John
Burford, Yvonne			Brouard, Al	Kazantseva-Miller, Sasha
Bury, Tina			Mahoney, David	Le Tocq, Jonathan
Cameron, Andy			Parkinson, Charles	Roberts, Steve
De Lisle, David				Snowdon, Alexander
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Haskins, Sam				
Helyar, Mark				
Inder, Neil				
Le Tissier, Chris				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

3195 **The Bailiff:** There voted exactly the same, 31 in favour; no Member voted against and no Member abstained and I declare that duly carried.

Proposition 3 and will you open the voting please, Greffier.

There was a recorded vote.

3200 *Proposition 3.*
Carried – Pour 25, Contre 6, Ne vote pas 0, Did not vote 4, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Cameron, Andy	None	Blin, Chris	Gollop, John
Burford, Yvonne	Gabriel, Adrian		Brouard, Al	Kazantseva-Miller, Sasha
Bury, Tina	Inder, Neil		Mahoney, David	Le Tocq, Jonathan
De Lisle, David	Roffey, Peter		Parkinson, Charles	Roberts, Steve
De Sausmarez, Lindsay	Taylor, Andrew			Snowdon, Alexander
Dudley-Owen, Andrea	Vermeulen, Simon			
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Haskins, Sam				
Helyar, Mark				
Le Tissier, Chris				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Prow, Robert				
Queripel, Lester				
Soulsby, Heidi				
St Pier, Gavin				
Trott, Lyndon				

The Bailiff: There voted in favour, 25 Members and against, 6 Members; 9 Members did not take part in the voting and I will declare Proposition 3 duly carried.

Proposition 4 and will you open the voting please, Greffier.

3205 *There was a recorded vote.*

Proposition 4.
Carried – Pour 31, Contre 0, Ne vote pas 1, Did not vote 3, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	None	Haskins, Sam	Blin, Chris	Gollop, John
Burford, Yvonne			Brouard, Al	Kazantseva-Miller, Sasha
Bury, Tina			Mahoney, David	Le Tocq, Jonathan
Cameron, Andy				Roberts, Steve
De Lisle, David				Snowdon, Alexander
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Helyar, Mark				
Inder, Neil				
Le Tissier, Chris				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				

Murray, Bob
 Oliver, Victoria
 Parkinson, Charles
 Prow, Robert
 Queripel, Lester
 Roffey, Peter
 Soulsby, Heidi
 St Pier, Gavin
 Taylor, Andrew
 Trott, Lyndon
 Vermeulen, Simon

3210 **The Bailiff:** On Proposition 4 there voted in favour 31 Members; 1 Member abstained and 8 Members were absent. Therefore, I will declare Proposition 4 also carried.
 Proposition 5 on its own please and will you please open the voting, Greffier.

There was a recorded vote.

Proposition 5.

3215 *Carried – Pour 32, Contre 1, Ne vote pas 0, Did not vote 2, Absent 5.*

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Haskins, Sam	None	Brouard, Al	Gollop, John
Blin, Chris			Mahoney, David	Kazantseva-Miller, Sasha
Burford, Yvonne				Le Tocq, Jonathan
Bury, Tina				Roberts, Steve
Cameron, Andy				Snowdon, Alexander
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Helyar, Mark				
Inder, Neil				
Le Tissier, Chris				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

The Bailiff: In respect of Proposition 5 there voted in favour 32 Members; 1 Member voted against; and the other 7 Members did not participate. Therefore, I will declare that Proposition duly carried.

3220 Shall we just be wild now and go 6, 7 and 8 together? (**Several Members:** Pour!) Can we manage that, Greffier? And can we now open the voting, Greffier.

There was a recorded vote.

Propositions 6, 7 & 8.

Carried – Pour 33, Contre 0, Ne vote pas 0, Did not vote 2, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	None	None	Brouard, Al	Gollop, John
Blin, Chris			Mahoney, David	Kazantseva-Miller, Sasha
Burford, Yvonne				Le Tocq, Jonathan
Bury, Tina				Roberts, Steve
Cameron, Andy				Snowdon, Alexander
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Haskins, Sam				
Helyar, Mark				
Inder, Neil				
Le Tissier, Chris				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

3225 **The Bailiff:** In respect of Propositions 6-8 inclusive, there voted in favour 33 Members; no Members voted against; no Member abstained; and the other 7 Members did not participate. Therefore, I will declare all of those three Propositions duly carried, which means that all eight Propositions are duly carried and you will mark up your Rules of Procedure to show the changes before next time.

3230

POLICY & RESOURCES COMMITTEE

**12. Schedule for Future States' Business –
Propositions carried as amended**

Article 12.

The States are asked to decide:-

1. Whether, after consideration of the attached Schedule for Future States' Business, which sets out items for consideration at the Ordinary States Meeting on 26th April 2023, they are of the opinion to approve the Schedule; and,
2. For the purposes of this schedule only, to delete Rule 6(3)(c) of the Rules of Procedure of the States of Deliberation and their Committees and substitute therefore:
"(c) From the third day of the Meeting due to be held on 24th May 2023, until 9:30am on 20th June 2023 for the purposes only of considering any unfinished business arising out of the May sitting of the States.
(d) From 20th June until 9.30am on the following day."

The Bailiff: There is an amendment to the Propositions on the Schedule, which I am going to ask to be circulated before we call that, but this will be the last matter today.

3235 Now, Members, does everyone have a printed copy of Amendment 1? In which case, Greffier, can you call the item please.

The States' Greffier: Article 12, Policy & Resources Committee, Schedule for Future States' Business.

3240 **The Bailiff:** I invite the President of the Committee, Deputy Ferbrache, to open the debate.

Amendment (Can't find)

Deputy Ferbrache: Thank you, sir.

3245 And just regarding the amendment, this will replace the proposed what was otherwise Proposition 2 and the idea of this particular amendment, seconded by Deputy Helyar, is that we would have, if it was passed by the States, a normal States' meeting commencing on 21st June. So I commend the amendment to the Members.

3250 **The Bailiff:** Did you want to say anything about the Schedule?

Deputy Ferbrache: Well just the rest of the Schedule, sir, I am sure that everybody will endorse it and pass it unanimously.

3255 **The Bailiff:** Deputy Helyar, do you formally second the amendment?

Deputy Helyar: I do, sir.

The Bailiff: Is there any debate on the amendment to start with.

3260

Deputy Oliver: Can I just double check, so this is cancelling the meeting on the 20th and putting it on the 21st – just to be absolutely sure as I would hate to miss a States' Meeting? (Laughter)

The Bailiff: Deputy de Sausmarez.

3265

3270 **Deputy de Sausmarez:** I think I understand where Deputy Oliver’s confusion has come from because this was one of the victims, the casualties, when we rearranged a whole batch of States’ Meetings on the floor and I think originally there had been a Meeting that started on the 20th, the Tuesday; that then got cancelled and this is basically reinstating it but as a three-day Meeting not a four-day Meeting. So the only reason I am really rising, because I am sure Deputy Ferbrache would have been able to explain that, is to just confirm my hope that this is an ordinary, ordinary Meeting and it will be available for us to debate new items of business and not just left overs.

Thanks.

3275 **The Bailiff:** If nobody else wishes to speak on the amendment then I will invite Deputy Ferbrache to reply on the amendment.

3280 **Deputy Ferbrache:** Exactly, I am confirming Deputy de Sausmarez’s understanding that any business can be put into this Meeting.

The Bailiff: So we will have a vote first, Members, on Amendment 1, proposed by Deputy Ferbrache and seconded by Deputy Helyar, which would delete and replace Proposition 2 on the Schedule. Will you open the voting please, Greffier.

There was a recorded vote.

3285

Amendment 1.

Carried – Pour 31, Contre 3, Ne vote pas 0, Did not vote 1, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Dyke, John	None	Mahoney, David	Gollop, John
Blin, Chris	St Pier, Gavin			Kazantseva-Miller, Sasha
Brouard, Al	Taylor, Andrew			Le Tocq, Jonathan
Burford, Yvonne				Roberts, Steve
Bury, Tina				Snowdon, Alexander
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Haskins, Sam				
Helyar, Mark				
Inder, Neil				
Le Tissier, Chris				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				
Trott, Lyndon				
Vermeulen, Simon				

3290 **The Bailiff:** The voting in respect of Amendment 1, proposed by Deputy Ferbrache, seconded by Deputy Helyar, was there voted in favour 31 Members; against, 3 Members; the other 6 Members did not participate in the vote. So, I will declare that carried.

There are now the two Propositions, the second Proposition as substituted. Is there any debate on the two Propositions that are now before Members? Can I put both of those Propositions to you together? In that case, Greffier, will you now please open the voting on both Propositions please.

There was a recorded vote.

3295

Carried – Pour 34, Contre 0, Ne vote pas 0, Did not vote 1, Absent 5.

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	None	None	Mahoney, David	Gollop, John
Blin, Chris				Kazantseva-Miller, Sasha
Brouard, Al				Le Tocq, Jonathan
Burford, Yvonne				Roberts, Steve
Bury, Tina				Snowdon, Alexander
Cameron, Andy				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Haskins, Sam				
Helyar, Mark				
Inder, Neil				
Le Tissier, Chris				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

3300 **The Bailiff:** In respect of both Propositions there voted in favour 34 Members; no Member voted against; no Member abstained; the other 6 Members were absent at the vote. Therefore I declare both Propositions duly carried. You can amend your diaries accordingly but there will now be an Ordinary Meeting starting on 21st June.

That concludes the business and, as Deputy Meerveld commented, you have now caught up completely and we are ready to start afresh next time around with the business that is from the Schedule that you have just approved.

Greffier, if you will close the meeting for us please.

The Assembly adjourned at 4.57 p.m.