



**OFFICIAL REPORT**

**OF THE**

**STATES OF DELIBERATION**

**OF THE**

**ISLAND OF GUERNSEY**

**HANSARD**

**Royal Court House, Guernsey, Wednesday, 26th November 2014**

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**Absent at the Evocation**

Miss M. M. E. Pullum, Q.C. (H.M. Comptroller)  
Deputy M. J. Storey (*indisposé*); Deputy E. G. Bebb, (*absent de l'île*);  
Alderney Representative L. E. Jean (*relevé à 12h 15*);  
Alderney Representative R. N. Harvey (*relevé à 12h 15*)

## Business transacted

Evocation.....	1833
Convocation.....	1833
Welcome to students from La Mare de Carteret High School .....	1833
University of the Channel Islands – Statement by the Chief Minister.....	1833
<b>Questions for Oral Answer .....</b>	<b>1837</b>
Food and goods storage and supply – Risk assessment of warehouse closures in Guernsey and Jersey .....	1837
Customs post in Sark – Possibility of establishing .....	1838
<b>Billet d’État XXIV .....</b>	<b>1839</b>
Projets de Loi.....	1839
I. The Parochial Administration (Miscellaneous Amendments) Law, 2014 approved .....	1839
II. The Fire Services (Guernsey) (Amendment) Law, 2014 approved .....	1839
III. The Severe Disability Benefit and Carer’s Allowance (Guernsey) (Amendment) Law, 2014 withdrawn .....	1839
IV. The Supplementary Benefit (Guernsey) (Amendment) (No. 2) Law, 2014 approved.....	1841
Ordinances .....	1841
V. The Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2014 approved .....	1841
VI. The Health Service (Benefit) (Amendment) Ordinance, 2014 approved .....	1841
VII. The Long-Term Care Insurance (Guernsey) (Rates) Ordinance, 2014 approved.....	1842
VIII. The Supplementary Benefit (Implementation) (Amendment) (No. 2) Ordinance, 2014 approved .....	1842
IX. The Alderney (Application of Legislation) (Supplementary Benefit) (Amendment) (No. 2) Ordinance, 2014 approved.....	1843
X. The Severe Disability Benefit and Carer’s Allowance Ordinance, 2014 approved .....	1843
XI. The Tobacco Products (Guernsey) Ordinance, 2014 approved .....	1843
XII. The Income Tax (Guernsey) (Approval of Agreements with Cyprus, Turks and Caicos and Uruguay) Ordinance, 2014 approved .....	1844
Procedural – Billet d’État XXVII, Article III to be taken as next business .....	1844
<b>Billet d’État XXVII .....</b>	<b>1844</b>
III. Amendments to Criminal Justice Legislation in respect of Money Laundering and Terrorist Financing – Proposition carried.....	1844
Ordinances .....	1845
I. The Disclosure (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2014 approved .....	1845
II. The Terrorism and Crime (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2014 approved .....	1846
<b>Billet d’État XXIV .....</b>	<b>1846</b>
Statutory Instruments laid before the States .....	1846

The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 5) Regulations, 2014; The Social Insurance Business (Back to Work Benefits) (Amendment) Regulations, 2014 .....	1846
<b>Billet d'État XXVIII .....</b>	<b>1846</b>
I. Public Services Department – Election of new Minister – Procedure commenced.....	1846
<i>The Assembly adjourned at 10.12 a.m. and resumed at 10.19 a.m. ....</i>	<i>1847</i>
Public Services Department – Election procedure continued .....	1847
<i>The Assembly adjourned at 11.35 a.m. and resumed its sitting at 11.45 a.m. ....</i>	<i>1864</i>
Public Services Department – Election procedure continued – Deputy Ogier elected as Minister ...	1864
Procedural .....	1865
II. Commerce & Employment Department – Election of new member – Deputy Trott elected.....	1865
III. Scrutiny Committee – Election of new member – Deputy Green elected .....	1865
IV. Public Accounts Committee – Election of two new members – Deputies Domaille and Robert Jones elected .....	1866
<b>Billet d'État XXIX .....</b>	<b>1867</b>
Health & Social Services Department – Election of non-voting members – Dr R H Allsopp OBE and Dr A Christou elected .....	1867
<b>Billet d'État XXIV .....</b>	<b>1868</b>
XIII. Insurance Business (Bailiwick of Guernsey) Law 2002 – Proposed amendments – Propositions carried .....	1868
XIV. Double Taxation Agreement with the Republic of Cyprus – Proposition carried .....	1868
XV. Redeveloping the La Mare de Carteret Schools' site – Debate commenced.....	1869
<i>The Assembly adjourned at 12.30 p.m. and resumed its sitting at 2.30 p.m. ....</i>	<i>1875</i>
Redeveloping the La Mare de Carteret Schools' Site – Debate continued .....	1875
<i>The Assembly adjourned at 5.33 p.m. ....</i>	<i>1905</i>

# States of Deliberation

*The States met at 9.30 a.m.*

[THE DEPUTY BAILIFF *in the Chair*]

## PRAYERS

*The Greffier*

## EVOCATION

## CONVOCATION

**The Greffier:** To the Members of the States of the Island of Guernsey, I hereby give notice that a meeting of the States of Deliberation will be held at the Royal Court House on Wednesday, 26th November 2014 at 9.30 a.m. to consider the items contained in the Billets d'État XXIV, XXVII, XXVIII, and XXIX, which have been submitted for debate.

**The Deputy Bailiff:** Thank you, Greffier.

### Welcome to students from La Mare de Carteret High School

**The Deputy Bailiff:** Members of the States, you may have noticed that there are a number of young people in the Public Gallery. They are students at the La Mare de Carteret High School, and they are taking their opportunity to pay their annual visit as part of their learning about what happens in the States of Deliberation.

We welcome them, and it is, of course, pure coincidence that (*Laughter*) they happen to be here today rather than any other month.

### University of the Channel Islands – Statement by the Chief Minister

**The Deputy Bailiff:** The first matter that we will deal with, Members of the States, is a Statement by the Chief Minister on the University of the Channel Islands.

**The Chief Minister (Deputy Le Tocq):** Thank you, Mr Deputy Bailiff.

At the November 2013 States of Deliberation, this Assembly approved the Propositions and amendments in the Policy Council's States' Report entitled 'States Support for the concept of a Guernsey Based University of the Channel Islands'.

In accordance with the approval of the Resolutions, the Policy Council established a Liaison Group chaired by the Chief Minister and comprising the Deputy Chief Minister and the Ministers of relevant Departments.

The Liaison Group continues to act as an interface between the developers of the concept and the States, as well as exploring the practical and policy implications of the proposals on the population with particular regard to accommodation, employment and also the issue of contingency arrangements.

The Liaison Group performs two functions: firstly a reactive role in responding to and assisting the developers; and secondly a proactive role in terms of co-ordinating Departments' responses and activities.

The Liaison Group has met on five occasions to fulfil its roles and I responded at the September States to a number of questions from States' Members to give an update on progress.

It is important to remember that this is a private sector initiative which the States agreed in principle to facilitate. The private sector developer has informed us that they have made good progress with developing links with universities not just in Europe but further afield who would be interested in the opportunity. The developer has had less success as yet in securing either private sector or philanthropic sources of funding. Until such time as funding is secured then the likelihood of the University of the Channel Islands being established remains simply an aspiration. Members will need no reminding that the States made no commitment to invest taxpayers' funds.

Whilst monitoring progress the Policy Council has been made aware of the many competing demands on the Civil Service. As the urgency for this initiative has not been forthcoming due to the lack of private sector funding precious scarce staff resources have not been prioritised to complete the outstanding resolutions. Indeed, without greater sight of the final proposed model it is impossible for the Treasury & Resources Department at this stage to assess the financial risk to the States. The Policy Council has had to prioritise where resources are focused. It took the view that this would be an unproductive use of staff time.

Policy Council will continue to liaise with the private developer and monitor progress with this initiative. Policy Council will focus resources to progress this work stream at the appropriate time and I will give a further update in due course when there is something to report.

Finally I would like to reassure Members that this initiative should not stop other initiatives for the States' entities to develop opportunities with other Higher Education institutions – we have to assume business as usual and this project should not be seen as a reason to put anything on hold.

**The Deputy Bailiff:** Thank you, Chief Minister.  
Questions. Deputy Conder.

**Deputy Conder:** Thank you, sir.  
I thank the Chief Minister for his Statement.

Sir, in response to questions a couple of months ago, the Chief Minister did indicate but has not indicated today as the expectation was that the University would be open for business under a revised timing of September 2016. He has not mentioned that today, but if that still remains the case, and given that in our debate in November 2013, it was stated that the makeup of the University of the Channel Islands student population would be 60% from Europe and the UK, 20% worldwide and 20% from the Channel Islands. Could he advise when he would expect the first cohort of Guernsey A-level students to start to make application for entry to the University of the Channel Islands?

**The Deputy Bailiff:** Chief Minister to respond if he can.

**The Chief Minister:** No, I could not at this stage.

**Deputy Conder:** Given that it is still the intention to establish a University of the Channel Islands could the Chief Minister confirm that he is happy – would in due course be happy – to encourage Guernsey A-level students to apply to such an institution, and utilise Guernsey residents' taxes to pay tuition fees to an institution which itself would have no legal title to call itself a university, have met none of the criteria to be awarded the title university and would not be recognised as a university anywhere else in the world?

**The Deputy Bailiff:** Chief Minister.

**The Chief Minister:** Sir, there are a lot of things that Deputy Conder touches on there.

I will firstly just mention that I was interested, at a recent meeting I had with the Chief Minister of Gibraltar, to note that they have announced the establishment of the University of Gibraltar, and they are going ahead on very similar grounds to us, which was the primary motivator being the economic development.

So in terms of Guernsey students and the questions he asked, I think it is too early to say at what stage we could, or would, encourage Guernsey students to apply, because it is very likely that if this goes ahead it will start in a very small way on one or two faculties. And so it would be very limiting in terms of Guernsey students who wanted to study those particular subjects. Indeed, they may well be postgraduate subjects and faculties that begin.

So it is too early to say but I disagree with the implication of his question that we could not get recognition worldwide because the sorts of institutions who would be involved in helping us to establish the university and the faculties that we may see start here would be worldwide renowned, high quality institutions.

**The Deputy Bailiff:** Deputy Gollop.

**Deputy Gollop:** Yes, thank you, Mr Deputy Bailiff, sir.

95 The Chief Minister, in I think a carefully worded answer, possibly opened up a third option of maybe an existing university somewhere in the world with a creditable reputation establishing a university college in Guernsey offering perhaps one or two or three faculties – subjects appropriate to our life history and culture. Is that a possible option that the developers might be looking at, in conjunction with the Policy Council?

100 **The Chief Minister:** Sir, it is certainly possible, and in fact when I mentioned the University of Gibraltar, that is exactly what is happening in Gibraltar.

I am sure many Members will be aware that the way in which education and skills training is procured and delivered nowadays is very different to the way in which it was delivered years ago and as a result we could see a lot of things happening here in Guernsey with potential for our economic development that would never have been deemed possible years ago.

105 But I do not want to speculate here, I think I have given as much information as I can at this stage, and so I will leave it there, sir.

**The Deputy Bailiff:** Deputy Fallaize.

110 **Deputy Fallaize:** Thank you, sir.

There has been some speculation about the possibility of the States allocating land for use by the University of the Channel Islands, and in particular the possibility of using the Castel Hospital site. Is the Chief Minister able to advise Members whether any consideration has been given to the possible allocation of that site, please?

**The Deputy Bailiff:** Chief Minister.

120 **The Chief Minister:** As Deputy Fallaize said, this was speculation and there has been no formal approach or indeed any intention on that level.

**The Deputy Bailiff:** Deputy Sherbourne.

**Deputy Sherbourne:** Thank you, Deputy Bailiff.

125 Would the Chief Minister agree with me that since the Island already has well established links with up to five universities at present, that we should be pursuing links with them further as part of Education's tertiary proposals?

**The Deputy Bailiff:** Chief Minister.

130 **The Chief Minister:** I would absolutely agree with Deputy Sherbourne on that.

I think our primary concern must be for our local students and to find as many ways in which we can deliver choices for them that can be accessed in ways that make it as easy as possible for our students to reach degree level education.

135 As such this particular initiative will be complementary to that and not competing.

**The Deputy Bailiff:** Deputy De Lisle.

**Deputy De Lisle:** Yes, sir.

140 I wanted to ask whether the Policy Council will maintain a resource to examine many of the ramifications of introducing a university here independent of the developers and the work that they are doing?

**The Deputy Bailiff:** Chief Minister.

145 **The Chief Minister:** I am not sure if that was a question that I can answer at this stage.

But I think I alluded to the fact that whilst the ongoing private initiative takes place, and it is not taking any staff time from our, in terms of Policy Council or Commerce and Employment for example or indeed Education.

150 I think it is appropriate that we should keep all options open, but we have decided not to prioritise any more at this particular stage of staff resourcing to this initiative.

**The Deputy Bailiff:** Deputy Conder again.

**Deputy Conder:** Thank you, sir.

155 Could the Chief Minister give some indication when a decision will be made whether or not the University of the Channel Island, as proposed in the Billet of October 2013, is a viable option?

Would he agree with me that it has to be a distraction both in terms of attracting other institutions, established institutions to work with the current tertiary providers on the Island and to invest in developing on Island courses, in conjunction with established institutions?

160 So clearly until such time as there is clarity it will be difficult for current providers to establish courses and provision on the Island.

**The Deputy Bailiff:** Chief Minister, are you able to answer both of those questions, because I think there were two in there?

165

**The Chief Minister:** Yes. I am not really able to answer the first one, because I alluded to the fact that I cannot at this stage give a particular date. I made mention of the fact that obviously as a private initiative funding is the key a part to that. But it certainly continues to look hopeful, otherwise I would be reporting differently.

170

On the second matter, as I alluded to as well, I do not believe that this conflicts with proposals and plans and opportunities that currently exist, as I said in response to Deputy Sherbourne's question. I would encourage Education in conjunction with the other providers and the other opportunities that are emerging today to continue to work on that basis.

175

**The Deputy Bailiff:** Deputy Luxon.

**Deputy Luxon:** Thank you, Deputy Bailiff.

180 Would the Chief Minister agree with me that, on the basis that this proposal was brought to the States for consideration, it is in the States of Guernsey's best interest that we allow it to run its course – hopefully to a positive and successful conclusion, but nevertheless let it run its course – on the basis that it is not, in its existence, doing anything to detract from policies or activities that the States are pursuing, and of course, if any other States' Departments, whether Commerce & Employment or Education Department, or indeed third party proposers, come forward with any other ideas, there is plenty of room for them to enter the fray and possibly create a university in Guernsey at some time?

185

**The Deputy Bailiff:** Chief Minister.

**The Chief Minister:** I would absolutely agree with Deputy Luxon's statement.

190

**The Deputy Bailiff:** Deputy Lowe.

**Deputy Lowe:** Thank you, sir.

195 Does the Chief Minister believe that we perhaps should have put a completion date within the States' Report rather than let this run on and on and on, as the Island is rather small and could be putting off others who may consider wanting to come to the Island to see about a university? And just leaving this open without any closing date does not actually help our economy.

**The Deputy Bailiff:** Chief Minister.

200

**The Chief Minister:** I think it is easy to be wise after the event. It may have been prudent to do so. However, I do not think this needs to put off anyone and I would encourage Education and indeed others to continue with alternative plans, particularly for our local students, because this was never intended to be primarily focused on our local students.

205

**Deputy Conder:** Sir, it is not a question. It is remiss of me, I should have mentioned that I am a board member of Bournemouth University, for the record.

**The Deputy Bailiff:** Thank you, Deputy Conder.  
Deputy Brehaut.

210

**Deputy Brehaut:** Thank you.

It was clear from those behind the proposals that they sought the approval, if you like the sanction of the States. Will there come a point, if there are reputational issues at stake, that Guernsey could be tainted by association, and would the Chief Minister give an assurance that we would be proactive in that regard, if it



215 appeared that things were perhaps not as straight forward as everyone thought they were going to be at one stage?

Thank you.

220 **The Deputy Bailiff:** The Chief Minister to answer a composite question from Deputy Brehaut.

**The Chief Minister:** Sir, yes. I would first of all give my assurance that I will do my utmost and I know other Ministers will to make sure that that sort of situation does not occur, but I would underline the fact that the establishment of the University of Gibraltar in conjunction with other universities, and our own discussions with the Ministry of Justice indicate that there will not be a problem to proceed as was originally envisaged.

**The Deputy Bailiff:** No-one else is rising so that concludes the questions following the Chief Minister's Statement.

## Questions for Oral Answer

### POLICY COUNCIL

#### Food and goods storage and supply – Risk assessment of warehouse closures in Guernsey and Jersey

230 **The Deputy Bailiff:** And we turn now to Question Time.  
The Question is to be posed by Deputy Gollop to the Chief Minister. Deputy Gollop.

**Deputy Gollop:** This irritating Facebook! (*Interjections*)

Thank you, sir.

In error, in a way, I asked the Chief Minister in his capacity –

235 **The Deputy Bailiff:** Could you just pose your question please, Deputy Gollop.

**Deputy Gollop:** Yes. Has the Policy Council fully considered all the implications for food and goods storage and supply by a possible proposal by a well-known Channel Island retailer to close down much warehouse storage in Guernsey and the neighbouring Isle of Jersey, and will a transparent risk assessment of capacity for the Island be explored as soon as practical?

**The Deputy Bailiff:** Chief Minister to respond.

245 **The Chief Minister (Deputy Le Tocq):** Mr Deputy Bailiff, the Commerce & Employment Department has responsibility for periodically reviewing arrangements to ensure the security of the Island's food supplies against the effects of a short to medium term disruption to normal supply. I understand that the Department's latest review was concluded a few weeks prior to the Co-Op announcing the planned closure of its on-Island food warehousing facility which was, of course, a commercial decision over which neither the Policy Council, nor the Commerce & Employment Department has jurisdiction. At the time of making the announcement, the Co-Op stated publicly that it has robust contingency plans in place to cater for logistical supply problems arising from, for example, adverse weather conditions.

250 This risk has already been identified and is included in the Civil Contingencies Risk Register and is being monitored. The matter will be discussed at the Civil Contingencies Authority next meeting which will be held in January 2015. In the interim, I can confirm that the Civil Contingencies Authority, in conjunction with the Commerce and Employment Department, is currently in dialogue with the Co-Op to confirm the robustness of its planning.

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

**Deputy Gollop:** Yes, thank you, sir.

There was speculation raised at a recent meeting that an approach might be made to the States to indicate whether they would support a subsidy to a warehousing facility. Can the Chief Minister confirm whether any such dialogue has taken place, or will it take place?

**The Deputy Bailiff:** Chief Minister.

**The Chief Minister:** Sir, I believe any such questions should be directed to the Commerce & Employment Department and so I will not be answering them. (*Interjection and laughter*)

## HOME DEPARTMENT

### Customs post in Sark – Possibility of establishing

**The Deputy Bailiff:** There being no further supplementary questions, we will turn to the next Question, which is from Deputy Gollop to the Minister of the Home Department.  
So Deputy Gollop to pose his Question, please.

**Deputy Gollop:** Yes. In view of the apparently difficult times facing the Sark economy next year, would it be possible for the Home Department to partly or wholly fund a Customs and Immigration Border Agency post in Sark, especially given their partial contribution to Guernsey's global tourism offer, our insular economy, and transport-cultural links?

**The Deputy Bailiff:** Deputy Gillson, the Minister for the Home Department to reply.

**Deputy Gillson:** Mr Deputy Bailiff, Sark does not have the import and export legislation that exists elsewhere within the Bailiwick which is necessary to regulate the movement of people and goods.

Establishing a Customs post in Sark is therefore more than just a funding issue, which is why the officers of Guernsey Border Agency and the Home Department have held advisory meetings with the appropriate Sark authorities with whom this matter ultimately rests.

**The Deputy Bailiff:** Thank you, Deputy Gillson.  
Deputy Gollop, supplementary.

**Deputy Gollop:** Well, my question is: will that dialogue between the Guernsey authorities and the Sark authorities continue?

**The Deputy Bailiff:** Deputy Gillson.

**Deputy Gillson:** We will provide advice and guidance as long as the Sark authorities ask us to.

**The Deputy Bailiff:** Again as nobody else is rising, there are no further supplementaries, that concludes Question Time.

Can we move on now to the items of legislative business?

## Billet d'État XXIV

### PROJETS DE LOI

#### I. The Parochial Administration (Miscellaneous Amendments) Law, 2014 approved

*Article I.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Projet de Loi entitled 'The Parochial Administration (Miscellaneous Amendments) Law, 2014', and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.*

**The Greffier:** Projet de Loi, Billet d'État XXIV, Article I – The Parochial Administration (Miscellaneous Amendments) Law, 2014.

305 **The Deputy Bailiff:** Members of the States, you will find this draft Project de Loi at pages 1 to 6 inclusive in the brochure.

Is there any debate on this matter? In that case, I put the Proposition to you whether you are minded to approve the draft Project de Loi. Those in favour; those against.

310 *Members voted Pour.*

**The Deputy Bailiff:** I declare the Projet duly approved and the Proposition carried.

#### II. The Fire Services (Guernsey) (Amendment) Law, 2014 approved

*Article II.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Projet de Loi entitled 'The Fire Services (Guernsey) (Amendment) Law, 2014', and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.*

315 **The Greffier:** Article II – The Fire Services (Guernsey) (Amendments) Law, 2014.

**The Deputy Bailiff:** Again, this draft Projet de Loi is found at pages 6 to 16 inclusive in the brochure.

Is there any debate on this draft Projet? In that case, I will put the Proposition to you whether you are minded to approve the draft Projet de Loi. Those in favour; those against.

320 *Members voted Pour.*

**The Deputy Bailiff:** I declare that duly carried and the Projet passed.

#### III. The Severe Disability Benefit and Carer's Allowance (Guernsey) (Amendment) Law, 2014 withdrawn

*Article III.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Projet de Loi entitled 'The Severe Disability Benefit and Carer's Allowance (Guernsey) (Amendment) Law, 2014', and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.*

325 **The Greffier:** Article III – The Severe Disability Benefit and Carer's Allowance (Guernsey) (Amendment) Law, 2014.

**The Deputy Bailiff:** Deputy Langlois.

*Motion to withdraw*

*To withdraw the proposition seeking approval of the Severe Disability Benefit and Carer's Allowance (Guernsey) (Amendment) Law, 2014, as set out on page 2503 of the Billet d'État*

330 **Deputy Langlois:** Sir, I wish to place a motion to withdraw this item.

**The Deputy Bailiff:** Yes.

**Deputy Langlois:** Do I speak now?

335

**The Deputy Bailiff:** Please do.

**Deputy Langlois:** Thank you.

340 Sir, I wish to lay on behalf of the Social Security a motion to withdraw Article III. This motion is seconded by the Deputy Minister of the Department, Deputy James.

345 Copies of the motion have been circulated by e-mail to all States' Members in advance of the meeting, and Article III is in fact a draft *Projet de Loi* entitled something very long and complicated, which I will not repeat at this stage. It amends section 9 of the Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984. The amendment actually widens the powers of the Social Security Department to define by regulation the circumstances in which allowances shall not be payable, to include where persons are provided with certain accommodation or care services in prescribed premises or locations.

350 The draft *Projet* was prepared in order to implement Proposition 29 of the Social Security Department's Report regarding Benefit and Contributions Rates for 2015 that was debated last month. The States considered the Department's Report on 12th November and approved all of the Propositions in the Report with the exception of Proposition 29 which was substituted with an alternative wording proposed by Deputy Wilkie by amendment and accepted by the Department.

355 The effect of Deputy Wilkie's successful amendment is to require the Social Security Department to bring the results of the review that it intends to carry out into the appropriateness of paying severe disability benefit to persons accommodated in Extra Care Housing, where accommodation and/or care services are funded wholly or partly out of public funds. That was as proposed in paragraph 222 of the Department's Report, before the States of Deliberation for debate by no later than 31st October 2015 before implementing any change.

360 By approving Deputy Wilkie's amendment, the States of Deliberation decided that the Severe Disability and Carer's Allowance (Guernsey) Law, 1984 should not be amended in advance of the review, and so Article III needs to be withdrawn.

The most important part of this message, amid getting all of that on record, is that the Department believes that nobody will be disadvantaged in the current year as a result of deferring the legislation, and therefore I would ask you to approve this motion to withdraw.

365 **The Deputy Bailiff:** Deputy James, do you formally second the motion to withdraw?

**Deputy James:** I do, sir, thank you.

370 **The Deputy Bailiff:** Members of the States, I remind you that Rule 13(11), on a motion to withdraw, debate shall be limited strictly to the motion and no issues relating to the Article or Proposition shall be debated until the motion to withdraw has been voted upon. So this is not an opportunity to debate the draft *Projet*.

Does anyone wish to speak in debate? Deputy Wilkie.

375 **Deputy Wilkie:** Just to say, sir, as the mover of the original amendment, I fully support this one.

**The Deputy Bailiff:** Thank you.

Anyone else?

380 Deputy Langlois, I doubt that there is any need for you to reply to that, but technically you would be entitled to.

**Deputy Langlois:** I could sum up on Deputy Wilkie's speech, but it probably would be pointless.

385 **The Deputy Bailiff:** Well, Members of the States, this is a motion to withdraw pursuant to Rule 13(11), to withdraw the Proposition seeking approval of the Severe Disability Benefit and Carer's Allowance

(Guernsey) (Amendment) Law, 2014, as set out on page 2503 of the Billet d'État. Those in favour; those against.

*Members voted Pour.*

**The Deputy Bailiff:** I declare the motion duly carried, and therefore Article III is duly withdrawn.

#### **IV. The Supplementary Benefit (Guernsey) (Amendment) (No. 2) Law, 2014 approved**

*Article IV.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Ordinance entitled 'The Supplementary Benefit (Guernsey) (Amendment) (No. 2) Law, 2014', and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.*

**The Greffier:** Article IV – The Supplementary Benefit (Guernsey) (Amendment) (No. 2) Law, 2014.

**The Deputy Bailiff:** Members of the States, you will find this draft Projet de Loi at pages 19 to 21 inclusive in the brochure.

Is there any debate on this measure? In that case, I will put to you the Proposition as to whether to approve the draft Projet de Loi or not. Those in favour; those against.

*Members voted Pour.*

**The Deputy Bailiff:** I declare the Law duly made and carried.

### **ORDINANCES**

#### **V. The Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2014 approved**

*Article V.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Ordinance entitled 'The Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance, 2014', and to direct that the same shall have effect as an Ordinance of the States.*

**The Greffier:** Ordinances. Billet d'État XXIV, Article V – The Social Insurance (Rates of Contributions and Benefits, etc.) Ordinance 2014.

**The Deputy Bailiff:** Members of the States, this draft Ordinance is at pages 22 to 30 inclusive in the brochure.

Is there any debate on this draft measure? In that case I will put to you the Proposition as to whether you are minded to approve the draft Ordinance. Those in favour; those against.

*Members voted Pour.*

**The Deputy Bailiff:** I declare the Ordinance duly made.

#### **VI. The Health Service (Benefit) (Amendment) Ordinance, 2014 approved**

*Article VI.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Ordinance entitled 'The Health Service (Benefit) (Amendment) Ordinance, 2014', and to direct that the same shall have effect as an Ordinance of the States.*

415 **The Greffier:** Article VI – The Health Service (Benefit) (Amendment) Ordinance, 2014.

**The Deputy Bailiff:** Members of the States, this draft Ordinance is at pages 31 to 33 in the brochure.  
Is there any debate on the draft Ordinance? Again, I will move straight to the Proposition whether you  
are minded to approve it. Those in favour; those against.

420 *Members voted Pour.*

**The Deputy Bailiff:** I declare the Proposition duly carried and the Ordinance made.

## **VII. The Long-Term Care Insurance (Guernsey) (Rates) Ordinance, 2014 approved**

*Article VII.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Ordinance entitled ‘The Long-Term Care Insurance (Guernsey) (Rates) Ordinance, 2014’, and to direct that the same shall have effect as an Ordinance of the States.*

425 **The Greffier:** Article VII – The Long Term Care Insurance (Guernsey) (Rates) Ordinance, 2014.

**The Deputy Bailiff:** Members of the States, this draft Ordinance is at pages 34 to 37 of the brochure.  
Is there any debate? No. I will now put to you the Proposition whether you are minded to approve the  
draft Ordinance. Those in favour; those against.

430 *Members voted Pour.*

**The Deputy Bailiff:** I declare the Proposition carried, and the Ordinance made.

## **VIII. The Supplementary Benefit (Implementation) (Amendment) (No. 2) Ordinance, 2014 approved**

*Article VIII.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Ordinance entitled ‘The Supplementary Benefit (Implementation) (Amendment) (No. 2) Ordinance, 2014’, and to direct that the same shall have effect as an Ordinance of the States.*

435 **The Greffier:** Article VIII – The Supplementary Benefit (Implementation) (Amendment) (No. 2) Ordinance, 2014.

**The Deputy Bailiff:** Members of the States, this draft Ordinance is at pages 38 to 42 inclusive in the brochure.

440 Once again is there any debate? In that case we move straight to the Proposition whether you are minded to approve the draft Ordinance. Those in favour; those against.

*Members voted Pour.*

445 **The Deputy Bailiff:** I declare the Proposition duly carried and the Ordinance made.

**IX. The Alderney (Application of Legislation) (Supplementary Benefit) (Amendment) (No. 2) Ordinance, 2014 approved**

*Article IX.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Ordinance entitled 'The Alderney (Application of Legislation) (Supplementary Benefit) (Amendment) (No. 2) Ordinance, 2014', and to direct that the same shall have effect as an Ordinance of the States.*

**The Greffier:** Article IX – The Alderney (Application of Legislation) (Supplementary Benefit) (Amendment) (No. 2) Ordinance, 2014.

450 **The Deputy Bailiff:** Members of the States, this short Ordinance is at page 43 in the brochure. Once again any debate? Okay. So those in favour of the draft Ordinance; those against.

*Members voted Pour.*

455 **The Deputy Bailiff:** I declare the draft Ordinance duly made and the Proposition carried.

**X. The Severe Disability Benefit and Carer's Allowance Ordinance, 2014 approved**

*Article X.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Ordinance entitled 'The Severe Disability Benefit and Carer's Allowance Ordinance, 2014', and to direct that the same shall have effect as an Ordinance of the States.*

**The Greffier:** Article X – The Severe Disability Benefit and Carer's Allowance Ordinance, 2014.

460 **The Deputy Bailiff:** Members of the States, this draft Ordinance is at pages 44 and 45 of the brochure. Is there any debate on this measure? No. In that case, those in favour of approving it; those against.

*Members voted Pour.*

465 **The Deputy Bailiff:** I declare the Proposition duly carried and the Ordinance made.

**XI. The Tobacco Products (Guernsey) Ordinance, 2014 approved**

*Article XI.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Ordinance entitled 'The Tobacco Products (Guernsey) Ordinance, 2014', and to direct that the same shall have effect as an Ordinance of the States.*

**The Greffier:** Article XI – The Tobacco Products (Guernsey) Ordinance, 2014.

470 **The Deputy Bailiff:** Members of the States, this draft Ordinance is at pages 46 to 121 inclusive. Is there any debate on this draft Ordinance? In that case we will move straight to the vote. Those in favour of the draft Ordinance; those against.

*Members voted Pour.*

475 **The Deputy Bailiff:** I declare the Proposition carried and the draft Ordinance duly made.

**XII. The Income Tax (Guernsey) (Approval of Agreements with Cyprus, Turks and Caicos and Uruguay) Ordinance, 2014 approved**

*Article XII.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Ordinance entitled 'The Income Tax (Guernsey) (Approval of Agreements with Cyprus, Turks and Caicos and Uruguay) Ordinance, 2014', and to direct that the same shall have effect as an Ordinance of the States.*

**The Greffier:** Article XII – The Income Tax (Guernsey) (Approval of Agreements with Cyprus, Turks and Caicos and Uruguay) Ordinance, 2014.

480 **The Deputy Bailiff:** Members of the States, this draft Ordinance is the final two pages in the first brochure, pages 122 and 123.

Is there any debate on this matter? In that case, I will move straight to the vote. Those in favour of the draft Ordinance; those against.

485 *Members voted Pour.*

**The Deputy Bailiff:** I declare the Proposition duly carried, and the Ordinance made.

**Procedural –**

**Billet d'État XXVII, Article III to be taken as next business**

490 **The Deputy Bailiff:** Members of the States, we have two further draft Ordinances to consider but there is a Report from the Home Department, which is Article III of Billet d'État No. XXVII. It strikes me that it would make more sense for the States to conclude its legislative business at this stage. So I am minded to move the motion that we should deal with Article III, the short Report accompanying those two draft Ordinances to allow all the legislative business to be concluded at this stage, taking Article III effectively out of order. Those in favour; those against.

495 *Members voted Pour.*

**The Deputy Bailiff:** I am very grateful, thank you very much.

## Billet d'État XXVII

### HOME DEPARTMENT

**III. Amendments to Criminal Justice Legislation in respect of  
Money Laundering and Terrorist Financing –  
Proposition carried**

*Article III.*

*The States are asked to decide:*

*Whether, after consideration of the Report dated 27th October, 2014, of the Home Department, they are of the opinion to approve amendments to 'The Disclosure (Bailiwick of Guernsey) Law, 2007', and 'The Terrorism and Crime (Bailiwick of Guernsey) Law, 2002', in order to require reports of suspicion to be made as soon as possible.*

500 **The Deputy Bailiff:** So, Deputy Gillson, the Minister of the Home Department – well, we will call the Article first and then I will call Deputy Gillson.  
Greffier.



**The Greffier:** Amendments to Criminal Justice Legislation in respect of Money Laundering and Terrorist Financing.

505 **The Deputy Bailiff:** Deputy Gillson, the Minister of the Home Department to open debate on this Article.

**Deputy Gillson:** Thank you, sir, and thank you to this Assembly for taking this out of order.

510 A very simple Report – very simply, it is just a technical change to the law as a result of the Moneyval Review with it changing in a few places the word ‘promptly’ to ‘as soon as possible’ in relation to the disclosure of information.

**The Deputy Bailiff:** Is there any debate on this matter?  
Deputy Gollop. (*Laughter*)

515

**Deputy Gollop:** I just want to tell, in the absence of Deputy Jones who might speak, that we spent half an hour discussing the difference of meaning between the two words, as the Legislation Select Committee had to be involved in processing. I asked numerous questions as to the dictionary definition, but I think in material terms it will not make much difference to the correct application of law.

520

**The Deputy Bailiff:** Anyone else wishing to speak?  
Deputy Gillson, do you wish to exercise your right to reply (*Laughter*) to Deputy Gollop’s contribution?

**Deputy Gillson:** I am glad the Legislation Select Committee take their job seriously. (*Laughter*)

525

**The Deputy Bailiff:** Well Members of the States there is a single Proposition, which you will find at page 2927 in the Billet: whether you are of the opinion to approve amendments to two principal Laws in order to require reports of suspicion to be made as soon as possible. Those in favour; those against.

530

*Members voted Pour.*

**The Deputy Bailiff:** I declare the Proposition duly carried.

## ORDINANCES

### I. The Disclosure (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2014 approved

*Article I.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Ordinance entitled ‘The Disclosure (Bailiwick Of Guernsey) (Amendment) (No. 2) Ordinance, 2014’, and to direct that the same shall have effect as an Ordinance of the States.*

**The Deputy Bailiff:** We will now return, Greffier, to Articles I and II in Billet d’État No. XXVII, please.

535

**The Greffier:** The Disclosure (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2014.

**The Deputy Bailiff:** Members of the States, this draft Ordinance is at pages 1 and 2 in the slim supplementary brochure that has been circulated with Billet d’État XXVII.

540

Is there any debate on this draft Ordinance? No. In that case I will put to you the Proposition as to whether you are minded to approve it. Those in favour; those against

*Members voted Pour.*

545

**The Deputy Bailiff:** I declare the Proposition duly carried and the Ordinance made.

**II. The Terrorism and Crime (Bailiwick of Guernsey)  
(Amendment) (No. 2) Ordinance, 2014 approved**

*Article II.*

*The States are asked to decide:*

*Whether they are of the opinion to approve the draft Ordinance entitled “The Terrorism and Crime (Bailiwick Of Guernsey) (Amendment) (No. 2) Ordinance, 2014”, and to direct that the same shall have effect as an Ordinance of the States.*

**The Greffier:** The Terrorism and Crime (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2014.

550 **The Deputy Bailiff:** Members of the States, a very similar draft Ordinance at pages 3 and 4 in the slim supplementary brochure.

Any debate? In that case, I put to you whether you are minded to approve it. All those in favour; anyone against.

555 *Members voted Pour.*

**The Deputy Bailiff:** I declare the Proposition carried and the draft Ordinance duly made.

## Billet d’État XXIV

### STATUTORY INSTRUMENTS LAID BEFORE THE STATES

**The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit)  
(Amendment No. 5) Regulations, 2014;**

**The Social Insurance Business (Back to Work Benefits) (Amendment) Regulations, 2014**

560 **The Greffier:** Statutory Instruments laid before the States – the Health Services (Benefit) (Limited List) Pharmaceutical Benefit) (Amendment No. 5) Regulations, 2014 and the Social Insurance Business (Back to Work Benefits) (Amendment) Regulations, 2014.

**The Deputy Bailiff:** Thank you very much, Greffier.

565 We will note that those two Statutory Instruments have been laid before this meeting and that there are no motions to annul.

## Billet d’État XXVIII

### PUBLIC SERVICES DEPARTMENT

**I. Public Services Department – Election of new Minister –  
Procedure commenced**

*Article I.*

*The States are asked:*

*To elect a sitting Member of the States as Minister of the Public Services Department to complete the unexpired portion of the term of office of Deputy P.A. Luxon, who has been elected to the office of Minister of the Health and Social Services Department, namely to serve until May 2016 in accordance with Rule 7 of the Constitution and Operation of States Departments and Committees.*

**The Greffier:** Billet XXVIII, Article I – Public Services Department – election of new Minister.

**The Deputy Bailiff:** Members of the States, you have some familiarity with the process these days for the election of a Minister. *(Laughter)*

570 In accordance with Rule 20(4), the first thing that I am required to do is to invite the Chief Minister and thereafter other Members to propose eligible candidates and nobody will speak about a candidate at that stage.

So that is what I am going to do first. Chief Minister.

575 **The Chief Minister (Deputy Le Tocq):** Sir, I would like to nominate Deputy Scott Ogier.

**The Deputy Bailiff:** Is that nomination seconded?

**Deputy Luxon:** Yes, sir.

580

**The Deputy Bailiff:** Thank you very much, Deputy Luxon.

Now, Members of the States, are there are other candidates being nominated?

Deputy St Pier.

585 **Deputy St Pier:** Sir, I would like to nominate Deputy Darren Duquemin.

**Deputy Harwood:** Sir, I am happy to second that.

**The Deputy Bailiff:** Thank you Deputy Harwood.

590

I do not see anyone else rising. We have therefore the two candidates for the election to the office of Minister of the Public Services Department.

Before we start with the next part of the process, which is for the two candidates to speak for not more than five minutes, and thereafter for there to be a period of questioning of the candidates for up to one hour, we will adjourn briefly so that we can reconfigure so that you can see both of the candidates, by them sitting up on the Bench here and the Chief Minister and the Ministers will join the remaining Members down in the well of the room.

595

So I will just rise briefly until we are back in place.

*The Assembly adjourned at 10.12 a.m.  
and resumed at 10.19 a.m.*

#### **Public Services Department – Election procedure continued**

600 **The Deputy Bailiff:** Members of the States, before we get into the election process proper, if the temperature is going to rise I will give permission for those who wish to do so to remove their jackets.

Now, the process that we follow is the same as previous elections prescribed by Rule 20(4), and that is I will invite Deputy Ogier to speak for up to five minutes first, then Deputy Duquemin, then we will open the one hour of questions, but as you are familiar with, it will be alternating first answers from people who pose their questions. And in the first instance, once a Member has asked a question they will not be permitted to ask a second question until such time as every Member who wishes to ask a question has had the opportunity to pose one question.

605

So therefore I invite Deputy Ogier to address the Assembly.

**Deputy Ogier:** Thank you, sir.

610

Elected to the States in 2004, I joined PSD in 2005, serving under the late Bill Bell, and was re-elected in 2008 and re-elected again in 2012. Six years as Deputy Minister and almost a decade on the Department gives me a unique perspective and in depth knowledge of PSD and its workings.

As many of you know who have recently experienced the first part of a political term is often spent developing policy and achieving political agreement and buy-in, and the latter part implementing the policy.

615

PSD is no different and in the latter half of this term we need to complete the installation of the Waste Strategy, something I am perhaps uniquely qualified to oversee, as well as the Hydrocarbons Project, Long Sea Outfall Project, Alderney Airport Project, and St Peter Port Harbour redevelopment. My long experience in PSD and familiarity with these projects will be essential during their implementation.

My Policy Council experience will hold me in good stead, executing the role of Minister in recent weeks I have handled issues as diverse as the Petit Bot stream, Harbour costings, Alderney Airport grass runways. I have given a talk to the Landlord Associations. I have met with the Policy Council's Alderney Liaison Group. I have answered questions on the Harbours for the Chamber of Commerce, publicising recycling figures as well as taking and handling the normal queries on roads, potholes, drains, douits, which come in on a regular basis.

As well as that, I have over the years attended numerous Policy Council meetings, presenting States' Reports to both Policy Council and both Treasury & Resources Departments, and have been the political lead on projects going through gateway reviews, attending answering questions and explaining projects.

I served on the Public Sector Remuneration Committee, which of course is now under the new Policy Council mandate, I was on the Policy Council's Energy Sub-Group for six years, and through the Policy Council we brought two energy policies to this Assembly.

I have been on the External Transport Group for four years meeting up with Jersey counterparts to discuss sea and air links and liaising with Commerce & Employment over local transport issues.

My formal board room and governance training, combined with my common sense approach, leadership experience, both in and out of Government and Policy Council experience will assist the Policy Council in the execution of its mandate.

In the last term I was Chairman of the Waste Disposal Authority which led to the successful development of the current Waste Strategy through one of the most thorough and successful consultations undertaken by the States.

I currently chair the Harbour Refurbishment Project Board, for berths 4, 5 and 6, a project soon to complete on time and on budget.

I also chair the Airport Refurbishment Board, details of which are shortly to come before the States.

But my experience is also broad as well as long, and at the end of the last term I sat on Education Department, as well as the Social Security Department, as well as the Public Sector Remuneration Committee whilst being Deputy Minister of Public Services Department. A very heavy work load.

My attendance was consistently amongst the top five in this Assembly.

Having served on nearly half the States' Committees since 2004, I have 10 years' experience in bringing policy to this Chamber, and making the arguments, persuading, achieving buy-in. I have a history of delivering.

The last Assembly put me on to Education when it collapsed, and on to the Public Sector Remuneration Committee to help rebuild it after the Members resigned.

I was part of the team which brought forward liquid waste policies, solid waste policies, the PAC review into the clinical block, the Social Security pension puzzle, and the Social Security Supplementary Benefit Review, to mention just a few.

I have developed and brought forward proposals to strengthen the old age pension, as well as voted to build two new schools and hospital blocks, and having a financial background and also used to taking strategic asset allocation decisions on the £700 million pension fund. So I am a doer, I do things, I have done things.

I have also not done things. As well as knowing when to spend, and how to save and invest, I am also used to deciding when not to spend – when the Island does not need to spend, say, £100 million on a liquid waste strategy when there is no scientific evidence to make a case.

When replacing a Minister at this point in a term you are looking for experience, track record, and continuity, and I represent all three.

Those of you who know me know I have not gone out of my way to seek high political office. I do not crave a Ministerial position for the sake of personal ambition, but I recognise where and when my skills are needed. The timing is good, as my wife recently decided to work from home, freeing up a great deal of my time, and leaving me, as some of you will already know, seeking a new challenge.

As well as my Policy Council experience I am uniquely qualified to lead PSD through the remaining 17 months of this term, and I have the time, the energy, and the enthusiasm to do it.

**The Deputy Bailiff:** Thank you, Deputy Ogier.  
Deputy Duquemin to address the Assembly.

**Deputy Duquemin:** Thank you, sir.

The last time I got to my feet to ask people to vote for me was in April 2012, at the hustings before the Deputies election, when I told my Castel neighbours, three things. Today November 2014, as I seek election as your PSD Minister, I would like to tell my States' colleagues the exact same three things: (1) I can make a decision and stick to a plan; (2) I know the value of this; and (3) I know how to tell people what is happening and why and also listen to find out what others want.

Let's look at all three in a little detail, and I will explain why they are all relevant to me being your choice, the right choice for PSD Minister.

(1) Making decisions and sticking to a plan. One of the most frequent questions that I have been asked since my name was put forward for this role is: what will you change? The answer is not much.

In May 2012 the PSD board created an action list, and here it is. Deputy Burford has left us and Deputy Harwood has joined. Deputy Luxon has now left us and another new face will join. But this political term we need to finish the job that we started and this 12-point action plan remains PSD's to do list.

The question that frequently followed that was but what about waste? We will never all agree on one waste strategy but we cannot have 63,000 different ones. So we must get on with delivering the one that the States has approved.

What we need to do, what we must do, is sanity check, refine, focus on the pounds, shillings and pence but no more dramatic U-turns.

(2) Knowing the value of money. Capex at PSD is disproportionately high when compared to our demands on general revenue. Whilst our Departmental cash limit for 2015 is a mere £4.4 million, the infrastructure that we look after means our capex demands from the 2014-17 round of the SCIP process was a staggering £208 million. Further capex figures that regularly pop up in our Board papers are bigger than the proverbial telephone number, eye wateringly so, but we must never take our eye off the ball, and become blasé, detached from reality. We must never lose sight that it is taxpayers' money – pound notes just like this one – that we are paying for these projects with, and we must deliver value for money.

Similarly we must provide value for money 24/7, 365 services to all of our customers, all Islanders whether it is quarterly rates at Guernsey Water, landing fees at Alderney Airport, the price of a bin sack, and yes, mooring fees for private boat owners at Guernsey Harbours too. And remember value for money is a blend of price and quality.

(3) Telling people what is happening, why and listening to. When I included this as one of my three bullet points back in April 2012, even I could never have imagined how prophetic it would be.

As a Government we must communicate better with Islanders. I believe that my fresh thinking and professional ad and PR agency experience will be a real boon around the Policy Council table, as well as at PSD.

The States of Guernsey simply must better connect with Islanders. Enough is enough. We need to get rid of this disconnect and we need to get rid of it fast. I can help that happen, be the game changer.

Last week I sent Members a letter with a Q&A sheet. I am not going to repeat everything that I said in that sheet, but I would like to use this opportunity to highlight two key points. Whilst Deputy Ogier has been on PSD longer than me, I have been part of the team and totally immersed in everything PSD for more than two and a half years. But now it is about the future, and I am not standing here just to make up the numbers. I am standing here because colleagues believe that I am the right person for the job.

Thank you to the T&R Minister, Deputy St Pier and to the former Chief Minister, now my colleague on PSD, Deputy Harwood for nominating me. Thanks also to the Chief Minister, Deputy Le Tocq, who said that Deputy Ogier and I were both excellent candidates and that he would be happy to work with either.

Members of the States, I would love to serve as your PSD Minister, I am 100% committed and like everything I do in life, I would carry out this important role to the very best of my ability.

Thank you.

**The Deputy Bailiff:** Thank you, Deputy Duquemin.

We are now going to move in to one hour maximum of questions. I simply remind Members that the context of the questions must be that they shall relate to areas of policy included in the mandates of the Policy Council or the Public Services Department.

Deputy Kuttelwascher.

**Deputy Kuttelwascher:** Thank you, sir.

Since the Waste Strategy was approved the cost of export of waste has dropped dramatically. Do the candidates believe that what we recycle should be reviewed *if* the cost of recycling is far in excess of the cost of exportation?

**The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** Of course the Waste Strategy is not all about cost. Cost is a major factor in there, but there are already environmental benefits. The cheapest thing to do with our waste, of course, is to get a large landfill and bung it all in there for the next 30 years because that is the cheapest way. However, that is no longer environmentally acceptable. We would not get a waste licence in order to do that. And to include our recyclables in the waste that we export for incineration elsewhere in Europe, probably we would not get a licence in order to do so. In order to export our waste we need to recycle a great proportion of that, so if

suddenly it becomes cheaper to incinerate we cannot then put all our recyclables in our waste to do that, as (1) we would not get a licensee and (2) it would be extremely environmentally unfriendly.

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** I think Deputy Ogier has summed up the situation very well. But I think the key detail here is as Deputy Kuttelwascher asked this question it would be recycling at all costs, and the answer is that we cannot recycle at all costs.

As I said in my opening address, there will be, and there needs to be, the opportunity to refine the Waste Strategy and finesse it, even if that is only slightly.

One thing that will happen for the good of the Waste Strategy and for the good of the whole project is obviously the individual business cases for the different aspects will be coming back to T&R and it will be beholden on PSD as a Department to justify that in each and every case, and it may be that we have to justify that the sum of the total is greater than the sum of the parts. But we do need to look at each and every one.

But Deputy Ogier is perfectly correct, we cannot carry on doing what we have done previously, which is throwing it –

**The Deputy Bailiff:** Time is up, Deputy Duquemin, I am afraid.  
Deputy Domaille.

**Deputy Domaille:** Thank you, sir.

In view of the monopolistic nature of the Department's various divisions, will the candidates please set out their view of the role or potential role of the Competition Regulator in regulating the activities of those divisions?

Thank you, sir.

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** Thank you, sir.

Regulation serves, for me, as a double edged sword. In many ways, I think I was told quite some time ago, that the cost of regulation in Guernsey in the telecom sector was akin to a jurisdiction the size of Belgium. So what we must never do is regulate for regulation's sake because all that does is that sends the price whether it be the price of a water bill, or the price of landing fees at the Airport, or whatever it may be to the end user. Because regulation does have a cost. The fact that a lot of the trading entities are Government owned, but commercially run, in many ways is the best of both worlds. And I believe that, yes, regulation may have a role to play but we need to tread very, very carefully.

**The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** I am in favour of competition where competition is appropriate. However, on a small Island sometimes competition in some of the sectors does lead to a weakening of the services that we provide.

Guernsey Water is regulated by the Environmental Health Regulators and we have seen recently their input into some of the issues surrounding potential areas of pollution on the Island. Now, sir, with regard to the monopolistic nature of the divisions the States Works Department is almost the sixth emergency service, we need to find work for them to do when they are not fixing drains, when they are not dealing with the floods, when they are not dealing with the sea walls, when they are not dealing with emergencies. We need to employ these people to do those things, when the chips are down.

The purpose of the Regulator, of course, often is to ensure costs are low and to ensure efficiencies are met, but the majority of the PSD entities are not regulated by the Regulator. Certainly Airport and Harbour are not regulated –

**The Deputy Bailiff:** That is your time up, Deputy Ogier.  
Deputy De Lisle.

**Deputy De Lisle:** Thank you, sir.

PSD is recognised as a big spending Department with major products. Given public concerns, enough is enough, has been mentioned. What rationalisation and cuts do you the candidates intend to make to the Department's capital programme?

**The Deputy Bailiff:** Deputy Ogier.

805 **Deputy Ogier:** Well, the capital programme, for example for the Harbours, we are listening in our consultation period and will be taking on board the views of the people and the views of the people that we have consulted with, and reviewing our plans in the light of this before coming back and making recommendations. Where we will shave off funds that require to be spent, of course, we will do that.

810 On the Waste, we are extremely keen we have put in a figure into the capital prioritisation which a larger figure than we originally intended, but it includes everything that could possibly go wrong, so there is quite a considerable amount of contingency in there. We hope to bring that down as much as possible in order to minimise the expense to the people of Guernsey.

815 With regard to the budgets of PSD we had done much of our Financial Transformation Programme savings by the time that the Financial Transformation Programme came along, because we took early action. So over the years we have halved our budget from around £8 million to around £4 million, and it has been very difficult to do, and that has been done through a mixture of charges, and doing things differently and efficiencies –

**The Deputy Bailiff:** Time is up, Deputy Ogier.  
Deputy Duquemin.

820 **Deputy Duquemin:** Thank you, sir.

Deputy De Lisle is right that PSD is a big spending Department, and in my opening address I made clear the disparity, if you want to call it that, between the capex spends and PSD's call on general revenue, which as Deputy Ogier has said has dropped significantly over the previous years.

825 What I would guard against, but I would warn against is underinvestment. PSD is the custodian on behalf of the States on behalf of Islanders of £1 billion plus of assets, and what we must never fall into the trap of doing is underinvesting in keeping that infrastructure up to date, because one, it has a cost on Islanders and we need an infrastructure for the Island to operate well, but also what we are doing is pushing a problem to the next generation.

830 So yes, we need to look and we need to refine and we need to make sure that we are offering pound value for Islanders, but we must never, never underinvest.

**The Deputy Bailiff:** Deputy Brouard.

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

Talking about £1 notes and value for money and underinvestment, as both candidates are and have been responsible and accountable, I understand you have both decided to underspend the road repairing budget in 2014 by £400,000, leaving those funds unused and our roads remaining in disrepair. Pot holes remain unfilled, pavements covered in leaves and detritus, forcing people, to walk nearer to the edge of the road, 840 much to my and every other road users' despair, whether walking or driving –

**The Deputy Bailiff:** Deputy Brouard, that is your time up I am afraid – you get 30 seconds for your question.

845 **Deputy Brouard:** Why? *(Laughter)*

**The Deputy Bailiff:** Deputy Perrot. *(Interjection)* No, no, there was no question because –

850 **Deputy Perrot:** The candidates will be aware of the outrage expressed recently by boat owners in connection with PSD's proposed mooring fees. Will the candidates procure that the PSD board will genuinely listen to the concerns of boat owners, rather than to regard this as a cosmetic consultative exercise which simply means going through a hoop and then thinking of – ?

855 **The Deputy Bailiff:** Time is up, Deputy Perrot.  
Deputy Ogier.

**Deputy Ogier:** Thank you.

860 PSD have a history of running real consultations. Over the years we have run consultations, we consult with the people of Guernsey and we follow or certainly take on board and follow in very many instances the feedback that we receive.

The Harbours will be no different. It is a very real consultation, we are listening to people and especially the boat owners and how they feel with regard to the monies that will need to be spent on the Harbour due

to its underinvestment. So we are very conscious of costs. Down at the Harbours we are looking to move towards market-based pricing, so we are looking at jurisdictions around us and the amount that they charge, but it will be a very real consultation. We are taking on board or listening very carefully and it will come back to the board for discussion whether we need to amend our plans in the light of that or not.

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** Thank you, sir.

I suppose it was quite galling that before either Deputy Ogier or myself was elected as Minister that the board of PSD already had had a vote of no confidence in it from the Guernsey Boat Owners' Association. Well, I would say that I think that was a little unfair because we have engaged, and I think to answer Deputy Perrot's question and allegation, it is anything but a cosmetic exercise. We have held numerous public meetings, we have consulted also with the Douzaines and the stake holders and we have listened, and we will continue to listen to all Islanders, including the boat owners. We have had already 900 submissions to the consultation process so that will provide, as Deputy Ogier said, valuable resource for when we do sit down as a board and discuss the correct way forward.

**The Deputy Bailiff:** Deputy Langlois.

**Deputy Langlois:** Thank you, sir.

If he were to become Minister of douits and drains, (*Laughter*) how would each candidate see the future of the Douzaines' role in matters that overlap with PSD mandate?

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** Douits and drains – it was very interesting that I did, not so long ago, an historic map of all the douits and drains that existed in Guernsey, particularly the douits, and they do provide a hugely valuable resource for the Island.

In terms of the Douzaines, I think what has happened on the Waste Strategy in particular is there was a lot of scepticism from the Douzaines as to how we could work in a very positive fashion with the Douzaines. But I think we have broken down some doors and we have opened up a really good channel of communication between PSD that is in terms of central Government and also the Parishes which do provide a very valuable input on matters such as douits.

So I think the answer is we need to continue to work together and yes, the Douzaines will provide – they will be valuable parts of the team.

**The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** Thank you.

As Deputy Langlois well knows, there is a group set up as part of Policy Council in order to deal with the Douzaines and maybe the transfer of function from the States to the Douzaine. I know a couple of years ago – two, three or four years ago maybe – there was a report before the States containing dozens of areas that Policy Council had identified which may well be appropriate to transfer from the States of Guernsey to the Douzaine. I am favour of transferring things that the States of Guernsey does that it does not need to do to the Douzaines. I think they have suffered a bit of a blow a few years ago when Social Security took over some of the work that they were doing and they were weakened a bit in that regard. And I think it would be best practice for us to look at what we can best push out to the Douzaines in order to help them realise their value, because they have an immense value to the Island and I would hate to see that change.

**A Member:** Hear, hear.

**The Deputy Bailiff:** Deputy Trott.

**Deputy Trott:** Sir, I have very, very recently been made aware of the fact that Public Services Department is underspending by £400,000 on its road resurfacing budget. (*Laughter*) Would the candidates care to address that question?

Thank you sir. (*Laughter*)

**The Deputy Bailiff:** Deputy Ogier.



**Deputy Ogier:** Well, although in accounting terms it appears as an underspend, it was in fact an efficiency saving. (*Laughter*) No, it was a real efficiency saving. Because we had our set budget and during the year we changed how we went about certain things in roads which realised towards the end of the year a significant saving. Roads have to be planned a year ahead, we need to liaise with the Environment Department on many of them. There simply was not the opportunity to utilise the saving that we had made and to plough it back into the roads. This is what will happen this year and the next year. So it was a real efficiency saving that we had made which is good news that happened too late for us to reinvest in that calendar year.

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** Deputy Ogier is correct, we are doing things differently, which is I suppose one of the ethos of the FTP process.

But what I would say and I would reassure both Deputy Trott and also Deputy Brouard that the unspent balances are as much a frustration for the PSD Board, well definitely myself, as they are with them. We can and must do better to make sure that money allocated to be spent on roads is spent on roads.

As I said in the document that I did distribute to all Members I think I would like Islanders to not only be aware of the number of potholes but also the many, many miles of roads that are resurfaced each and every year and that is part of the messaging process that we need to do. But yes, we can do better.

**The Deputy Bailiff:** Deputy Stewart.

**Deputy Stewart:** The MyHarbours consultation suggests a massive hike in fees for boat owners' moorings. Do the candidates think the proposed increases are fair and proportionate?

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** That is certainly one thing that the consultation process will tell us. All I would say is that having sat through many hours of presentation, it was a good piece of work in terms of the market-based pricing and analysis, that was independently undertaken by Deloitte and Touche and in many ways yes, it was alarming that on a league table of marinas in terms of the cost, Guernsey, which in many, many, areas is a relatively high priced jurisdiction, was right at the bottom.

So I think it is right and proper that we as the PSD Department are looking at that and questioning the amount of money that is paid. Because in many ways, yes, it is great for boat owners to pay perhaps a discounted price but we owe it to everybody on this Island, non-boat owners included, to make sure that we are deriving value from the asset that we operate on behalf of all Islanders.

**The Deputy Bailiff:** Time is up, Deputy Duquemin.  
Deputy Ogier.

**Deputy Ogier:** Thank you, sir.

The reality is there has been underinvestment at the Harbour for years. The last major piece of investment that went in the Harbour was the QEII Marina and that is a very long time ago. So we do need to find extra resources because they are not coming from central funds, in order to upgrade the Harbour and do what we need to do.

We need to look at the deep water berth or the Hydrocarbons Project as it is now known as. We need to relocate the security lines in St Peter Port, deal with the Fish Quay and change facilities for those arriving by cruise liner passengers.

What we did was we looked at the prices in marinas around this jurisdiction and in the main, they are much higher than Guernsey, so we are looking at market-based pricing, so that boat owners will pay commensurately similar amounts or approaching similar amounts that marinas around us that we are in competition with. Having said that we are looking at the consultation results and we will sit down with them and we will make sure that our recommendations to the Assembly are appropriate in the light of this.

**The Deputy Bailiff:** Deputy Harwood.

**Deputy Harwood:** Thank you, sir.

May I ask each of the candidates to explain their views of commercialisation and corporatisation of the various activities of the PSD?

**The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** Commercialisation was something we were tasked to do in February 2012 by this Assembly, and we have been working on the commercialisation report since then. We have had to delay it for certain reasons, and I cannot really go into the results and the conclusion that we have come up with in that. Certainly there is a requirement for our trading entities to work differently, there is a requirement for all the trading entities of this Assembly not just those under PSD to work differently. Our proposals will come forward and will recommend doing things differently, but how far we go along that line I am afraid I cannot say in advance of that States' Report.

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** Deputy Ogier is right that a States' Report on this matter is imminent. What I can say and what I will say is that in many ways there is one argument to say that we currently have the best of both worlds. We have entities that are Government owned, and all the security that that provides, but in many areas they are commercially run. I would highlight Guernsey Water as a stellar example of an organisation that in many ways Islanders may think is commercialised at the moment just in the same way that both Guernsey Electricity and Guernsey Post have been commercialised.

Also we need to guard against and we have listened to the examples of both Guernsey Post and Guernsey Electricity in terms of the process of commercialisation. There often has been a pain before the gain, and if we can have that sort of... if that pain is worth the gain, then it should be considered.

**The Deputy Bailiff:** Your time is up, Deputy Duquemin, I am afraid.  
Deputy Laurie Queripel.

**Deputy Laurie Queripel:** Thank you, sir.

Sir, I get a number of calls from parishioners who live in the smaller greener lanes of the Vale, where the road gullies go uncleaned or uncleared for far too long, causing drains to block and some properties to explore flooding. What will you do to address this problem if you are elected as Minister of PSD?

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** I think when you are elected as Minister of PSD, the beautiful thing about being involved in Government in Guernsey is your telephone number is in the book and I am sure that not only will Deputy Queripel's parishioners be ringing him, they will also be ringing me.

What is important, and the message to get across, is that we are small enough to react on quite an instant basis. When I have had calls to ring PSD on behalf of say Castel parishioners, the response has always been fairly immediate, very swift, and often I do get a phone call back from the parishioner which is not chasing me up, but is actually thanking me for the problem being sorted. So we do work in a very small jurisdiction and that does have its benefits.

**The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** We do have a number of green lanes, which of course are surrounded by grass and hedges and trees and they tend to block. States' Works have a twice yearly programme of dealing with most of those roads. Sometimes in between those twice yearly cleanings the roads do clog up. All it takes is a simple phone call to a member of the Board or one to States' Works Department and normally a vehicle that is doing a round in the area will go out and sort that road. So I would urge, if you communicate with your parishioners, just to give one of us a call, whoever it is and I am sure that issue will be dealt with as it has been in Darren's experience and in mine.

**The Deputy Bailiff:** Deputy Fallaize.

**Deputy Fallaize:** Thank you, sir.

As well as all of these interesting aspects to the job, unfortunately the role also comes with an *ex officio* seat on the Policy Council. Are the candidates able to advise the States whether they think their primary role at the Policy Council is to represent the interests of the Department or whether the primary role is the other way around and to, as it were, promulgate the interest of the Policy Council down into their Department?

**The Deputy Bailiff:** Deputy Ogier.

1045 **Deputy Ogier:** Well, I think it is both, I would not pick the primary role out of any of those. Your primary role would be in one respect that of PSD Minister and that is the role that you spend during your day to day, but when you go to Policy Council you change your perspective to look more States wide, and whilst you still remain PSD Minister you are also considering the proposals that come before you in a States-wide manner.

1050 So I think it is a bit of a dichotomy, you do both, and I think you do both at the same time. The purpose of the Policy Council, or one of the purposes it was set up was in order to oil the way between Departments to sort problems between the Departments. You cannot be intransigent in your role you have to respect a higher role there. So two roles in one, but of course the Policy Council as we know probably will not continue in its current form anyway.

1055 **The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** Of course it is important to be a PSD flag bearer, flag waver, whatever phrase you want to call it at the Policy Council table. But, of course, there is a role, not that it is greater than that just of being PSD Minister; it is of looking after and hopefully shaping the whole Island.

1060 As I said in my opening address, for me a seat at Policy Council is something that perhaps unlike Deputy Fallaize I would see as a benefit. As I said, I think there is a communication job that needs to happen with Islanders at the moment. And that communication job needs to happen for the benefit of PSD but it also needs to happen for the benefit of Environment. It also needs to happen for the benefit of Health and Social Services. It needs to happen for all of the States.

1065 So in sharing best practice and in sharing expertise I think that it is the best of both worlds.

**The Deputy Bailiff:** Deputy Le Tocq.

1070 **The Chief Minister:** Sir, I would like to hear the candidates' views on access to information, in particular with regard to the mandate of the Civil Contingencies Authority?

**The Deputy Bailiff:** Deputy Duquemin.

1075 **Deputy Duquemin:** Obviously this is a topical matter, sir. In terms of the Civil Contingencies Authority as I appreciate the PSD Minister would *ex officio* be a member of that Committee. In many ways disclosure of information, transparency, whatever you want to call it is certainly something worth striving for. But we must remember that for the Civil Contingencies Authority, the whole reason that they may come into being and that they may sit is because an emergency is happening and there are risks. So in many ways it may be that not disclosing things is actually of benefit to Islanders, rather than the other way around. I think we need to be cognisant of that.

**The Deputy Bailiff:** Deputy Ogier.

1085 **Deputy Ogier:** Thank you.

I approach my 10 years in the States with having a presumption of publishing information. After all we are sent here by the people of Guernsey to do a job on their behalf, it is right that we share information wherever and whenever possible and appropriate.

1090 Having said that, there are occasions where this is not possible. In PSD we have had to be very careful of the information that we release so that we do not breach issues of commercial confidentiality, for example. There are also issues of staff and individuals which on many occasions or most occasions should not be identified.

1095 With regard to the Civil Contingencies, there are other issues that we need to bear in mind. There are security issues that mean we may not wish to share with the Island. We may not wish to share with those who are able to use this security information. So whilst I have a predilection for publishing information wherever and whenever possible, I have to recognise that there are occasions where you simply cannot do so.

**The Deputy Bailiff:** Deputy Luxon.

1100 **Deputy Luxon:** Sir, leadership is a conundrum, either as a Minister or as the Chair of the PSD board in the sense that it is required and yet there is no hierarchy or mandate to be able to deliver that. I would be interested in the candidates' views on how they would approach the leadership aspect of the role of Minister of PSD?

1105 **The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** Thank you, sir.

1110 The leadership traits that I would look to instil would be I think the Chairman's role essentially is to make sense for the Board of what is in front of them, and by setting the ambience between the Board and Civil Service. It is recognised that those are the two most and primary roles of the Chairman.

1115 Other issues are stimulating argument, influencing outcomes, living the values yourself, and setting high standard of ethics and morals, and developing the Board, making sure that the Board grows throughout its tenure. I have done that. I have done a governance in boardroom training course which was six months at Masters level and I had a diploma at the end of it. So I have gone through six months of training on how to develop a board, how to run a board, the governance of a board and the leadership roles that came out strongly to me were making sense of what is in front of you so that you all know what you are taking about and setting the boundaries between the Board's decision and the Civil Service decision. Setting the policy –

1120 **The Deputy Bailiff:** Time is up, Deputy Ogier. Thank you.  
Deputy Duquemin.

1125 **Deputy Duquemin:** Leadership is one of the hardest things to do in life. I have been very fortunate both in my professional career that I have had to act as a leader and also up to now in a small way already in political life. I think in many ways a leader is often measured in not necessarily knowing all the answers, but in helping to ask the right questions. I think that is probably one of the big differences between the different styles of leadership.

1130 I think in many ways the important thing is to knit together every Member of a board but not only every member of that board but also there is a duty to every member of the senior management team and plus all 500 members that work for Public Services. So not only are we a leader just of –

**The Deputy Bailiff:** Thank you, Deputy Duquemin, that is your time up.  
Deputy Lester Queripel.

1135 **Deputy Lester Queripel:** Thank you, sir.

Part of the job of being a Minister seems to me to be able to recognise the strengths of fellow board members and to utilise those strengths. Do the candidates believe they possess the ability to recognise the strengths of others?

1140 **The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** Yes, I do. I think in many ways one of the beauties of the PSD board thus far, and I will give Deputy Luxon due credit for this, is that he moulded together and knitted together a team where we did have contrasting and a complementary skill base. And I think it has worked very well.

1145 Obviously now that the only two candidates for this ministerial position are, both Deputy Ogier and myself, current members of the PSD board there will be a new face and it will beholden on us to make sure that we do knit in another complementary skill to the board. But it is vital that as Deputy Luxon asks in his question that the position of Minister is in a sense the wrong moniker because in many ways we are just chairmen of a committee, but the most important thing is that there is the need to lead an active and responsible chair.

1150 **The Deputy Bailiff:** Deputy Ogier.

1155 **Deputy Ogier:** Sir, well, one of the roles of the chairman in any committee is to develop the board, I have just mentioned that in my previous answer and in the course of the last month... Well, in PSD we have a number of trading entities and each one of us takes responsibility for one them and goes to meet them on a monthly basis to go through the governance, to go through the issues that are being raised, to go through the projects that are undergoing, to get an update and to ensure that board security is given very strongly to trading entities.

1160 In the last month I have asked Deputy Duquemin to take on the governance of the Guernsey Harbour in addition to his Airport role, and have asked Deputy Rob Jones to take on the governance of States' Works Department, in addition to his role in Guernsey Water. So, we are constantly looking at the board members and the roles that they fulfil and we are looking to develop potential of the board members because it is a very strong board.

1165 **The Deputy Bailiff:** Deputy Gollop.

**Deputy Gollop:** Sir, in the absence of the esteemed Representatives from Alderney, what would either candidate's policy priorities be for helping Alderney, particularly in relation to the airfield and the breakwater issue?

1170 **The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** Fortunately we have not had a catastrophic event at the Alderney Breakwater in a considerable number of decades. At the Alderney Breakwater, our priority is to put a veneer across the top of it. It is almost a sacrificial veneer. The storm comes, it approaches, it attacks the veneer, the veneer falls off, the breakwater is left behind. That is working extremely well.

1175 With regard to the Airport, our priority, as you will see will come forward in the States' Report in December on the Alderney Airport Runway, where we are recommending that the runway is widened and tarmacked. We are not recommending at this stage that it is extended or that the grass runways are done, although who can say the outcome of the amendment? We do not believe that there is a business case for  
1180 that in order to occur. But with Alderney the issues have to be the airport and the breakwater, and we are committed to spending on both.

**The Deputy Bailiff:** Deputy Duquemin.

1185 **Deputy Duquemin:** Well, I think we need to appreciate at PSD that we are making a difference in terms not only of the infrastructure but the infrastructure has a direct relevance to the economic viability of both Guernsey, but also Alderney.

Deputy Ogier has explained well PSD's position on the breakwater and as I say, in many ways it is business as usual.

1190 What I would say on the Alderney Airport issue is, yes, we need to look at the widening of the main runway, but in many ways you do learn on the job and over the last two and a half years I have come to understand the importance of the short grass runway as the prevailing wind runway and we do need to ensure that because of the Alderney weather conditions that that is kept up to spec. Yes we need to look also at the pounds, shillings and pence in terms of the P&R account for effectively Alderney Airport, but  
1195 we all must also measure that against the contribution to Alderney's GDP.

**The Deputy Bailiff:** Deputy Duquemin, time is up again.  
Deputy Brehaut.

1200 **Deputy Brehaut:** Thank you, sir.

From the 1980's and 1990's onwards a considerable amount of public amenity space has been lost at the Harbour for operational and security reasons. Do they believe that the ongoing, what I could generally call, commercialisation of the Harbour can be achieved without the further loss of public realm and the amenity of the Harbour in itself?

1205 Thank you, sir.

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** I think the point that Deputy Brehaut makes, he makes well. I remember being able  
1210 to walk all the way to the end of both breakwaters, both lighthouses and everything. (**Several Members:** Hear, hear.) The reality is that we now live in a different world where the security line at the Harbour is as important as it is at the airport, and we must make sure that we create a Harbour that is fit for purpose in the 21st century.

1215 In the Ports Master Plan, this document here, it did labour about the importance of that, and that is in a sense priority number one for the Airport.

I think what we need to do... Deputy Brehaut used the phrase 'public realm'. There is an understanding that public realm is important and we must do. It may be different, it may change but the Harbours are committed to making sure that the public realm aspect of the provision is as beneficial for Islanders' quality of life as possible.

1220

**The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** Of course, the public realm available down at the Harbour may well increase in the future. Part of the Harbour Master Plan looked at the Castle Emplacement, and there is a wealth of  
1225 opportunity down there to increase the access of the population to that area. At the moment, it is well used

by the fishermen and associated industries. But there is space down there which could be used for other things.

And PSD are working with Culture & Leisure on maybe plans that they would like to draw forward for maybe doing something down there with a museum, a castle, a restaurant. There are plans being discussed that we can improve that.

But, however there is a security issue down at the Harbour. When you go down there you have lines of cruise passengers, you have got freighters going around, you have got cars coming off and crossing that is passengers trying to get the ferry terminal. It is a real security mess down there. We need to redraw the security line, which will cost. But some public amenity may be lost in areas, but I think it will be regained, if not more, in others.

**The Deputy Bailiff:** Time is up, Deputy Ogier.

I do not see any Member who has not asked a question rising to ask a question at the moment, so Deputy Trott.

**Deputy Trott:** Sir, learning from history is an essential quality of evolution, over the last two and a half years, what in the views of the candidates is the Department's biggest success and greatest failure?

**The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** I think the Department has had many successes, but perhaps speaking not from a Departmental perspective but speaking from a personal perspective for me the implementation of the Waste Strategy has been the greatest success.

The way kerbside has been gone about, it is landed, it is here, we have finally got it, it is working well. We have seen the statistics recently where it is used by 80% of the population, 90% now just 10% has gone up, the amount that we are recycling has increased, the amount of people that use the kerbside has increased. The amount that people who were not recycling before and are now recycling. It has been a very great success story, and I look to more on that front.

I think the disappointment is probably the disappointment that most of us feel all of the time which is the inability of Departments to get their message across. So I think communication is at the heart of what we do, and we need to communicate what we do to the people of Guernsey, so we do not see this asymmetry of information between us.

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** I think the greatest success in the last two and a half years I would believe is the Airport runway, the Airport Pavements Project. I think two and a half years ago, when I first came to this Assembly, I do remember Deputy Luxon as PSD Minister answering questions and making a statement about the Project, because needless to say there would have been nervousness about a project of this size. But full credit to Lagan, full credit to all the methods that we put in at PSD to make that pass without a hitch. So I think an £80 million capex project that passes off as smoothly as that is a great credit to the Department and I applaud the people that were in position before us.

I agree with Deputy Ogier on the greatest weakness, and I would highlight the Waste Strategy in that. In many ways, we are delivering to the public what they want in terms of user pays, polluter pays, whatever it may be –

**The Deputy Bailiff:** Time is up, Deputy Duquemin.

**Deputy Duquemin:** – what we need to do is get our message across.

**The Deputy Bailiff:** Deputy Lester Queripel.

**Deputy Lester Queripel:** Thank you, sir.

In relation to the development of the Harbours, there are no new income streams identified in the business plan, apart from approximately £240,000 being realised by charging cruise liner passengers to land. The rest of the income identified in the business plan is by increasing current charges. If elected what will the candidates do to identify new income streams at the Harbours?

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** Thank you, sir.

I would possibly take issue with Deputy Lester Queripel's impression here and if it is a communication issue then I think we can do better. In many ways in terms of the £80 million worth of funding that we are looking to secure for the improvements outside of the deep water berth, roughly a quarter of that will be coming from the private sector, and initiatives where we will seek private sector funding for activities at the Harbour.

But, yes, we can do more with the Harbour. When you look at the Harbour any day, it is a wonderful canvas for lots of activities, and we must investigate and explore every opportunity.

**The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** What I have seen over the time that I have been here is that quite often schemes can grind to a halt while you wait for one arm to catch up and people stand up and say, 'Well, I want to see the SLAWS and SWBIC and a whole bunch of other acronyms come forward at the same time in the same debate and let's make a decision overall.' The reality with that is that you can wait a very long time in order to get things done.

And now I am looking more at taking the opportunities where they exist. Part of the opportunities down at the Harbour in the way that we are going to change things is that there is £20 million of investment that is required that will come from the private sector. This is a really good opportunity for some business development down there and for us to do things differently.

Having said that there are other income streams within the Harbour Master Plan which will also come forward in time. But I do not want to stop what we are doing now, which is needed, in order to wait for something that may or may not occur. We have opportunities now for investment and income and we will take those opportunities.

**The Deputy Bailiff:** Deputy De Lisle.

**Deputy De Lisle:** Sir, as a follow-up on the Waste Strategy there are fears of a U-turn in terms of the waste policy as costs become more apparent. Will the candidates continue with the current Waste Strategy whatever, and what is the opinion of candidates on incineration on Island?

**The Deputy Bailiff:** That is two questions, Deputy De Lisle. You are only allowed to ask one. So we will take –

**Deputy De Lisle:** I will ask the latter, sir.

**The Deputy Bailiff:** Okay, just remind us of the latter, please.

**Deputy De Lisle:** The latter is what is the opinion of candidates on incineration on Island?

**The Deputy Bailiff:** Thank you very much.  
Deputy Ogier.

**Deputy Ogier:** Well, the problem with incineration on-Island is the question of timing. If you were to build an incinerator now for our waste stream which is 32,000 to 35,000, maybe 37,000 tonnes with wood added in, you would build an incinerator for that size, it would have certain running costs for that size, it would produce electricity for that size. If you are ambitious in your recycling, which we are we want to recycle more, those tonnages will decrease in time, the incinerator will not produce as much electricity, it will be twice as expensive to run as there is half as much waste going through it. So to build an incinerator now would be foolhardy when we want to do so much more recycling.

What happens at the end is a different matter. And in 2020, 2025 when our waste is more stable we may look to have an on Island solution at that time. I do not know what that solution will be, hopefully there will be some new technologies around that are not the landfill in the sky that the current incinerators are.

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** I was not in the States when the decision was made, but as I said I think it was important that this PSD board carried out the wishes and delivered the Waste Strategy that was approved. Having said that I think we must not think that export is something to be embarrassed about. I think that obviously Members may have heard the radio today when Jersey Deputy Edward Noel who is the new TTS Minister in Jersey answered questions in the States over their policy of possibly accepting our waste into their incinerator.

That is a classic case in that they have built an incinerator which is far too large and there is spare capacity, and it would have been frustrating in Guernsey to have fallen into that trap. Not to mention the decommissioning costs a generation later, where in Jersey all you need to look at is their issues with Bellozanne. As a waste strategy it works it will be refined –

**The Deputy Bailiff:** Thank you, Deputy Duquemin  
Deputy Spruce. (*Interjections and laughter*)

**Deputy Spruce:** Could the candidates confirm whether they still support the introduction of food waste processing and its distribution to the Island's farm land as a safe process in the Guernsey context, given the importance of protecting our farm land from pollution and increased levels of nitrate run-off?

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** In many ways I have no issue. Probably around the PSD board table I have been the one that is most questioning of the food waste element of the Waste Strategy. I have no issue with the health issues or the fact that the farmers will take this. We have been to see this sort of thing happen in the UK and it is very much business as usual for all of these places. And having both Guernsey Water and effectively the waste service under the same roof at Brickfield, effectively we do have added scrutiny and a connected work stream.

What I would say is that in terms of food waste it will be, as I answered Deputy Kuttelwascher's question at the start, it will be a case for us to demonstrate to T&R in the business case that the figures are financially viable. It should never be –

**The Deputy Bailiff:** Thank you, Deputy Duquemin.  
Deputy Ogier.

**Deputy Ogier:** I recall a waste disposal meeting probably three or four years ago where I looked Deputy Spruce in the eye and said there will be a business case that comes forward to T&R for the food waste, and I absolutely stand by that. It has to stack up in cost terms and environmental terms.

So in theory I prefer the idea of dealing with our food waste on Island putting it back on to the land. We reduce the inputs from off Island of fertilisers that are required. It is a closed loop. I think that makes a lot of sense.

With regard to the nitrate levels we are going for an in-vessel composter system which does not break down as a liquid as the anaerobic digestion does. So the nitrate levels are slow release, so Guernsey Water are quite happy for it to go on to the land. But they need to see a business case come down. And once we look at the costs for export, including or not including food waste and the environmental benefits of using it on Island we will be able to come to an informed decision.

**The Deputy Bailiff:** Deputy Trott.

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

Sir, discharging the role of chairman of a board requires enhanced skills to those of membership alone. What qualifications and experience do the candidates bring from outside of this Assembly to the position of Minister?

**The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** Thank you.

External to the States, I have run two of my own businesses, effectively being Chief Executive Officer. I have been the CEO of a hospitality business and also of a fitness business where we ran a number of fitness activities and employed a number of staff. So I do bring that long experience to my role in the States.

And within the States if I can stray slightly, I have been Chairman of the Waste Disposal Authority, Chairman of the Harbours Refurbishment Board and now Chairman of the Alderney Refurbishment Board as well, so I have chairmanship experience and roles both within and without this Chamber.

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** During probably – I know I look young – but 20-plus years in the advertising, marketing and PR world, I was a director for the majority of that time. So that obviously was not only of benefit in terms of looking after our own business which was a very successful business, but also looking



after the businesses of many of the leading brands and leading businesses around the Island. And I do see a parallel between that involvements and looking after and having influence in the trading entities.

I would say unashamedly that my experience is based on real life and not a text book. And I would also take comfort from the fact that Deputy Harwood, who obviously knows a thing or two about being a Chairman, saw fit to nominate me for this position. So that is how I would answer that question.

**The Deputy Bailiff:** Deputy Gollop.

**Deputy Gollop:** Sir, one issue that reflects both the ministerial and the Policy Council role is your position regarding the Airport. Will you pledge to co-operate fully with Treasury & Resources, Commerce & Employment, Culture & Leisure, other Departments which have a strategic interest in promoting tourism, and low cost flights?

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** Just in the same way, sir, that Alderney Airport is an economic enabler for that jurisdiction both the Airport and also though it was not part of Deputy Gollop's question but the Harbour also is a vital economic enabler for Guernsey. What we must do is work better together. It will be one of my... certainly close to the top of my to-do list to make certain that yes, PSD, yes T&R as a shareholder of Aurigny, and also Culture & Leisure, and Commerce & Employment, get round the table and work out a vision for how we want to encourage more people to visit this Island. It is something that should not just be left to Deputy Stewart and his team at Raymond Falla House. We all can make a difference.

**The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** Thank you.

I called a meeting that we had at the Airport, one of our board meetings up there – with certain... we had all the board meetings up there. At one of the board meetings up there, I pushed for a cross-party working group to be set up to include Treasury & Resources, Commerce & Employment and Culture & Leisure within the business development for the Airport. So I think it is vitally important that more than one Department is involved in the business development.

We do need to do work on the numbers going through our Airport. We need to develop the business up there, we are doing it through trying to maximise the amount of non-aviation revenue that we have, because that is something that we have control over. But we need to liaise with the Departments in order to maximise the business development of people coming through the Airport. More flights, more people through the Airport.

So, I completely agree with you and a cross-party working party has been set up. So Ministers should already have been involved in such discussions.

**The Deputy Bailiff:** Deputy Lester Queripel.

**Deputy Lester Queripel:** PSD have recently taken away over 200 long-term car-parking spaces from North Beach. If elected, would the candidates seek to reverse that detrimental and damaging trend, or will they seek to remove ever more much-needed car-parking spaces from our Town?

**Several Members:** Hear, hear.

**The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** We have taken away a number of parking spaces in a specific area, but they have been counterbalanced by the addition of parking spaces in other areas. So overall the number of car-parking spaces has varied very little to what they were before the changes.

I know the security line will have to be withdrawn down at the Harbour. We need to make it safe and we need to make is secure. So there will be some changes down there, the lines will be redrawn in order to enhance safety for the users of the Harbour. What that will result in, in terms of car-parking spaces, I cannot say, but we are also looking a removing the granite strips, for example, down at the side of the Harbour overlooking the QEII Marina to increase the parking down there. We are very mindful of the parking issues.

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** I think Deputy Ogier's last comment, we are very mindful of the parking issues, is spot on. But we must remember that this is a harbour first and foremost and we must use the real estate that we need to deliver a harbour that is fit for purpose in the 21st century. It brings in 98% of our goods whether we are a boat owner or whether we use Condor or Trident whatever it may be. Everybody needs to benefit from the fact that we have a Harbour.

Mitigation is obviously top of the list in terms of any spaces that are lost in one area we look to and make great efforts to replace them elsewhere. But I make no apologies for being one of the people around the boardroom table that makes it clear that the business as usual that the need for a 21st century harbour has to be top of the list.

**The Deputy Bailiff:** Deputy Dorey.

**Deputy Dorey:** Do the candidates believe that the Airport should be self-financing in terms of revenue and capital or do they believe that there should continue to be capital from general revenue injected into the Airport?

**The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** In many ways there is a parallel to be drawn between both the Airport and the Harbour in the fact that the Airport would have had an £80 million runway that was funded from effectively general revenue at the States' capex procedures and roughly a similar amount may be more on a deep water fuel berth.

After that I think it is great that we task the Airport with running in a commercial manner. Yes, it benefits from – I repeat the theme that I said before – being Government owned but commercially run and contributing to the GDP of the Island. What we must not do is price out airlines so that they cannot afford to come to Guernsey because we need people here whether they are visitors or whether they are here to operate in the business environment, so yes we need to be sensitive to the prices, but no, as far as possible we need to task what is already a very commercially focused team at the Airport and at the Harbour to operate as largely as possible in a self-sustaining model.

**The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** Thank you, sir.

I think that trading entities should be self-funding for all but the most exceptional capital items. When you look at the States' trading entities under PSD control, landfill sites are purchased for States' Works Department by the centre, long sea outfalls and other enormous infrastructures are funded from central pots for States Water, but in the main those areas are self-funding.

The price increases that would be required to those trading entities in order to cover that enormous infrastructure that is quite often required for public assets such as Harbour and Airport, I think are beyond the ability of those trading entities to generate. You look at the investment gone into the Airport, it is over £100 million over the last 10 years or so.

The increase in charges for the entity to be able to recover that amount of capital would have sent charges sky rocketing and would affect the income from the Airport due to perhaps reduced trade in certain areas. So I think we need to be careful. I think a large –

**The Deputy Bailiff:** Thank you, Deputy Ogier.  
Deputy Luxon.

**Deputy Luxon:** Sir, could I ask the candidates, the six PSD entities obviously offer a public sector service provision, and I just wondered how the candidates would marry that ethos of public sector monopoly delivery with the need to appear to be and to actually act commercially, and the tension between those two things?

Thank you.

**The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** Well, we can see a change happening across the States already, where most of us or some of us went to the presentation by the CEO early this week on changes that are happening to the Civil Service in the way that we approach our business. We are going to modernise, and PSD have already held a couple of seminars like that with our 500 employees. Because we recognise we are mainly a service driven set of trading entities. The face that we present to the public has got to be of the highest customer service,

1530 so we are looking very carefully at what we do with public services and we have already begun schemes with the public service to improve our customer service, and the recommendations that we are putting forward in our report on commercialisation, and how far we go along that line, will help give PSD the flexibility in order to address many areas of customer service as well. To improve our customer service.

1535 **The Deputy Bailiff:** Deputy Duquemin.

**Deputy Duquemin:** Often the successes of PSD and of our various entities will go unnoticed. But I would just highlight the fact that St Peter Port won the prize the floral prize as the Best in Britain, and that achievement was in no small way achieved by States' Works and our Parks and Gardens team. In many ways we hide beneath – our light under a bushel, or whatever the phrase is, and we do need to better communicate our successes. People should not think about the Airport just when there is fog; they should think about it when it is all running smoothly. We should not think about roads just when there are potholes. We should think about the mile and miles of road that are perfectly smooth.

1540 What I would say to answer Deputy Luxon's question is that already I think within our portfolio, Guernsey Water does offer as stellar example of an organisation that is Government owned but acts in a very commercial way.

**The Deputy Bailiff:** Deputy Gollop.

1550 **Deputy Gollop:** Sir, in what ways will the candidates, if successful, be able to assist the Environment Department in ensuring road closures are minimised and as timely as possible?

**The Deputy Bailiff:** Deputy Duquemin.

1555 **Deputy Duquemin:** What is imperative is for the two Departments to work together as closely as possible and I am already aware that that does happen. Obviously there is a need to work not only with the Environment Department but I also think that better negotiation and better understanding needs to happen with the utility companies, both those that are owned by the Government, but also the telecommunications companies, and we need to make sure that we do not dig up roads unnecessarily. Technology does exist – I think it is called the Iris System – with Environment. And I think in many ways it will be important that both PSD and Environment get together more not less to make certain that – it is a grumble, it is a realistic grumble for Islanders, when roads are closed and we need to make sure that is reduced to the absolute bare minimum.

1565 **The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** Well, the issue of road closures has improved over the years; PSD and Environment Department liaise quite well now on road closures. But also we liaise better with the utilities so we give considerable amounts of up front awareness that certain roads are going to close there is an embargo afterwards. It is in the utilities' best interest to get in there, do any work that they might need to do while the road is up. Things have got better, things can always improve. One issue for me at the moment is I see certain utilities laying certain similar cables in certain similar roads and duplicating the effect. Whenever you dig up a road it causes devolution in the road and a weakening of the road surface, so instead of a life of 30 years, it might come down to a life of 20 years. That has a direct cost to the taxpayer and that is money we do not need to spend if the utilities work closer together in order that they do not duplicate the work in the same road. And that is something that I will be pushing as PSD Minister, if I am successful.

Thank you.

**The Deputy Bailiff:** Deputy De Lisle.

1580 **Deputy De Lisle:** Sir, what efforts and initiatives will the candidates take towards full sewage treatment for Guernsey in the future?

**The Deputy Bailiff:** Deputy Ogier.

1585 **Deputy Ogier:** I think any decision that we make on sewage treatment needs to be based on the evidence. The last evidence we looked at, the PSD board wanted to have sewage treatment, we are unanimous in wanting to have sewage treatment. We employed a company who tells local jurisdictions what sewage treatment that they need, to come over and tell us what we needed we would then bring a proposal before the States. We were absolutely shocked when they came back at the end of their month's

work, over their few months' work over here in testing the waters, testing the bays, testing the soil, testing the benthos – good word, testing the benthos – down on the seabed. They came back to us and said, 'You do not have much of a problem. The sea life is alive, the waters are fine, you are not getting pollution from sewage on your beaches, you do not need one. What you need is to put a diffuser on, that is part of the long sea outfall.' So any decision that we make has to be based on scientific evidence, and we were very pleased on that occasion to be able to say we do not need to spend £100 million over the next 25 years.

**The Deputy Bailiff:** Thank you Deputy Ogier.  
Deputy Duquemin.

**Deputy Duquemin:** Thank you, sir.

I would endorse everything that Deputy Ogier has said, and the METOC work that I have read and their studies do leave me in no doubt that the system that we currently employ is fit for purpose. The issue here is that we have a perception and a reality. The reality as Deputy Ogier has explained very well is that the system it works, it is environmentally sound, and we need not change it.

What we need to change is the perception and we need to educate people to understand that we do albeit that it may go against some of their first instincts is exactly what we should be doing. Because, sadly £100 million plus is a luxury that we cannot afford to fix a problem that does not exist.

**The Deputy Bailiff:** You can resume your seat, thank you, Deputy Lester Queripel, because time is up. One hour has passed. (*Interjections*) The last question was asked just as the one hour was approaching and, like Magnus Magnusson, I allowed it to continue because it had been started so it could be finished.

Now we are going to move to the vote on the election of a sitting Member of the States as Minister of the Public Services Department to complete the unexpired portion of the term of office of Deputy Luxon.

There are two candidates – that is Deputy Ogier, who has been proposed by the Chief Minister, Deputy Le Tocq, seconded by Deputy Luxon; and Deputy Duquemin, proposed by Deputy St Pier and seconded by Deputy Harwood.

You will get your personalised voting slips. I would ask you to complete them and hand them back in as soon as you can please.

*A ballot took place.*

**The Deputy Bailiff:** Are there any more voting slips of Members to be handed in to the Deputy Greffier? Everyone has handed in their voting slip. Thank you all.

Members of the States, we will now adjourn to allow the count to take place.

When we resume after the short adjournment, the Chief Minister and the Ministers will resume their ordinary places up on the Benches.

Thank you.

*The Assembly adjourned at 11.35 a.m.  
and resumed its sitting at 11.45 a.m.*

**Public Services Department – Election procedure continued –  
Deputy Ogier elected as Minister**

**The Deputy Bailiff:** Greffier, if you have the results.

Well, Members of the States, in the election to elect the Minister of the Public Services Department the voting was as follows: Deputy Scott Ogier, 27 votes; Deputy Darren Duquemin, 14 votes; there was one spoilt paper; and one blank paper.

I therefore declare Deputy Ogier duly elected as the Minister of the Public Services Department.  
(*Applause*)

Can I invite Deputy Ogier to come and occupy the seat that is vacant between Deputy David Jones and Deputy Langlois on the Bench?

Members of the States, we will rejig where people are sitting overnight to fill the space that Deputy Ogier has just vacated.

**Procedural**

**The Deputy Bailiff:** Now, you may think that I am being horribly picky here, but I am going to offer my thoughts on the questioning of the candidates, and that is that if I had been doing my job properly I think I would have ruled some of those questions out of order. The reason I say that is that Rule 20(4)(b)(1)(a) says that questioning shall relate to areas of policy included in the mandates of the Policy Council or the Department concerned, and therefore questions that were not on policy should have been disallowed. Therefore, I apologise if I have allowed people to ask questions that they should not have done.

Interesting experience, I have to say. But anyway.

We will now move on to the next item of business.

**COMMERCE & EMPLOYMENT DEPARTMENT**

**II. Commerce & Employment Department – Election of new member –  
Deputy Trott elected**

*Article II.*

*The States are asked:*

*To elect a sitting Member of the States as a member of the Commerce and Employment Department to complete the unexpired portion of the term of office of Deputy H. J. R. Soulsby, who has resigned as a member of that Department, namely to serve until May 2016 in accordance with Rule 7 of the Constitution and Operation of States Departments and Committees.*

**The Greffier:** Billet d'État XXVIII – Article II – Commerce and Employment Department – Election of a new Member.

**The Deputy Bailiff:** Deputy Stewart, as Minister of the Department, I invite you to propose a candidate.

**Deputy Stewart:** Deputy Bailiff, I propose – my candidate is Deputy Lyndon Trott.

**The Deputy Bailiff:** Thank you very much.  
Is that nomination seconded?

**Deputy Brouard:** Yes, sir.

**The Deputy Bailiff:** Thank you. Deputy Brouard seconds.

Are there any other nominations for the vacancy on the Commerce and Employment Department?

No, in that case there is no need for anyone to speak, and I will simply put the Proposition to you that Deputy Trott, proposed by Deputy Stewart and seconded by Deputy Brouard should be elected to complete the unexpired portion of the term of office of Deputy Soulsby on the Commerce & Employment Department. Those in favour; those against.

*Members voted Pour.*

**The Deputy Bailiff:** I declare Deputy Trott duly elected.

**SCRUTINY COMMITTEE**

**III. Scrutiny Committee – Election of new member –  
Deputy Green elected**

*Article III.*

*The States are asked:*

*To elect a sitting Member of the States as a member of the Scrutiny Committee to complete the unexpired portion of the term of office of Deputy H. J. R. Soulsby, who has resigned as a member of that Committee, namely to serve until May 2016 in accordance with Rule 7 of the Constitution and Operation of States Departments and Committees.*

**The Greffier:** Article III – Scrutiny Committee – Election of new Member.

**The Deputy Bailiff:** And to Deputy Robert Jones as the Chairman of the Scrutiny Committee to propose or nominate a new Member.

**Deputy Robert Jones:** Thank you, Deputy Bailiff.  
I propose Deputy Chris Green.

**The Deputy Bailiff:** Is that nomination seconded? Deputy Soulsby, thank you.  
Are there any other nominations for the vacancy on the Scrutiny Committee.

Once again, I put to you the proposal to elect Deputy Green who has been proposed by Deputy Robert Jones, seconded by Deputy Soulsby to the vacancy created by the resignation of Deputy Soulsby from the Scrutiny Committee for the unexpired portion. Those in favour; those against.

*Members voted Pour.*

**The Deputy Bailiff:** I declare Deputy Green duly elected.

## PUBLIC ACCOUNTS COMMITTEE

### IV. Public Accounts Committee – Election of two new members – Deputies Domaille and Robert Jones elected

*Article IV.*

*The States are asked:*

*To elect two sitting Members of the States as members of the Public Accounts Committee to complete the unexpired portion of the terms of office of Deputy S. A. James MBE and Deputy M. K. Le Clerc, who have resigned as members of that Committee, namely to serve until May 2016 in accordance with Rule 7 of the Constitution and Operation of States Departments and Committees.*

**The Greffier:** Article IV – Public Accounts Committee – Election of New Member.

**The Deputy Bailiff:** Deputy Soulsby as the Chairman of the Public Accounts Committee can nominate two Members to the Public Accounts Committee.

**Deputy Soulsby:** Sir, yes, I nominate Deputy Roger Domaille and Deputy Rob Jones.

**The Deputy Bailiff:** Is the nomination of Deputy Domaille seconded?

**Deputy Le Clerc:** Yes, sir.

**The Deputy Bailiff:** Thank you, Deputy Le Clerc.  
And is the nomination of Deputy Robert Jones seconded?

**Deputy Le Clerc:** Yes, sir.

**The Deputy Bailiff:** Also by Deputy Le Clerc, thank you.

Are there any other candidates for this election to the Public Accounts Committee?

Because the number of candidates proposed does not exceed the number of vacancies, I put to you the two candidatures proposed by Deputy Soulsby and seconded by Deputy Le Clerc, that is Deputy Domaille and Deputy Robert Jones, both to complete the unexpired portions of the terms of Deputies James and Le Clerc on the Public Accounts Committee. Those in favour; those against.

*Members voted Pour.*

**The Deputy Bailiff:** I declare Deputy Domaille and Deputy Robert Jones duly elected to the Public Accounts Committee.

Thank you all.

## Billet d'État XXIX

### HEALTH & SOCIAL SERVICES DEPARTMENT

#### Health & Social Services Department – Election of non-voting members – Dr R H Allsopp OBE and Dr A Christou elected

*The States are asked:*

*I.- To elect as a non-voting member of the Health and Social Services Department, Dr Roger Henry Allsopp OBE, who has been nominated in that behalf by that Department, to serve until May 2016 in accordance with Rule 4 (2) of the Constitution and Operation of States Departments and Committees.*

*II.- To elect as a non-voting member of the Health and Social Services Department, Dr Alex Christou, who has been nominated in that behalf by that Department, to serve until May 2016 in accordance with Rule 4 (2) of the Constitution and Operation of States Departments and Committees.*

1720 **The Greffier:** Billet d'État XXIX – Health & Social Services Department – Election of non-voting members.

**The Deputy Bailiff:** Deputy Luxon.

**Deputy Luxon:** Thank you, sir.

1725 Sir, may I propose Dr Roger Henry Allsopp OBE and Dr Alex Christou as non-voting members of the Health & Social Services Department Board.

**The Deputy Bailiff:** Thank you.

Is the candidature of Drs Allsopp and Christou seconded by anyone?

1730

**Deputy James:** Yes, sir.

**The Deputy Bailiff:** Is that for both of them, Deputy James?

1735 This is a situation in which no other candidates can be proposed. Is there anything you wish to say Deputy Luxon in support of the two candidatures? I know that some material has been circulated.

**Deputy Luxon:** I do not, sir.

I did send round some biographies and some additional information, but I think it is self-explanatory. The Board are very supportive of these nominations and hope the Assembly will be happy to ratify that.

1740

Thank you.

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

1745 There are two Propositions to Billet d'État XXIX. The first one is to elect as a non-voting member of the Health & Social Services Department Dr Roger Henry Allsopp OBE, who has been proposed by the Minister, Deputy Luxon and seconded by Deputy James. Those in favour; those against.

*Members voted Pour.*

**The Deputy Bailiff:** I declare Dr Allsopp duly elected as a non-voting member.

1750

And the second Proposition is to elect as a non-voting member of the same Department Dr Alex Christou, again proposed by the Minister, Deputy Luxon and seconded by Deputy James. Those in favour; those against.

*Members voted Pour.*

1755

**The Deputy Bailiff:** I declare Dr Christou duly elected as a non-voting member of the Health & Social Services Department.

Thank you.

## Billet d'État XXIV

### POLICY COUNCIL

#### **XIII. Insurance Business (Bailiwick of Guernsey) Law 2002 – Proposed amendments – Propositions carried**

*Article XIII.*

*The States are asked to decide:*

*Whether, after consideration of the Report dated 1st September, 2014, of the Policy Council, they are of the opinion:*

*1. To approve the proposals to repeal Schedule 2 to the Insurance Business (Bailiwick of Guernsey) Law, 2002 and make consequential amendments to that Law, as set out in paragraphs 9 and 10 of that Report.*

*2. To direct the preparation of such legislation as may be necessary to give effect to their above decision.*

1760 **The Greffier:** Billet XXIV – Article XIII – Policy Council – Insurance Business (Bailiwick of Guernsey) Law 2002 – Proposed Amendments.

**The Deputy Bailiff:** I invite the Chief Minister, Deputy Le Tocq to open debate on this item of business.

1765 Deputy Le Tocq.

**The Chief Minister (Deputy Le Tocq):** Sir, this is a very straight forward Report, asking that in future matters regarding the insurance business on the Island, the standards do not have to be dealt with by primary legislation. I am not going to add to the Report before Members. I ask Members to support it.

1770

**The Deputy Bailiff:** Does anyone wish to speak in debate on this matter? Clearly not.

On that basis, there are two Propositions which you will find, Members of the States, on page 2514 in the Billet d'État, I will put both of them to you together. Those in favour; those against.

1775 *Members voted Pour.*

**The Deputy Bailiff:** I declare both Propositions duly carried.

### TREASURY & RESOURCES DEPARTMENT

#### **XIV. Double Taxation Agreement with the Republic of Cyprus – Proposition carried**

*Article XIV.*

*The States are asked to decide:*

*Whether, after consideration of the Report dated 19th August, 2014, of the Treasury and Resources Department, they are of the opinion to declare that the Agreement made with the Republic of Cyprus, as appended to that Report, has been made with a view to affording relief from double taxation, and that it is expedient that those double tax arrangements should have effect, so that the arrangements have effect in relation to income tax in accordance with section 172(1) of the Income Tax Law, 1975, as amended.*

**The Greffier:** Article XIV – Treasury & Resources Department – Double Taxation Agreement with the Republic of Cyprus.

1780

**The Deputy Bailiff:** I turn to the Minister of the Treasury & Resources Department, Deputy St Pier to open debate.

**Deputy St Pier:** Sir, I have nothing to add to the States' Report.

1785



**The Deputy Bailiff:** Is there any debate on this particular item of business? No.

In that case we will turn to the single Proposition, Members of the States, which you will find on page 2531 in the Billet, to approve the Double Taxation Arrangement with the Republic of Cyprus. Those in favour; those against.

*Members voted Pour.*

**The Deputy Bailiff:** I declare the Article duly carried.

## EDUCATION DEPARTMENT

### XV. Redeveloping the La Mare de Carteret Schools' site – Debate commenced

*Article XV.*

*The States are asked to decide:*

*Whether, after consideration of the Report dated 29<sup>th</sup> September, 2014, of the Education Department, they are of the opinion:*

- 1. To approve the La Mare de Carteret Schools' project as detailed in Appendix 1 of that Report.*
- 2. To approve the Education Department progressing to tender for the construction of the La Mare de Carteret Schools' project.*
- 3. To delegate authority to the Treasury and Resources Department to approve a capital vote, charged to the Capital Reserve, of a maximum amount of £59.44 million (excluding inflation) to fund the La Mare de Carteret Redevelopment project subject to satisfactory completion and review of the Full Business Case to ensure that the project represents value for money for the States.*

**The Greffier:** Article XV – Education Department – Redevelopment of the La Mare de Carteret Schools' site.

**The Deputy Bailiff:** I turn to the Minister of the Education Department, Deputy Sillars, to open the debate on this matter.

Deputy Sillars.

**Deputy Sillars:** Thank you, sir.

I would like to start by thanking all the staff, children, students and the Guernsey residents for all their support and literally hundreds of letters and e-mails. I would also like to make an apology. I have tried to get back to all the e-mails but I have failed in a few instances.

Thirteen years ago, the States of Guernsey made a promise to the people of this Island. It was an ambitious pledge, but it was entirely necessary. The people's representatives promised to replace their crumbling outdated inadequate high schools with new structures fit for the 21st century. Thirteen years later we have delivered on two thirds of that promise. St Sampson's is built, Beaucamps is built, but after too many years of delay and disappointment, La Mare de Carteret still waits.

Today is the day when we make good on our promise. When we free the pupils and students at La Mare from all the uncertainty and state categorically within three years the children, the staff and the community will finally have the schools they deserve – schools we can be proud of. I think it is right to say that everyone in this Chamber today is united behind one truth, La Mare de Carteret Schools have to be replaced.

We all know the facts, for reasons of political or financial expediency, which need not delay us today, the existing schools were thrown up quickly, shoddily, in the 1970's. They were not built to last, yet here we are almost half a century on and we are still asking our children and our teachers to do their best in buildings which are falling down, where they try to learn and teach in makeshift huts, where they freeze in winter and fry in summer.

We all know we have to give them better buildings. What is at stake today is when – when we do that, and whether we aim for a new school which will serve the Island well for 60 years, or cut corners and settle for another cut price compromise delivering false economies, breeding more generations of short changed pupils and students. The choice today could not be clearer.

It has been suggested that the plans championed by Education are over ambitious, too expensive and even extravagant. None of that is true. Every item in the project has been costed scrupulously to provide the greatest possible benefit to taxpayers at the best possible cost.

And sometimes it is forgotten that these plans incorporate not just the High School but five essential developments, each one of which offers enormous benefits to the community. The site will also house a new pre-school, a primary school, a community sports centre and a centre for children with autism.

The autism centre is often overlooked when people judge the value of this project. But it should not be. This development gives us a once in a lifetime chance to provide a purpose built educational environment for the growing number of children with autism.

As matters stand, a lack of adequate facilities means that provision for these pupils is patchy, and scattered across the Island. Some Members of the States may not realise that in the year 2014 many Guernsey children with autism are taught in huts, where their dedicated teachers do their amazing best in conditions which can be barely described politely as rudimentary

A new site at La Mare gives these children a chance to learn in a more relaxed, less cramped, more suitable environment and crucially because many of these children suffer acute anxiety over even small changes in their lives and routines, they will follow a seamless transition from primary to secondary school, carrying on their education at the same location a comforting reassuring familiar haven throughout their school lives.

You might have heard people question, you might even hear people today questioning the size of this project. Could we achieve the same results by building a smaller scale? I wish I could tell you that this was possible. The truth is schools need space. They need space to function effectively, for children to learn in the best conditions.

The T&R Minister has said he has one obvious question, why are we building so much spare capacity into the system now? Well, let me answer that today.

We are not building spare capacity in the system now. It is worth noting that we are proposing to provide no more classrooms in the La Mare de Carteret High than we have now, and we are using on a daily basis. What we are planning to do is provide bigger classrooms. The vast majority are too small or importable huts. More spaces to accommodate those children who are disabled, or who have other special needs. Accommodation to house those children who are disruptive and otherwise refusing to attend to school, but who we now keep in school and try and get them back on track. A drama space which doubles as a school stage, music peripatetic rooms, adequate facilities for school lunch times. More spaces to deal with the new technologies like CAD, like CAM and IT coding, and for many reasons too numerous to mention here but covered in the Report and presentations we have given.

One simple question for the T&R Minister. Can he point to any school and say that space is not being productively used for the benefit of the learning of its pupils – regardless of the children currently attending that school?

Sure, we could turn the clock back a century, we could build a school with classrooms where the teacher stands at the front, children sit in regimented rows of desks. That would take up less space, wouldn't it? It would be cheaper too. But is that the way we want to go?

So much of education now is about creating conditions where children can be taught in small groups, at separate speeds to suit their needs. For instance, I know that some Deputies are involved, like me, in Guernsey's Every Child our Future Scheme, where volunteers go into schools for one-to-one reading or maths sessions with children who might not otherwise receive that kind of personal attention. I am proud to say across the Island we now have 250 adult volunteers going into the schools every week. Giving something back to their community, making a difference. We rely hugely on a wide array of educational specialists in the areas of dyslexia, sports, science, music and so on, who visit schools to work with the small groups. To sustain these priceless activities you need space. And that space has to be designed in from the start.

I have to tell you, if we cut the cost of this project the space would go. Having said that, it is not as if the new primary school will be some kind of vast sprawling palace of a building. It will sit exactly half way in the list of the Island's primary schools by area by pupil.

For the high school it must have the capacity to accommodate 600 pupils. Our friends at T&R say 480 may do. It will not – for many compelling educational, practical and financial reasons.

Educationally, if we were to provide a broad and rich curriculum, and a curriculum which rivals those on offer at our other schools, 600 is the minimum. We are building a school which will be future proof for 60 years. Population trends suggest we will face a bulge in pupil numbers a decade after the scheduled opening of the new High School.

If we follow T&R's strictures and build a smaller school, we face the prospect again of overflowing classrooms, poor conditions, which too many of our children face today. (**A Member:** Hear, hear.) We will be no farther ahead than we are today. As responsible Deputies we also have to look ahead and anticipate changes which might influence pupil numbers in years to come.

To name just a few, we have to consider, emergency planning, what is our contingency plan if some unforeseen event puts one of the other high schools out of action.

Cobo has been designated as an area of more housing, with the prospect of new families and more children into that catchment area.

1890 St Sampson's is already full. At some point we may have to review those catchments to take some of the pressure off St Sampson's by accepting more pupils at La Mare.

Our pupil numbers are based on the College's intake staying about the same. Isn't there a prospect that more parents will choose to send their children to the high schools as exam results and the surroundings continue to improve? Where will we put them if they are already at capacity and more.

1895 We are facing a demographic issue with our aging population and the States may have to revisit its current population management policy. Policies have changed and will change in the future. Policies' change is a legitimate and standard consideration to build into future proofing analysis, and is included in such standard guidance to local authorities in the UK for their school planning guidance.

1900 Not doing so is the economic equivalent of burying our head in the sand. If just one of those scenarios come about with reduced capacity we would face chaos. You shudder to think what state we would be if they all happened.

Deputies, a high school with the ability to accommodate 600 students is hardly vast. It is the minimum we need to provide satisfactory education at long last. And it also gives us some flexibility. Some insurance against future events decades down the line given that St Sampson's is already at capacity and there is physically no room at Beaucamps for any extension.

1905 Of course, I do not deny the cost is an issue. I do not pretend that £59.4 million is not an awful lot of money. It clearly is. And in these days where budgets are under scrutiny more closely than ever before, we must utterly ascertain that every element of the project pays its way. That has been a guiding factor in my Department's plans at every step in this process.

1910 In that spirit I should say that we have already identified £7 million-worth of savings from the original contract plan, meaning the current cost is £59.4 million. Clearly that is still a huge sum of money. But no part of the project involves extravagance.

We looked at other options, we looked at other sites on the Island, but none of them ticked the boxes that needed to be ticked.

We looked at refurbishing the existing building. The estimate for that was more than a new build.

1915 We looked at compromising on the spec, building a school fit for a 30-year life and then building again another 30 years later – the road the States last went down – and the cost was frightening.

It all pointed to one conclusion. We need this school and we need to build it in the quality to see out the storms of 60 years.

1920 This project carries with it certain technical challenges which cannot be avoided, and these are reflected in the cost. The clue is in the name of the school, La Mare. We are building on a site that should really, could be under the waves if nature had its way. But this is the only site on the Island capable of housing this development. And making that possible involves the ingenious work of civil engineering, flood defence system, involving raising levels, constructing pumping stations which cost £12 million. But included in that £12 million there are car parks, tennis courts, landscaping, rugby pitch, new road infrastructure, security, 1925 and the bund to protect the schools and the surrounding neighbours.

Professional fees cost another £4 million. Furniture and IT, that is £3.6 million. The contract sum includes another £3.6 million for contingencies, which hopefully we will not be spending.

The cost of the actual buildings themselves, including the piling, amount to £33.8 million, which is plainly a big sum but does not seem unreasonable for the facilities that are offering so much.

1930 Do not forget, when you hear accusations of extravagance, that Education is perhaps the biggest contributor to the cost savings of FTP in this States. Look at our record: £6.5 million in recurring savings every year going forward, at a time when exam results and progress levels have all greatly improved. This project is in line with our steadfast mission to provide the best possible service for our Island while zealously guarding taxpayers' money.

1935 While I am on the subject of taxpayers' money, I should point out that this project will not cost our citizens any extra money. Not an extra penny. It is already in the budget for the long-term essential works. It has been suggested that a green light for the new La Mare will also be a green light for GST, paid parking, or other revenue raising measures. Not true. I will go farther and say that all the running costs of the new building will be covered by Education's existing budget. The new La Mare will not add extra strain 1940 on to the Island's already hard pressed taxpayers.

That subject is at the front of all of our minds at the moment, and I like many of you join the 2,000 or so concerned citizens who packed North Beach two weeks ago to make their voices heard on this issue.

1945 I talked to many that day, and I have talked to many since. The sense I get from them is that they do not object to paying taxes, they are patriotic Guernsey men and women and they are willing to contribute their fair share for the good of their Island and their community. What they will not tolerate is paying their taxes and seeing the money wasted, having nothing to show for it. We are firmly convinced that our proposals are value for money. We have demonstrated this repeatedly as we have gone through the T&R various reviews.

We are certain that this investment will deliver benefits and delays would now prolong the current unsatisfactory state of affairs.

1950 From an economic perspective, the C&E Construction Industry Forum have told us that the local construction industry is reliant on the La Mare de Carteret School as a major development for them in 2015 and 16 and therefore we would fully support Education in promoting development of the new school. If we procrastinate and do not support the recommendations before us today we will miss the opportunity to give a fiscal stimulus to important sector of our economy.

1955 It is in our power today to deliver a wonderful amenity which represents a richly rewarding return of their investment. A first class education, in a pleasant environment for generations of pupils from pre-school to 16, in an area and on a site which has long been neglected and ignored for far too long.

1960 I have to tell you that any delay, any attempt to hold back this project will represent exactly the kind of waste which stokes the anger of our citizens. It is the kind of issue which drags them out of their homes on a Sunday afternoon to protest at the follies committed in their name.

1965 If we delay today we will not put the project back by a few week or even two or three months. At the very least it delays progress by a whole year, because works cannot be completed during the summer holidays. We have a six-week window to get the job finished, and that is for the transfer between the schools. Also a delay today takes us literally back to the drawing board. The existing plans will be thrown out and we start the lengthy expensive process of working with architects, surveyors, engineers, contractors, all over again, to redraw and redesign the project. That will add extra costs and fees and the construction costs will inevitably rise.

1970 I would go farther, the current building was already on its last legs years ago. It is a building that is falling down almost before our eyes. It is bad now, imagine what is it going to be like if we delay and in four years' time we are still asking pupils and teachers to do their best in appalling conditions. Our maintenance staff do the best they can. But the reality is they are putting a sticking plaster over a building that is already dead and buried.

1975 Delay today and this States faces the inevitable prospect of going back to the people of Guernsey in a year's time to tell them that they must pay for a school that is smaller and in every way less fit for purpose than the one they could have had a year earlier. It will cost them several million pounds more we believe. That is a tough sell, and I certainly will not do it.

1980 This States cannot be blamed for decisions taken by earlier administrations. But it feels as though we owe an apology to the pupils and teachers who have endured a substandard school for many more years than is acceptable. Thanks to an inexcusable catalogue of procrastination (**A Member:** Hear, hear.) The question could legitimately be asked why has La Mare had to wait, but actually the truth is they do not want an apology they want a school. (**A Member:** Hear, hear.)

This seems like a good moment to pay tribute to the work the pupils and teachers have done to get on with their education in difficult circumstances.

1985 Three years ago 11% of pupils achieved five GCSE passes at grades A to C including English and Maths. For the last two years, that figure has risen to 40% and over: all down to a lot of hard work and application. Yet still it seems certain results could improve even more quickly if the school offered a more conducive atmosphere for study, if it was a pleasant place to learn. Too many students miss too much school, which is a source of regret. But understandably too, you have to ask yourself if you worked in an office where the rainwater came through the ceilings and the wind howled through the holes in the masonry and your working conditions reeked of neglect, how eagerly would you troop in every day. (*Interjection*) Compare it with Frossard House – sorry.

1990 Finally, I ask Deputies to reach out today and grab this opportunity to build a new school we can all be proud of. It is within our grasp. Back this project today and we can put a spade in the ground in May 2015 and our children, teachers can be in there by September 2017.

1995 We all sought election to these States, I know with the aspiration of achieving something worthwhile for the people who placed their trust in us, who sent us here to do a good job. What better way to do that to leave a lasting legacy than of building a school which will serve generations of children for more than half a century to come?

2000 Good education is our Island's future. For those of you who believe education is expensive, well try the alternative. We do not get a chance to make an indelible mark like this very often. We have that chance today. Let's take it.

Thank you, sir. (*Applause*)

**The Deputy Bailiff:** Thank you, Deputy Sillars.

2005 During your speech, the two Alderney Representatives arrived in the Chamber. Welcome Alderney Representative Harvey and Alderney Representative Jean. I am glad the weather had permitted you to get here now. Do you wish to be *relevés*?

**Alderney Representative Harvey:** Yes, please.

**The Deputy Bailiff:** Greffier, could they both be *relevés*, please?

**The Deputy Bailiff:** There is an amendment that has been circulated, proposed by the Chief Minister, Deputy Le Tocq. Do you wish to place that amendment now Deputy Le Tocq?

**The Chief Minister (Deputy Le Tocq):** Yes please, sir.

**The Deputy Bailiff:** I invite you to do so.

*Amendment:*

*To delete all Propositions and replace them as follows:*

- 1. To approve in principle the La Mare de Carteret schools' redevelopment project ("the Project").*
- 2. To direct the Treasury and Resources Department to provide further interim project funding up to the 'Full Business Case' stage in order for the specialist project team to be retained.*
- 3. To direct the Treasury and Resources Department, in consultation with the Education Department, to commission an independent review in order to determine the most appropriate scale, scope and specification for the Project and to present a report no later than 31st March 2015 setting out the conclusions to the Policy Council for consideration and approval.*
- 4. To direct the Treasury and Resources and Education Departments, following Policy Council consideration and approval of the report referred to in proposition 3, to undertake a formal value management exercise involving independent and appropriately qualified facilitators and the project team in order to ensure that the Project meets the recommended and approved scale, scope and specification and represents best value to the States.*
- 5. To delegate authority to the Treasury and Resources Department to approve a capital vote, charged to the Capital Reserve, of a maximum amount of £65 million to fund the Project, subject to satisfactory completion and review of the 'Full Business Case.'*
- 6. To direct the Treasury and Resources Department to report back to the States:*
  - (i) should the Policy Council not reach agreement on the recommendations in the report in proposition 3; or*
  - (ii) should the Project progress, in its next States Capital Investment Portfolio report on the outcomes of the process and with an update on the progress of the Project.*

**The Chief Minister:** Sir, I wish Members to know that I am for Education. I support the Department's Vision for Education, and I am for the re-build of the La Mare de Carteret Schools. I think I have always been for these things.

I was in fact on both school committees many years ago and witnessed and saw the leaking problems, as well as the other design issues that have been raised by previous Members of this Assembly who were head teachers there. And I remember very well being at Castel School when the La Mare was built and having a whole section of the primary school there of my friends move to the school. It looked sort of wonderful and new for a very short time. It was not built to last. I agree that it is not fit for purpose at the moment. I want to make that very clear.

I was on the Education Council in 2001 during the time that we brought the debate on the reform of secondary education, which included the abolition of selection at 11, and I was supportive of that. And in fact despite the fact that two of my daughters have attended Les Beaucamps School, I would have been in favour of rebuilding La Mare de Carteret School before we built or re-built Les Beaucamps School – and even not re-building Les Beaucamps at all (**A Member:** Hear, hear.) but having three larger high schools in Guernsey, had the 2001 Policy Report gone through un-amended (**A Member:** Hear, hear.) But that is history, and there is no point in rehearsing those arguments again.

But, sir, I wish to make it clear that my motive in bringing this, and laying this amendment, is not that I am against Education's plans, quite the opposite. I am concerned that they will not go through and as a result they will be sent back to the drawing board.

Moreover I want to make it clear, Mr Deputy Bailiff, that I am not supportive of the way that T&R have chosen to act during the whole of the projects development so far. In fact the T&R Minister is aware that I believe that it was unwise to remove political representation from the Project Board in 2013. (**A Member:** Hear, hear.) I believe had that not been done, we may not have seen the events in the scramble of recent weeks and so I am not... This is not a T&R amendment in disguise. This is perhaps, though, a P&R amendment, because I believe my job as Chief Minister is to try and seek for different Departments to work effectively together and I was, as I have said before, concerned that putting history to one side, both in terms of T&R's involvement or lack of involvement politically in the Project Board process and what I

would have preferred to have seen years ago, I believe that had these proposals come before the Assembly today un-amended that they could have been lost, and therefore Education would have had to go back completely to the drawing board and we would have not had a re-build at La Mare, which I believe needs to happen.

So, having limited tools in my box, as I have mentioned on many occasions – in fact recently I have said I have probably only got one, it is a hosepipe – laying this amendment has meant that both Treasury & Resources and Education Departments have been forced into working together to seek to find suitable compromise. Which, of course, Education could have laid today as an amendment they were the only ones that were left to do so under the Rules. And I understand that they were working hard on those possible compromise issues that could have been laid in amendment today even until 10.30 last night. So I commend them for that but it is disappointing, sir, that they have not come to some conclusion, even though I understand possibly a minority of the Education Board would have been happy to proceed on that basis.

So maybe it was pressures of time, I am not sure, sir, but I feel that this amendment is necessary.

What are we asking? We are asking, notwithstanding the fact that perhaps we could have pre-empted this, T & R are asking some really important questions, some pertinent questions, which I believe have not been fully answered. Justification has not been fully given. I have seen some of the questions, I have seen some of the answers and to be honest, sir, it is not clear that the size and specification of the school is right.

I do believe we need to re-build, but I believe that the answers I have seen to some of these questions have moved the goal posts in several circumstances. And that is why I believe an independent review that is swift can justify and can bring some resolution to some of these things.

T&R are doing their job. They are asking the right questions because they are guardians of taxpayers' money. Questions are also being asked by many in Guernsey at the moment, with regard to the way in which we spend money, taxpayers' money, capital investment, and we should not ignore that the times are different now from the times in 2001, when we could have made some different choices had we been minded to in those days, and there were the sorts of surpluses that this project alone is causing us to need to spend, on an annual basis.

Also questions are being asked even by the electorate in my district and of course this school is in my district, and by the Douzaine, genuine questions of concern. Questions are even being asked by neighbours and the community surrounding the school. Many who want to see it implemented but still have genuine questions about the costs, the value for money, the size, and the specification.

Questions are even being asked by parents and families past and present. I know that many of the school teachers and indeed the children have contacted us, which is admirable of the children, because whatever happens today they are not the ones in the main that are going to benefit from this. My two children went to Beaucamps without seeing the changes there, and I am glad to say they had an excellent education despite that. But nevertheless questions are being asked by parents and by those who attended the school in the past about whether this is appropriate in terms of the costs at this time. I think that is significant because it is rare that you get some of these people asking these questions.

I have attended presentations by Education, and to be frank have been disappointed in some of the answers gone and some of the way in which the presentations were made. We clearly have some assumptions being made, and in my mind only an independent review in the lines that is given in this amendment will allow us to be absolutely certain that this is right way forward.

If Education are confident that they have got it right, and I believe they should be, although the Minister did not sound so when he spoke a few minutes ago, I do not think they need to be worried about such a review, because such a review could be done swiftly, even initiated in the next few weeks and finished possibly by the end of January, and as a result they could proceed if they have got it right. I believe that they should be confident about that, bearing in mind other things that they have sought to communicate to us.

So, we are bringing this amendment, sir, not because we are against Education's plans or La Mare de Carteret School or the need to re-build, but actually because we are for that and we want to see it happen in an appropriate way so that good government can take place. I do not believe it would be good government if the plans as un-amended were rejected today and Education had to literally go back to the drawing board, and as a result a whole generation of school children will be left in the lurch for unknown period of time. So I do encourage Members of this Assembly, sir, to support this amendment.

**The Deputy Bailiff:** Thank you.

Deputy Langlois, do you formally second the amendment?

**Deputy Langlois:** I do, sir, and I reserve my right to speak later.

**The Deputy Bailiff:** Deputy Hadley.

2110 **Deputy Hadley:** Listening to the speech of the Chief Minister, it does seem to me that he is usurping the mandate of the Education Department. I think it is quite just to say, are we getting value for money, is the cost right? But when he queries the size of the development, I think he is treading on the toes of the Minister of Education.

I would urge all Members to reject this amendment and move to debate on the substantive motion.

2115 **The Deputy Bailiff:** Deputy De Lisle.

**Deputy De Lisle:** Sir, I make three points, sir, on the amendment.

First, the amendment seemingly seeks rationalisation in the project, yet asks the States' Members to approve in principle the project. That is somewhat difficult for some perhaps to comprehend.

2120 Secondly, under the amendment a capital vote of £65 million to fund the project is requested. This is much more than the £59.4 million asked for in the Education's Resolution.

And thirdly, the amendment will also require future reviews and approvals, which could mean returning to the States for a future debate, all of which could delay the project development.

2125 So can the Chief Minister answer in summing up why the amendment that he is placing is not restricting development to the original intent? Why the increase in capital vote to £65 million? And can he also comment on the consequences of delay to the project?

Thank you, sir.

**The Deputy Bailiff:** Deputy Luxon, will you be short?

2130

**Deputy Luxon:** Well, I am 6' 1", sir, but I will try and be short today (*Laughter*) in what I have to say. Sir, it is actually 6' 1½" but I am shrinking. I will be short, sir, and sorry for my flippancy.

2135 Sir, for me I would like to ask one question of both the T&R Minister and the Education Minister, which is if this amendment is approved, will the time lines allow this development to take place within the time lines within the main Propositions? That is really important to me, sir. Because I have the dilemma of the conflict between absolutely wanting to support this project, which I do, and I echo the Chief Minister's words of why we should all want to support it versus an issue of the good governance. The 47 of us have a responsibility to make sure that any unanswered questions or doubts should be bottomed out to make sure we can make informed evidence based decisions.

2140 So my decision about supporting the amendment or not will be dictated between those two dilemmas and the answer from both the T&R Minister in his summing up and also the Education Minister.

I support the Education Board. I respect the Members on that Board in what they do. I respect the vision, Today's Learners Tomorrow's World. We absolutely need to give the children that will benefit from this school, this development, the opportunity that the rest of the children in our Island have.

2145 It is with deep regret that we have not been able to get to that elegant compromise, which again the Chief Minister alluded to between the two Departments, but it is fair to say genuine efforts and endeavours have been made to get there.

2150 I just do not want us to end up having to make a wrong decision based on points of principle around our political process. Clearly taxpayers' money is and should be spent wisely, invested wisely and we need to try and give ourselves the clarity that we have to be able to make the decision. I would hate that the proposal failed because we do not support this amendment and we end up with no development at all and we are back to the drawing board.

Thank you, sir.

2155 **Deputy Bailiff:** Well, thank you, Deputy Luxon, for being brief.

It is as close now as I think it is going to be to 12.30 p.m. so we will adjourn the debate on this amendment until 2.30 p.m.

*The Assembly adjourned at 12.30 p.m.  
and resumed its sitting at 2.30 p.m.*

**Redeveloping the La Mare de Carteret Schools' Site –  
Debate continued**

2160 **The Greffier:** Article XV. Education Department – Redevelopment of La Mare de Carteret Schools' Site. Continuation of the debate on the amendment.

**The Deputy Bailiff:** Deputy Kuttelwascher, followed by Lester Queripel.

**Deputy Kuttelwascher:** Thank you, sir.

2165 The first thing I can say, and I am sure I can say this on behalf of the Treasury & Resources Department, we support the rebuild of La Mare de Carteret Schools.

2170 Another thing I want to say is that should this amendment be supported it does not imply that there has to be a delay in delivering the building of these schools. The only delay could arise if, as a result of, say, the amendment's review, was if one or other of the parties dug their heels in and would not accept the results of the review, but that is another issue.

Up until late last night we were close to possibly getting an amendment which may have been supported by the Education Department, but the terms of reference were the problem and there were certain things in those terms of reference which I believe the Education Department just did not want reviewed and one of them was the size of the development.

2175 It kind of reminds me of a film I used to watch when my grandsons were a bit younger called *Matilda*. I don't know if any of you have seen it but Matilda was forever doing what all young kids do, posing the Lester Queripel-type question 'why?' – 'why?'

**The Deputy Bailiff:** Deputy Queripel, please.

2180

**Deputy Kuttelwascher:** Sorry, Deputy Queripel. Deputy Lester Queripel.

Anyhow, one day Matilda posed another one of these questions to her father, played by Danny De Vito, and the question was at the end of it 'why?' and the answer given was this. The father said to the daughter, 'I'm big, you're small; I'm smart, you're dumb; I'm right, you're wrong.'

2185 Now that is how I feel we are, at the moment, if I can draw the analogy, with the Treasury & Resources Department and indeed the Education Department. I would draw the analogy with Matilda being the Treasury & Resources Department asking the questions 'why?' Education: one can draw an analogy with Education to the father because the whole crux of the matter is, yes, Education have provided answers to the States' Capital Investment Portfolio process, but they have not been satisfactory and therein lies the problem and, to me, the only way forward is for that problem to be resolved by an independent review, shall we say, of the answers.

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**A Member:** By Danny De Vito?

2195

**Deputy Kuttelwascher:** No, not by Danny De Vito.

**A Member:** I just wondered.

2200

**Deputy Kuttelwascher:** The other issue I would like to mention is that there are a whole load of other things that cause some worry.

There is appended a letter from Culture & Leisure where they say they are pleased that Education are thinking beyond their mandate. That is an issue for me, just as a matter of principle. I wonder if the States' Assembly and Constitution Committee would approve departments thinking or, indeed, operating beyond their mandate. Just a thought.

2205

And the interesting thing is, without the amendment the Treasury Department could not support the report. However, with the amendment they could.

If the amendment is supported, I would expect a near unanimous support for the proposals which could then be fast-tracked and, as the Chief Minister has said, the purpose of this is to keep the whole thing on track. The only people who might oppose it might be some of the members of the Education Department, but they would have difficulty then because they would stop the programme in its tracks. So I suggest, and I think it would be expedient if Members would support the amendment.

2210

Thank you, Sir.

**The Deputy Bailiff:** Deputy Lester Queripel, followed by Deputy Stewart.

2215

**Deputy Lester Queripel:** Thank you, sir.

Sir, I understand completely why we need new schools at La Mare. It is beyond doubt, as far as I am concerned.

2220

And I worked in the construction industry for almost 40 years and I did find myself questioning design and costs involved in major projects such as these. The reason I did that, sir, was because in 40 years I saw an abundance of mistakes made in design and construction on several major projects.



For 28 of those 40 years I ran my own business and, ironically, we worked on La Mare on several occasions and every single time our brief was to do the work as quickly and as cheaply as possible and not to ask any questions.

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**A Member:** You should have asked the question.

**Deputy Lester Queripel:** That is a red rag to a bull to me, sir, because my partners and I often asked questions about the plans and designs, we often questioned the type of materials we were told to use and we often questioned the amount of waste that was being generated by constant over-ordering of the materials.

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But everything we said fell on deaf ears. It was a classic case of too many chiefs, none of whom wanted to be accountable, or accept responsibility. In the end, sir, we got so demoralised, that we walked away.

So, one of the first things I did when I was elected into this Assembly was to ask Education Department to set me up a site visit to Beaucamps School. The reason I did that, sir, was so I could see for myself exactly what was happening during the rebuilding of the school. I had major concerns about the design and I had major concerns about the costs involving construction and future maintenance.

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In other words, sir, I wanted to conduct my own value for money review.

The Department set me up with that site visit, to which I invited Deputy Soulsby and Deputy Sherbourne. Unfortunately, on the day of the visit, Deputy Soulsby was not able to attend, but Deputy Sherbourne and I met with the site manager for almost two hours. During that two hours I asked the site manager 13 questions. *(Laughter)* Unlucky for some, sir, but not for the site manager.

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He came through with flying colours. He gave detailed answers to every one of those questions I asked and, by the time Deputy Sherbourne had asked questions of his own, I felt we had left no stone unturned. The site manager was overseeing the project and ensuring that building of the school was going exactly as planned.

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So my experience in the industry tells me that every new build faces the same fundamental issues and design faults and construction and maintenance costs and how do we address all those issues? The answer to that question is to talk to the people who are going to use the building. Talk to the teachers, the children, the cleaners and the caretakers and ask them how they think a school should be designed.

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Dialogue also needs to take place with the builders and all the other trades involved and one thing I never saw designers and architects do in all the years I worked in the construction industry, sir, was ask the people who were going to use the building for their opinion on how they felt the building should be designed. In fact, the question I heard being asked on building sites the most in the 40 years that I was on them was, 'What on earth was the architect thinking of when he designed this?'

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The 'on earth' was often substituted with two other words, sir, which I will not repeat in this Chamber.

But, sir, those are all issues of the past and I no longer work in the construction industry and it would appear that the concerns I had in the past have now been eliminated. I would ask my colleagues to look at page 2558 of the Billet, sir, because in paragraph 3.3.3.1 we are told the following: the cost consultants have completed a value for money exercise and this Report has been prepared to review whether or not the cost of the development of La Mare provides value for money. This Report has reviewed each cost element – the building costs, the external costs, the abnormalities, the overheads and profit, the contingency and risk allowance, the professional fees, ICT and inflation.

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The paragraph below that one tells us that Gardiner & Theobald completed a critical appraisal at the feasibility stage of building procurement, covering the service life estimation and maintenance implications of building elements in relation to the development of La Mare de Carteret.

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So that all seems pretty comprehensive to me. It would appear that the Department have left no stone unturned. I ask myself how much more comprehensive can a value for money review be than that?

So the first question I have for the Chief Minister, sir, is this: what criteria will this review employ that the Department themselves did not employ when they compiled their report?

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In other words, how will it differ? Surely, it would be absolutely futile to employ the same criteria as the Department did?

My second question for the Chief Minister, sir: what will he and Deputy Langlois do to ensure that vital dialogue takes place between the people undertaking the review, the designers of the school and the people who are going to be using the school.

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And if the answer is that neither he nor Deputy Langlois will be able to have any influence on the nature of that review, that the reviewers will carry out the review in their own way, then surely we need to know what their own way will be. Otherwise, we will be voting for an expensive and completely pointless review.

And my final questions to the Chief Minister seek clarification regarding this proposed review.

It seems to me, sir, as though we are talking about two reviews taking place, here, and if Members look at Propositions 2, 3, and 4 of the amendment, they will see that they read as follows:

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Proposition 2:

‘To direct the Treasury and Resources to provide further interim project funding up to the “Full Business Case” stage in order for the specialist project team to be retained.’

So my question in relation to that is, will the Project Team be involved in the review or will they be paid to do nothing up until 31st March, 2015?

2285 Proposition 3 asks for an ‘independent review’ to be undertaken and a report presented to the Policy Council by no later than 31st March 2015.

Proposition 4 asks for a ‘formal value management exercise’ to be undertaken after the Report has been approved.

So, isn’t Proposition 4 asking us to approve a review of a review? I would like clarification on that point, sir.

2290 And staying with Proposition 4, there is no date attached to the delivery of that value management exercise. Surely a date does need to be set for a delivery? So I would like clarification from the Chief Minister on that point as well, sir.

2295 I make no apologies whatsoever for being so pedantic because we are also told in paragraph 3 of the explanatory note that even after everything has taken place a ‘full business case’ would then need to be prepared which would need to be approved by T&R and the Education Department before the final funding could be released.

So, we are certainly not looking at 31st March, 2015, to resolve this. We could be looking at 31st March 2016, or even 2017.

2300 The teachers and pupils at La Mare have waited long enough already, so I would like to hear the Chief Minister’s views on just how long he thinks this whole process will take before the first spade even goes into the ground, sir.

To conclude, I have said in this Chamber on two occasions I think we have an excellent Board on Education and on both of those occasions, sir, Deputy Green has said ‘hear, hear’ and I was waiting for him to say it...*(Laughter.)*

2305 But of course he would say that, because he is on the Board.

**A Member:** Just not listening. *(Laughter.)*

2310 **Deputy Lester Queripel:** Sir, to conclude, I have got every faith that the Board have done their utmost to ensure that the redevelopment of La Mare is going to result in value for money for the taxpayer, so it is going to take a lot of convincing from the Chief Minister for me to even consider voting in favour of this amendment.

Thank you, sir.

2315 **The Deputy Bailiff:** Deputy Stewart, to be followed by Deputy Green.

**Deputy Stewart:** Deputy Bailiff,

2320 I think if you were to ask the question right now, do we need a new school, do we need to replace La Mare de Carteret? – absolutely. I think every single Member would say yes. But I think why I will be supporting this amendment is because this is a once in 60 years decision and, as long as the Chief Minister can give some assurance, I think, to this Assembly that there will not be unnecessary delay or maybe no delay at all, I will vote in favour of this amendment.

2325 And there is a very good reason. It is not just the public noise around things such as ‘enough is enough’ but it is also what I have been listening to, for example, at the previous Chamber dinner about our fiscal position and how we have to manage this going forward.

Martin Dorey, who won the award at the Chamber of Commerce, has done a very frightening piece of modelling around a drop in our working population and if we do not have changes in policies we could end up with, in 25 years’ time, something like 19,000 people working and over 40,000 people not contributing to the economy and that is quite scary.

2330 I think what we are going to have to focus on is not what we want but what we actually need and that is why I will support this amendment. We do need a new school, but some of the areas do concern me in terms of some of the numbers around the pupils both in the primary school and the secondary school, and of course Commerce & Employment supports sports tourism but it has been very difficult to get any form of figures into what the incremental benefit will be of this. We have written to officer to officer to try and understand, with these extra sports facilities, what exactly will be delivered, but of course Commerce & Employment is supportive of ideas, but I do not think the business case has been properly made as presented.

2335 Anything to grow tourism, of course, is hugely welcome and we are very fortunate that in Quarter 3 of this year we managed to grow our tourist numbers by something like 11%.

2340 So I do support a new school, but I do think we have to be far more open with our public. This is a once in 60 years decision, I hope there will be no delay in supporting this amendment, I am looking for that assurance, but we do have to focus not just on this project but everything else that is going to come before this Assembly with so much uncertainty facing us over the next few years.

We have to focus on what we need, not what we want.

2345 Thank you, sir.

**The Deputy Bailiff:** Deputy Green, to be followed by Deputy Paint, to be followed by Deputy Brouard.

**Deputy Green:** Yes, Deputy Bailiff, thank you very much.

2350 I should perhaps begin by saying that, as far as I am concerned Education has tried very hard to engage and to find a compromise, an 'elegant compromise', as Deputy Luxon said, with T&R, to both ensure that this rebuild is supported in principle and to safeguard taxpayers' money. It would appear that, despite best efforts, that has not proved possible.

2355 Now, I am not going to go into all of the history of this project, I will leave that to others on the Education Board to give that educational perspective and experience, but I just wanted to put on the record the fact that we have made real efforts to seek a solution.

Of course, we are reasonably confident, in our assumptions and numbers and we did, in fact, suggest a review back in early October when we first saw the letter of comment that Treasury & Resources had provided to the Billet.

2360 The bottom line is we really do not want to build schools that are basically too small. We have been there before. As we have already heard, if we want to provide a proper, broad and rich curriculum for the pupils of the two schools at La Mare then we must avoid building a too small school, particularly for the high school, given the developments and some of my colleagues on Education will expand on those points in a moment.

2365 Mr Deputy Bailiff, this amendment is undoubtedly a well-intentioned amendment and it will no doubt be attractive to some Members of this Assembly.

2370 It is, as far as I am concerned, undoubtedly a genuine attempt to reconcile Treasury & Resources with the Education Department, particularly on the issue of size and I totally understand T&R's desire to look very carefully at value for money issues. I have no particular issue with that in itself, we can hardly forget that we are all in this Assembly custodians of the public purse. That is not just the responsibility for T&R, as far as I am concerned.

However, I will ask Members to vote against the amendment today primarily for two reasons.

2375 Firstly, I would suggest, as Deputy Hadley said this morning, it will undermine the Education Department's mandate as a sovereign committee of the States and secondly it will undoubtedly undermine the States of Deliberation's role in this process as well.

I also think it has certain implications that will flow from this amendment in terms of a negative, damaging effect, potentially, on educational provision at these schools in the long run.

But before I deal with those main points, I do want to spend a few moments on the wording of the amendment itself.

2380 The first Proposition, clearly, would confirm approval in principle. No issue with that whatsoever and I am glad there has been virtually, if not absolute, unanimity on that support in principle so far in this debate.

2385 The second Proposition would provide funding to enable the Specialist Project Team to be retained. I believe it was Deputy Lester Queripel who had just made this point that that is, of course, all very well in theory, but of course, if there is going to be a possibility of the Project being fundamentally changed or recalibrated, then what exactly is that Project Team going to be doing in the interim whilst we wait for the outcome of that review?

And then we come to the third part of this amendment, which has been described by some as a wolf in sheep's clothing, possibly.

2390 Under that Proposition, T&R, in consultation with Education – mark that, not jointly with Education, but 'in consultation' with Education – would commission 'an independent review in order to determine the most appropriate scale, scope and specification for the Project and to present a report no later than 31st March next year setting out the conclusions to the Policy Council.

2395 Of course, any talk of an independent review is going to be seductive and attractive to Members of this Assembly, I accept that. It is seductive. But I would suggest that it is superficially appealing. I would suggest there are three particular problems with that third Proposition.

2400 The first is that this would effectively hand over the responsibility to determine what the new La Mare de Carteret schools will look like to, possibly, three unelected figures who have no democratic accountability whatsoever. In the nature of these reviews, there is a chance that they could determine that the best solution on the size, scope and specification is a high school or a primary school that are too small and not educationally fit for purpose.

The expert advice that we have received is certainly that a 480-pupil high school, or anything less than a 600-pupil high school is wrong in principle and will not support a broad-based modern curriculum, nor cater for the future population figures in reality.

2405 The second problem is that this could well lead to yet further delay in the delivery of this much-needed educational project of perhaps a further one-year period and I think that sort of delay will be regarded by many in our community, most notably the pupils, parents and staff connected with the two schools, as an unreasonable delay, given all the history and the very real inequality that persists, particularly as regards the high school with the other two high schools in the Island.

2410 The third difficulty is that the Independent Review will lead to a report that will be considered and possibly approved by the Policy Council. Not by this Assembly. Not by Education. But by the Policy Council.

I am not sure that the Policy Council is necessarily the best or most appropriate forum for that decision to be made.

2415 The Education Department clearly has responsibility under our system of government, for determining the appropriate scale, scope and spec of these schools. That should be completely obvious.

This, in reality, does seem to be at odds with the amendment's Propositions, which in effect take this away from the Education Department and will be determined by three non-elected people who will then send it back to the Policy Council to reach agreement.

2420 Not only is this being taken away from the States of Deliberation, but it is simply being assigned to the Policy Council.

In my view, not so much a legal matter, I think the amendment is not necessarily contrary to the provisions of the 1970 Education Law as such, but I do take the point that, as drafted, this amendment creates a real tension between the role of the Policy Council in considering and reviewing the Independent Review, and the basic role and functions of the Education Department.

2425 The fourth Proposition does not seem particularly problematic to me, I must say, although the formal Value for Money Review was always going to be a key component of this whole process.

I do not think the fifth Proposition is an issue for me, either.

But I do think the sixth and final Proposition does create a practical issue and I hope the Chief Minister can address some of these concerns when he sums up at the end.

2430 The phrase 'should the Policy Council not reach agreement on the recommendations in the Report in Proposition 3' to my mind is not clear in terms of what that actually means.

Does this mean a unanimous agreement or a majority agreement? If the independent report agrees with the Education Department's opinion in this and, perhaps, the T&R Minister does not agree with it, or perhaps *vice versa*, does that actually constitute agreement or is that a majority agreement?

2435 I do seek clarity on the phrasing from those proposing this amendment. I think that point is not unimportant.

Finally, there is a question about what if Policy Council does not agree and then T&R reports back to the States? So not only has the Policy Council taken away the Education Board's mandate in this area, then just for good measure, T&R will have taken responsibility for taking a States' Report to the States on the sufficiency or otherwise of the schools in question.

2440 I think the wording of Proposition 6 lacks clarity on that.

It would appear that the intention behind Proposition 6 is for the matter to come back before the States, possibly as part of the SCIP process, but clearly if the matter is not brought back before the States then the Education Department will not actually be afforded the opportunity of a further States' debate, which would be rather curious, given the mandate that we have.

So, what are the two real reasons why you should vote against this amendment?

2450 Number one: this amendment will quite clearly undermine this Assembly's role and function as the Executive in our Island's Government on this particular issue, by effectively not giving this Assembly any real say in the determination of the appropriate scale, scope and spec of the project. That could be seen by this Assembly as an abdication of our responsibility to meekly authorise the Policy Council to take that decision.

We are here first and foremost to take decisions.

2455 And number two and this is probably an even more important reason: this amendment will undermine the Education Department's own mandate. We are a sovereign committee of the States of Guernsey. It would be one thing for the States to reject our proposals and, in effect, leave the Education Board to go away and think again, but it would be quite another for the States, in effect, to reject our proposals and decide that the only way they can provoke the course of action they favour is to get Education out of the picture, more or less completely, and to direct the Policy Council and T&R to take over.

2460 I would suggest, Mr Deputy Bailiff, this amendment drives a coach and horse through our mandate. I do wonder whether it sets an unhelpful precedent.

Mr Deputy Bailiff, in conclusion, I have spelt out my position clearly. I will not be supporting this amendment, clearly.

2465 La Mare de Carteret project is the last phase of a very key part of the development programme which was agreed many years ago. This amendment might be presented as a brief opportunity, a brief moment of respite, if you like, to double check the figures, to double check the costs, but in reality I think it is a challenge to the integrity of the whole project and raises a strong possibility that the high school could be built in a manner which would be inappropriate, inappropriate to provide a breadth of curriculum, inappropriate to provide the very best learning opportunities, inappropriate to genuinely provide for shared practice for teachers and it would undermine our efforts to create genuine quality of opportunity.

2470 So, I will leave my other colleagues on Education to build on some of those educational arguments, but I will be voting against this amendment and I urge Members to do likewise.

**The Deputy Bailiff:** Deputy Paint.

2475 **Deputy Paint:** Sir and Members of the Assembly.

There is absolutely no doubt at all that La Mare de Carteret School has to be rebuilt as soon as possible. There is no question about that at all. I visited the school and it is in a shocking state, without question.

But there are a few questions I would like to ask the Minister of Education on the plans to rebuild it.

2480 One of my main concerns is the proposed earth bank, which I believe is being placed for the purposes of defending the new school from over-topping of the Long Port sea defences. As far as I am aware there is very little risk of this happening in this area. The dangers are at Cobo, not Long Port, where...which faces the playing fields.

There is a risk of flooding, but that has always been in the past, it is a marshland after all. But it is from surface water, not from the sea.

2485 I would ask if the Minister could explain why this earth bank, bund or protection for the school is being put forward when there is very little risk of a flooding event taking place and this earth bank will be at a great cost?

2490 There is also a concern with the local residents, with the construction of a new road and a few other concerns. Could the Minister also explain how he hopes, how he will address these problems and these concerns?

Thank you, sir.

**The Deputy Bailiff:** Deputy Brouard.

2495 **Deputy Brouard:** Thank you, sir.

2500 I will try and get to the point before you cut me off sir, if I may. (*laughter*) I think, to be honest, sir, the Policy Council has done its job of what it is meant to, what it is meant to do, in the amendment that Deputy Le Tocq and Deputy Langlois are bringing as honest brokers and that is what we expect Policy Council to do. When we have got a situation where two Departments cannot quite agree on policy or the way forward, that is exactly where Policy Council comes in and I think it is absolutely right and I think it is perfectly good of them to bring this amendment and put it on the floor of this House for us to decide.

I think Deputy Green perhaps protests a little bit too much with regard to the mandate, although I do take the point that he makes.

2505 One interesting thing was this morning that somebody mentioned it would only take about four weeks to do the review. So, I am not a great mathematician, but just working back, if that is all it was going to take, why did not someone do it when the Billet was published? We would have had it in our hands for two weeks before today's meeting. (**Several Members:** Hear, hear!) I do not understand that, but anyway...

2510 We are very lucky in St Peter's: at the Douzaine, we have a dean who has an impeccable list of public service in Martin Ozanne, including many years as Minister of Education and at the time of St Sampson's High. Now, he recalls a similar situation when, at that time, it was T&R called for a last minute review. Now the result of that delay that it caused was that crisis rose and there was a re-tendering of bits and pieces.

In fact, what happened was, with the prices rising, we lost the financial advantages, but still we brought in the reduction in size and in the facilities. So, in the end we paid nearly the same amount, but for less.

2515 Now, as the philosopher George Santayana said: 'Those who cannot learn from history are doomed to repeat it.'

I just feel we are in danger of repeating history. Please get on and rebuild La Mare now.

Thank you, sir.

2520 **Several Members:** Hear, hear!

**The Deputy Bailiff:** Deputy Fallaize, to be followed by Deputy Adam.

**Deputy Fallaize:** Thank you, sir.

2525 I am sorry, this speech will not be terribly structured, because I am scribbling away here and my notes are all over the place.

The first thing I want to say is that I commend Deputy Le Tocq and Deputy Langlois for their well-intentioned amendment. I think they clearly have constructive intent and this is a valiant attempt to bridge the gap which, at times has seemed more like a chasm, between the Education Department and the Treasury & Resources Department.

2530 However, for me, whatever questions there may be remaining in relation to the Education Department's proposals, I do not think this amendment can possibly be the answer.

We are calling it an amendment because that is what it says on the front page, but of course what it really is a sursis motiv   and I would ask the States to approach this quasi sursis in exactly the way the States normally approach a sursis, which is with a great deal of scepticism and circumspection.

2535 In particular I would implore Members not to vote for the amendment, or the quasi sursis as it is, as a way to avoid making a difficult decision today, because sometimes that is what sursis can be used for. It is a way of kicking the can down the road, and I do not mean necessarily in the sense of delaying the project, but putting off having to make a difficult and contentious decision and I think there is a flavour of that in this amendment.

2540 A valid reason for supporting an amendment like this, which is a quasi sursis, is that if the States do not have before them sufficient information to reach a rational conclusion on the Propositions laid by the Education Department.

2545 Now, I do not believe that we do lack sufficient information to make those decisions. Certainly we have two committees who are in dispute, certainly they cannot reach agreement. But that of itself does not mean that the States do not have sufficient information to be able to reach a rational conclusion.

I am not suggesting that all Members need to be of the same opinion. Clearly we will reach different conclusions, but what I am saying is I think we have before us sufficient information to reach a rational conclusion one way or the other on the Proposals that are being put by the Education Department.

2550 And for that reason, I think an amendment constructed in the way this one is is not legitimate.

Members should not vote for this amendment in the hope of achieving some kind of rare and perfect tomorrow where all committees will suddenly agree on the necessary scope and scale of the project.

2555 I think it is unlikely that that is going to happen. We have heard that the Education Department were waiting until ten o'clock last night, I think it was said, working with the Treasury & Resources Department trying to reach a compromise.

Actually, I commend the Education Department for doing that because, I tell you what, if it had been me, I would have told them where to go a long time ago. Because, the Education Department must believe in their proposals, otherwise they would not have laid them before the States.

2560 Now, I am in favour, I am very much in favour of committees negotiating to try and reach common positions, but I think it is a bit late once you have actually submitted your report, that has been in gestation for two and a half years and it is particularly too late at ten o'clock the night before the debate to try to reach the common position.

2565 It seems to me that what we have here is the Education Department and the Treasury & Resources Department have access to the same information, they have reached a different conclusion. That is fine, they are each doing their jobs. I do not criticise T&R for trying to drive value for money and for asking the questions that they are asking but I think it falls to us as Members of the States, as Deputy Green says, effectively as the executive, to make this decision and not to defer it or to push it to some other body in the hope that we can avoid making the difficult decision.

2570 Although the amendment is, as I say, quite well intentioned, I think what is critical is that the effect of the amendment does take this decision out of the hands of the States.

I want to come on to some of the detailed effects of the various parts of this amendment in a moment, but what is absolutely clear is that at the moment, today, the decision about whether to proceed with the Education Department's proposals rests with the States.

2575 The Education Department is not a sovereign committee of the States, but the States are sovereign and this decision on their proposals is to be made by the States.

The States may take the view that they do not want to proceed with the Education Department's proposals. The Education Department may not be happy with that but it is tough because it is a decision for the States.

However, the States may decide to proceed with the proposals.

2580 But this amendment takes the decision out of the hands of the States and puts it into the hands of the Policy Council. Now, I cannot accept that.

Deputy Green asks the question, how will the Policy Council make the decision, ultimately? Will it be unanimously or will it be by majority?

2585 Well, it will have to be by majority because that is the way that committees of the States operate. That is the way it is set out. So we could have a situation where the Policy Council consider the review and the Minister of T&R and the Minister for Education and the Chief Minister are of one opinion and six other Ministers – I will just pick six at random, Deputy Stewart, Deputy Langlois, Deputy Jones, Deputy Harwood, Deputy Gillson and Deputy Luxon – are of a different opinion and it is their opinion which will determine the outcome of this project. Not the opinion of the Education Minister or the T&R Minister or the Chief Minister, but the view of the majority of the members of the Policy Council. Now, that cannot be right. That cannot be an adequate or sensible way of reaching a conclusion on this project. It clearly undermines the Education Department.

2590 It is not quite a Motion of No Confidence, but I would not be surprised if there were resignations from the Education Department – not in the event the States kick out the Propositions, I think they will just have to live with that as the decision of the States. But if the States choose to vote for the amendment and transfer responsibility not just away from Education but away from the States and give it to the Policy Council, I think that is to undermine the Education Department fatally. (A Member: Hear, hear.)

2600 Deputy Kuttelwascher said how would the States' Assembly and Constitution Committee feel or how do they feel about the Education Department exceeding their mandate in relation to the sports facilities proposed. Well, the Culture and Leisure Department, which has the mandate, is supportive of the Education Department, I think that is the difference. The Education Department have not ripped aside, ripped the Culture & Leisure Department's mandate from under it with the Culture & Leisure Department screaming and trying to hold onto it. The Culture and Leisure Department is supportive, there is a supportive letter of comment in favour of the Education Department's proposals.

2605 But, Deputy Kuttelwascher then, complaining about a committee taking away another committee's mandate, says he is going to vote for an amendment which gives the Policy Council the responsibility to make determinations on an Education-related capital project. That seems, to me, illogical.

2610 I have to say, it would help if I could understand the amendment, I suppose. I do not believe, I think if Deputy Le Tocq, and I say this with respect to the Chief Minister and I do understand what he is trying to do here, because I have found myself in a position of trying to bridge gaps between competing sides, as it were.

2615 But, I think, if he works his way through his amendment he would not actually be able to explain its effect to the States, because, first of all, we are going to have the Treasury & Resources Department commissioning an independent review to determine the most appropriate scale, scope and specification for the Project and to present a report setting out the conclusions to the Policy Council for consideration and approval.

So, that means that the T&R commissions an Independent Review and then T&R presents a report to the Policy Council for the Policy Council's consideration and approval.

2620 Then, at paragraph 6, the Treasury & Resources Department reports back to the States if the Policy Council cannot reach agreement on the recommendations which are referred to out of the independent review.

2625 Now, I cannot see how that can possibly work. We are going to have one committee, the T&R, commissioning a review of an Education-related project to be carried out by a group of unelected and unaccountable people. T&R will receive that review because they have commissioned it. They will pass it to the Policy Council who will have to make some kind of determination on the Review and, if the Policy Council cannot make a determination, T&R will come back to the States with a Report.

But what on earth will that report say? It is not the Education Department that is going to come back to the States.

2630 What I think we will end up with, if the Policy Council cannot reach a conclusion, is that T&R will lay a report before the States on a capital project to build schools at the La Mare de Carteret site.

2635 So, either the Policy Council will take over the determination of the scope and scale of this project and we will never see it again – the States will not see it again, we will just see the buildings erected, having not been able to determine the scale and scope of the project – or the Policy Council will not be able to reach a conclusion and T&R will come back to the States with their own States' report on what should be built at the La Mare de Carteret site.

Now, what I would say to the Treasury & Resources Department, and to the Policy Council, is this: this project has been in gestation for years. It has been on the current States' Capital Prioritisation List for two years.

2640 If there is an alternative scheme of development which is preferred by the Treasury & Resources Department, why don't they lay that before the States? Because they clearly believe that the Education Department are not putting forward the right scheme, so why don't they come here with their own preferred scheme?

In fact, the Education Department have made it rather easy for them because they have actually set out options in the Policy Letter, Option A, Option B and Option C, they have set out their preferred options.

Any one of those options could have been converted into an amendment and I think that is what should have happened. It is too easy to say, let's have another review. The Education Department, all Departments who are proceeding with Capital Projects go through review, after review, after review, after review.

I don't think we need another review. I think we need different schemes of development to put before the States if that is what committees other than Education favour.

Now I think Deputy Le Tocq is being modest when he lays his amendment and presents it, as I think he has, as a final attempt to cross all the t's and dot all the i's. I do not think that is what it is at all.

It seeks a review of the 'scale, scope and specification' for the project. Well, let's leave to one side the specifications for a minute, because that could be reasonably detailed, but the scale and scope of the project, that is very, very major.

Deputy Le Tocq said that in 2001 he would have favoured, or did favour, a three-school model rather than a four-school model and I am entirely in agreement with him. In fact, if I could have got away with it, I would have favoured a two-school model, with two 11-18 schools with sixth forms and all children able to benefit from having a sixth form attached to their schools and from the full range of facilities available.

But, the decision was made in 2002 to go with a four-school model and we here today are considering the very last phase of a redevelopment programme that has been in place since 2002.

I, when I was on Education, came to the States supporting sponsoring proposals to redevelop Beaucamps. Now, if I could have...on a personal preference I would not have been before the States doing that. I would have certainly gone with La Mare de Carteret first but I would not even have gone with Beaucamps at all. I would have tried to go with a three-school model,

But we were implementing a decision of the States made in 2002 and the redevelopment programme had already started. St Sampson's School was redeveloped as number one of a three-school redevelopment programme. Beaucamps was done as school two, La Mare is now being done as school three.

If the States want to revisit the scope and scale of the third part of the redevelopment programme they are going to have to go back and re-examine the entirety of the redevelopment programme. We cannot just take the third project out of three in isolation and start trying to re-examine the scale and the scope of the project.

Yes, we can debate – I do not particularly want a debate, we can leave the relevant committees to debate exactly what construction materials are used, exactly how the roof looks. I am not interested in all that. But we cannot have a re-examination of the scale and the scope of this secondary school, and I accept it is not just a secondary school that is proposed, in isolation. We would more or less have to go back to the beginning and that is where there is potential for delay in this amendment. The proposer and the seconder of this amendment must believe that the Propositions of the Education Department are not correct otherwise they would not be bringing this amendment.

Well, the only way of giving effect to this idea that they are not correct is to re-model the school. You go for a different scope and you go for a different size.

What are we going to end up with at La Mare secondary school? A school built for 480 children – when we already have a secondary school at St Sampson's built for 740. When the redevelopment programme, the principle of the thing for the last 12 years has been equality of provision across all high schools. We are not going to get equality of provision if we have one secondary school with 750-odd pupils and one school with fewer than 500 pupils.

Now I think that federation, because there has been some speculation that the model of federation means that it does not matter so much, does not matter if you have got one larger school, one smaller secondary school, because all the staff and all the pupils are circulating.

Actually, I think the reverse is true, because, okay, maybe on roll, La Mare de Carteret would have 480 or 500 pupils and St Sampson's would have 750 pupils, but what happens if, through the fluidity of the timetable, at any one time, or at one particular time, there are only 500 students down at St Sampson's but 600 students learning at La Mare de Carteret?

Oh, we cannot do that. We cannot run that kind of fluid timetable because we would have built a school for sub-500 students.

If we are going to run a federation model, we surely have to ensure that, by and large, these secondary schools are of the same size and offering the same breadth of provision so that we can have this fluid timetable.

Deputy Le Tocq also said that he was laying this amendment because of the potential disaster... I am not sure if he actually used that word, I might be putting the word in his mouth, but the unpalatable possibility of the States rejecting the Education Department's proposals at the end of this debate.

Actually, given the choice, I suspect the Education Department would rather have their Propositions rejected at the end of the debate than see this amendment go through. If the States reject the Propositions at the end of the debate it does not mean that it is curtains for Education, if they want they can go away and



take account of what has been said in this debate and three or four or five months down the line they could lay alternative proposals before the States. There is nothing to stop them doing that.

But what they fear and what I fear and what I think the States should fear is that if the amendment goes through we will be handing over to the Policy Council a decision about the size and scope of the secondary schools and we could end up with a secondary school being built for sub-500 pupils when everybody who has been through, sat on the Education Department, and if you speak to any educationalist, they will tell you that a secondary school built for sub-500 pupils will not provide sufficient breadth of provision.

Now it would be one thing for the States to decide to disregard that advice and go with the building of a smaller school any way, but for the States to delegate that authority to the Policy Council, never to see it again, never to be able to make this decision, I think would be an abdication of the responsibility of the States.

So, in conclusion, sir – and I apologise for the rambling nature of this speech – I think the decision must rest with the States. It is imperative, I think, that the scope and the scale of a £60-million capital project should be determined by the States and not by the Policy Council and the effect of the amendment is that it would hand over the determination of this project entirely to the Policy Council and I think, therefore, we should throw out the amendment and we should move into general debate where the States can then take a view on the merit or otherwise of the Education Department's proposals.

Thank you, sir.

**The Deputy Bailiff:** Deputy Adam.

**Deputy Adam:** Thank you, sir.

I start by reiterating what Deputy Kuttelwascher said. The T&R Department is fully supportive of new schools on La Mare de Carteret site.

If you go back long enough, you could have read a report by King Sturge. It was a condition survey of all Education schools done around about 1999 to 2001. Even at that time, it was saying that La Mare de Carteret was said to be in need of immediate replacement – at that time.

It also went on to say that while the Beaucamps, being structurally sound, could be refurbished.

It is quite interesting. So Beaucamps was done a good number of years before La Mare. In actual fact the Minister of Education asked the very question: why did La Mare have to wait so long? Unfortunately, you did not answer it.

Sir, I know La Mare de Carteret fairly well because I went for an evening class there, for about 10 years, called Working with Metal. It got myself away from my job as obstetrician/gynaecology but allowed me to use my hands (*Interjection and laughter*) in a different format, and therefore I know all the problems it is had over the years. I know what work has been done on it and yes, it certainly does need replacing. It is overdue for replacement. But remember this Assembly agreed, not that long ago, a new process for all capital projects, SCIP process. We went through a set of assessments until everything was at green and could then go out to tender.

Now these assessments were actually a matter of scrutiny of the scale, scope and specification of the project in the present climate, its affordability *and*, most importantly, that you had value for money criteria attached.

In other words, if you are going to spend money on something, you must be able to show the benefit in real terms, or try and show the benefit in real terms. Part of the problem at La Mare is, is that possible – over a 60-year lifespan? I would suggest it would be very difficult. For one aspect, we do not know very much about the assumptions, and how many assumptions have been made.

One of the most difficult assumptions these days is population. Deputy Stewart mentioned that already: in so many years' time, 19,000 workers, 40,000 people will have stopped working. In 2012-13 there has been depopulation happening by about 350. Expected in 2014-15 is another about 400.

Now the problem is all these groups, whether it slows or whether it is swift, or all these policies and strategies, we are calculating on the assumption that population is going to increase in a positive manner by 200 each year. And yet it will be interesting, well, actually it will be frightening, to see if the trend continues with a decreasing population.

Now the schools; the scope. First of all La Mare – well, it was a secondary school with their first maiden class and now it is a high school – it is suggested to be 600. Also it is interesting the Minister of Education stated that in actual fact the number of classrooms is going to be the same but they are all going to be slightly bigger because there should be more space. However, he also said the methodology for teaching has changed. We do not have a nice lot of rows of desks in front of the teacher and the teacher teaching a large group. You tend to have pupils almost self-teaching using various computer techniques.

I was out at the Forest School last week and we saw how Years 6 and 7 used their iPads and their tablets to do work but unfortunately sometimes they want to record things and they could not do it in the main class so they had areas to go to, quieter areas, where they could record things.

2765 Now I assume the secondary school will actually need similar facilities so just having bigger classrooms, I wonder if that is the best way forward.

The numbers on page 2550, paragraph 372, it says replacement five form entry high school facility for up to 600 11-16 *but* it is has been designed so you can actually increase the size for up to 900 pupils. That is the design of the school, standard curved shape with a corridor inside the curve so you can put new buildings, new classrooms further inside. It has been designed now. Why? Because if you get rid of the 11-plus, when it comes to this Assembly, it may then have to make a decision to either have three schools or stick with the four secondary schools and have what is called a tertiary college.

The problem is we have not had that debate yet, so we are a bit in the dark to a certain extent. So is it sensible to build a 600 school when you do not know if you are going to need a 600?

2775 Now the thing was, Deputy Fallaize said educationally it is not good to have schools with less pupils than 500 but I might suggest to him that, at the present time, I think the Grammar School actually has fewer than 500 – 481 – and Beaucamps is just over 500 and St Sampson's is just under the full capacity and La Mare is 460 at present. So...

2780 **Deputy Fallaize:** Sir, on a point of correction.

**The Deputy Bailiff:** Deputy Fallaize, point of correction.

2785 **Deputy Fallaize:** I said that it was not wise to build schools for fewer than 500 pupils. I was not talking about the number of pupils *in* them, I was talking about the buildings to allow for breadth of provision in the curriculum.

**The Deputy Bailiff:** Deputy Adam to continue.

2790 **Deputy Sillars:** Can I have another point of correction please, sir?

**The Deputy Bailiff:** Point of correction, Deputy Sillars.

2795 **Deputy Sillars:** The Grammar School does have 500 or so but, of course, it is directly linked all under one school with the Sixth Form which is another 500 so actually it is 1,000 pupils and that is why they have the breadth of curriculum.

**Deputy Adam:** I apologise, sir, it is simply the figures that I was given concerning numbers attending these schools at the present time, or in 2012 maybe.

2800 Now, as far as the – I will see if I can get this one right (*Laughter*) – as far as the primary school is concerned, at the present time it is a two-form primary school. It used to be a three-form about 10 years ago, two-form primary school, it takes 25 per class because it is a socially... it is an area where there is a potential risk for the young people to have social problems. Therefore they require more attention and ability to find themselves and develop, and if there are 25 per class, which means there are 50 each year, 2805 there are seven years, that is 350.

Now in September last year, there were 20 people that could not be admitted – 20 children because it was full. The Education Department had just changed the catchment areas, Le Villocq in the Câtél had been moved to La Mare and I gather some of those children had to go to other schools. So these are the problems about the school.

2810 The specification, as Deputy Fallaize said, is a more technical aspect but the numbers are concerning, the prediction of numbers is concerning. The methodology and technical aspects ought to be supplied and up to date. There are other questions that Deputy Fallaize rambled on about, so... I have lost them. (*Laughter*)

2815 He decided that this was a quasi-sursis. Sorry, I do not think so. I think it is an amendment – straightforward. An amendment which should not be any threat to Education. If they are *convinced* that they are so right, why can they not have an independent review carried out?

He says there is sufficient information to make a rational decision. Well, yes, if you are an educationalist. The numbers, the sizes etc are much more from an educational point of view and we have got to get advice along these lines.

2820 Report in gestation for two and quarter years: well actually, it was all a bit of hurry over the last two months because they had not gone through all the SCIP process so it was a bit of a hurry, despite the fact they say two and half years.

2825 He also talked about different schemes of development. The point is, as you say, foundation schools are coming in and how to present the curriculum is being changed. I just feel that there is not... at least, maybe I have not read it enough times. I do not feel there is sufficient information to give confidence that this is

the correct size, the correct specification and this seems to hide, run away from value for money, the same way as Education over the years. One of the Members on the last Board agreed with me that they are very reluctant to get post-implementation reviews carried out, which assesses how well or not the previous budget had gone.

2830 Thus I encourage you to support this amendment, to take time to actually scrutinise what is being offered so that we can say to the people who live round about La Mare, we can say to the people, 'Enough, enough. Look we have not just gone straight ahead with this. We have scrutinised the issues that will concern you, the value for money, the size etc', and come back here at the end of January with the result of that, so that we can face forward with the co-operation of Education Department because, as I say, we did  
2835 have e-mails flying around until 10 o'clock if not later last night concerning various amendments but I would hope there will be successful co-operation at that time.

Thank you, sir.

**Deputy Fallaize:** Point of order.

2840

**The Deputy Bailiff:** Deputy Fallaize –

**Deputy Fallaize:** Point of order, sir.

2845 **The Deputy Bailiff:** – you are on your feet on what basis?

**Deputy Fallaize:** On the basis that I think Deputy Adam is misleading the States. He said that if the States approve the amendment, it would allow someone – I think he said 'us', I don't know who 'us' is – to come back *here* in January or February. But the proposal in the amendment is *not* for this matter to come back to the States. It is for the matter to be determined by the Policy Council.

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**The Deputy Bailiff:** Deputy Sillars, you are also on your feet.

**Deputy Sillars:** Just another couple of points of correction, sir.

2855 We, as Education, fully partook and are partaking in the SCIP process which I think it was alluded to we were not.

But the other important thing is yes, we are building 14 classrooms for the primary at La Mare. They will take 25 if it is in the social area. So that is the 350 or so children, his maths is correct, but actually the size of those classrooms, as he saw down at the Forest where they were cramped and that is the largest in  
2860 our primary school area, we will be building them for 30 so it gives the teachers the room to manoeuvre 30. And then 20 on the 50-form entries example, so it could theoretically cater up to 425. But 350 is the number.

**The Deputy Bailiff:** Deputy Domaille, followed by Deputy Harwood.

2865

**Deputy Domaille:** Thank you, sir.

Right, I find this very difficult actually because, like all Members I support the rebuild of La Mare de Carteret school. Unlike other Members, I was actually involved in building the original ones. (*Laughter and interjections*) (A Member: 1920!) I have to say that, in fairness, they were substandard then. There was a person who was brave enough to say, 'Stop! Carry out a review, you should not be building these sort of schools.' SEAC, I think they were called then – probably still are now, for all I know. But that person suggested that he would be better finding employment elsewhere and so he left.

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I have to say that he has been proved to be right. That school leaked from day one. We keep hearing about the roofs but as I recall there were considerable problems with the windows, which in fact were quite dangerous. So there is no argument. There is no argument about the need to replace the school so please put that, and I really do not... I am going to be supporting the amendment. I wish that I did not have to.

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What I would say, is that it was one of the first projects I worked on as a long career in the States. I was a chartered surveyor, I worked for them in the building side for many, many years. I was involved in many, if not all – I think probably all actually – of the various Education developments there have been over the years. The various plans and remakes, and rehashes and changes, that there have been over the years, because that is the nature of education, it changes all the time. That is not meant as a critical statement, that is just a fact of life and trying to get ahead 10 years, let alone 60 years, is impossible, frankly, and I am not sure of the value of it.

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There can be no doubt the buildings must be replaced. But I have looked at the accompanying documentation, I have read the reports, I have read the numerous letters and correspondence we have had.

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Most recently there was an e-mail this morning that I read. And there can be no doubt that a review of the scheme is justified, there can be no doubt about it. And so I very reluctantly have come to that conclusion.

I would just simply – and I am not going to repeat what is in all that documentation even if I could remember it all, frankly – but in designing new schools, and this is not a criticism of the current Education Department, I think that they are very clearly passionate, they are very clearly committed and for that I commend them, but they are working on a 16% uplift, as I understand it, from UK standards.

They are working, as I understand it, on a pupil number of 24 pupils per classroom where the UK standard is about 30. In addition, they have got an annual policy, one has to look in the round at things, of a pupil to teacher ratio of I think around 14 to 1, the Minister will correct me if I am wrong, and they have arbitrarily applied a 5% uplift on population projections, and we all know how reliable they are, to this project. I suspect that we are coming out with a project that is much bigger than can reasonably be justified but the review will show that and I hope I am wrong.

Just on a point there, a rather similar argument, not the same but rather similar arguments, were made at the time of the building of the Beaucamps school. The then States, me included, were persuaded that it should be designed for 660 pupils. It has *never had* more than 520. So you really do have to look at this in the round of things.

But if Education are correct, and I know they honestly believe they are, then the review will show that. But this is a lot of money and it is a big, big commitment for the future.

A further factor I have got, where I am a little bit concerned about the statements being made, is the running costs. These proposals are clearly for a very large group of buildings, complex significant ancillary areas and they are going to require – they are a significant increase on what we have at the moment, and if they are not, you would have to question why not because what we have at the moment is substandard – so there is going to be a requirement for significant increases in resources, for bursar, for maintenance, for cleaning, administrative, all these sorts of things.

I have got to say I am not reassured by the statement that the Education Department's current budget allocation will meet these additional costs. We are constantly told, and I believe and I know it is right, how tight the existing budget allocation is.

Just to highlight this point I have dug up some facts from a previous existence that in 2005 St Sampson's High had seven support staff. These are figures from Education. And in 2010, that had risen to 19, a 150% increase. I fully expect that these proposals, because we want them to be properly maintained and we want them to be properly run, will show a very similar increase in resource commitment.

Sir, it is clearly prudent and sensible to carry out a review and I will be supporting it.

Thank you, sir.

*(Interjection)*

**The Deputy Bailiff:** Deputy O'Hara then.

**A Member:** Ey up!

**Deputy O'Hara:** Thank you for reminding me of my Lancashire accent...

I will not be supporting this amendment. I will tell you straight what I feel. I find it absolutely appalling that T&R can come back so late with their proposals. Bearing in mind the amount of money that has been spent, the sheer professionalism that has gone into this Report, I just cannot understand it. I know T&R have responsibility but I do not think they are showing responsibility here. We need to get this school built. We cannot afford to take the risk of a delay.

At the start of this debate, I felt there was a lot of support, almost immediately I felt that support within this Chamber. I believe you should continue with this support. This is a very poor amendment and Deputy Fallaize has pointed that out.

You know we are all saying we want to have the school done and so forth, and I know there are challenges there, but just think what those children are going through, just think what they have had to put up with. Do not let them put up with it any longer.

I have heard people say there are a lot of people complaining about the cost of this. Well I will tell you what, there is a lot of people saying just the opposite. There is a lot of people who want this school to be built, and I believe that should happen.

I think that the challenge that T&R are making to Education completely undermines the integrity of what they are about. They are the professionals, they have taken their time to take all the value for money decisions and reports, and I believe what they have done is correct.

I am disappointed that Deputy Kuttelwascher should make some clutching at straws statements about us being glad that Education have gone beyond their mandate. That is what we are about in this States – we

want other Departments to work together. That is what it is all about and I believe that is what we have done.

So we have a review and the review comes back, and we might not be happy with it so someone again will say, 'We'll do another review and another review and another review.' Do you remember the start of this term the number of reviews we had? I think the first 12 months we were review sick at the end of the day. Absolutely review sick. I am sorry but I cannot, *cannot* support this amendment.

I will just answer, if I may, for a moment Deputy Stewart's statement – he is not in the Chamber unfortunately. But he made some reference about he has no details or figures in connection with the sports or why the county standards should be built.

I will tell you now that his Department has that, and since the advent of sports tourism in 2002, which I was happy to get involved with, and then it continued into the events group in 2004, since then we have had strict criteria based on bed nights etc, and that is in his Department. The Department he should be coming to would be our Department, Culture and Leisure, to discuss that. He has not come to us. He has not come to us for it.

So I just want to get rid of that statement. There are very stringent conditions, and reports have to come back to us and then, hopefully, I will talk more about sport under the main Proposition.

But I will say this, that there are many sports on this Island that do wonderful things for this Island from an ambassadorial point of view, many thousands of people come here and these county facilities – I keep saying county halls! – national and international facilities will bring even more people to this Island.

I have had a bit of a rant there and I know my colleagues at T&R will not like it, but I am sorry, I am sorry to hear our Members. I think you have gone over the top. You know sometimes there are people in this – I am really having a rant now...

**Deputy Kuttelwascher:** Sir, point of correction please.

**The Deputy Bailiff:** Deputy Kuttelwascher, point of correction.

**Deputy Kuttelwascher:** If we are talking on the amendment, it has been made by the Chief Minister and Deputy Chief Minister, not T&R. (*Interjection and laughter*)

**The Deputy Bailiff:** Deputy O'Hara to continue.

**Deputy O'Hara:** Well thank you for that, but I find that strange, that comment, but there we are, never mind – thank you for reminding me. It is a bit like another clutching at straws statement, sir, I am sorry.

Now, you have successfully taken my thought away, which is probably what you were trying to do, I don't know. (*Laughter*)

There are people in this Assembly, and I am telling T&R now, there are people within this Assembly who think that T&R on occasion go too far. Go too far. They sometimes can be just that little bit too difficult, just that little bit. I know I have sometimes gone into a meeting with T&R and I go in there with my tail between my legs. I do not feel safe. (*Laughter*)

I think I had better sit down while the going is good.

No, I think what I am trying to say is I have got respect for T&R but I am just warning – (*Interjections*) thank you, thank you – that there are people within the Assembly who are concerned that on occasion T&R go too far. I think this is one of the cases and I did not mean to be disrespectful but I think if you ask the majority of people here, there is a feeling that T&R have got far, far, far too powerful and there is a bit of concern about it. It reflects in many decisions at times so I am just firing that, shooting across the bow there. I feel bad about saying it, but I think it is an area they need to explore.

Thank you very much.

**The Deputy Bailiff:** Deputy Harwood, to be followed by Deputy Sherbourne, to be followed by Deputy Langlois.

**Deputy Harwood:** Monsieur le Député Bailli, thank you.

I congratulate the Chief Minister and Deputy Chief Minister on bringing forward this amendment. I am consciously aware of my own experience of trying to deal with two warring factions within Policy Council and I show the scars to prove it.

But I have to say that I think in this instance the Chief Minister and the Deputy Chief Minister are ill-advised to try to pursue this particular amendment. Deputy Lester Queripel and Deputy Green have already referred to the detail of the amendment and Deputy Green in particular because one concern I have, and I endorse fully the views of Deputies Queripel and Green, is the potential for delay.

I know it has been said, yes, we can get a first review done within a matter of two or three weeks, a month, two months possibly. That only covers the first part of the third paragraph of the proposition which says and it is against Treasury resources which will be commissioning this review in order to determine the most appropriate scale, scope and specification of the project and to present a report not later than 31st March 2015. That is stage one.

That presentation is sent to the Policy Council which the Policy Council will then have to consider and approve – or consider. If Policy Council does not agree, then the matter has to come back to the States. If Policy Council does agree, then there is a further stage in this whole process which is referred to in paragraph 4 of the proposition, or the amendment rather, which requires that Treasury Resource and Education Departments, following Policy Council consideration and approval of the Report referred to in proposition 3 will undertake a formal value management exercise involving independent – there we are, we have another review – and appropriately qualified facilitators and reporting team in order to ensure the project meets the recommended and approved scale, scope and specification and represents best value to the States. So we have already got about three stages of process here.

I suggest rather than being able to do this within two or three months, we are going to be looking probably the best side of June or July next year before actually that process will be concluded. So, contrary to the expressions of optimism by the Chief Minister, I believe that actually this does build in a significant delay in being able to implement and carry forward the project.

I am also concerned because if we look at Proposition... sorry, paragraph 5 of the Proposition, we already have the information there because the maximum amount to fund the project has suddenly gone up from £59 million which is the amount that has been requested by the Education Department at the moment, suddenly up to a figure of £65 million. When we questioned the reason for that, my colleague on my right hand side who is a member of the Board of T&R, said, 'Well of course, that is allowing for a further year's inflation.' So already we are envisaging a year delay in the project.

**Deputy St Pier:** Sir, point of correction.

**The Deputy Bailiff:** Point of correction, Deputy St Pier.

**Deputy St Pier:** Sir, the additional sum is for inflation throughout the period, not an additional year. We have a problem that will no doubt be debated if we get to main debate, sir. The Proposition is for £59.44 million excluding inflation which effectively becomes open-ended, which is the reason for the amendment being phrased in the way it is.

**Deputy Sillars:** Sir, if I could just add to that...

**The Deputy Bailiff:** Point of correction?

**Deputy Sillars:** Yes, it is a point of correction. £59.4 million is the base cost, it says that £65 million is what we have projected with inflation if we go ahead starting in May, putting a spade in the ground, so if there is a year's delay £65 million is not sufficient.

**Deputy Harwood:** Thank you for that. There seems to be acknowledgment and agreement from both Treasury & Resources and Education Department Ministers that there is a potential year's delay if we go down this amendment route.

**Deputy St Pier:** Sir, point of correction

**The Deputy Bailiff:** Point of correction, Deputy St Pier

**Deputy St Pier:** That was not the point I was making, sir. I was not acknowledging that at all, sir.

**The Deputy Bailiff:** Deputy Harwood to continue please.

**Deputy Harwood:** I acknowledge that he was not acknowledging that point, (*Laughter*) but I still have genuine concerns of the timing.

Secondly, Deputy Brouard reminded the Assembly of the history of previous intervention at times of the building of St Sampson's and we have in the public gallery a former Member of the States who I think has reminded us, certainly in e-mails, that as a consequence of that intervention, the building of St Sampson's, and Deputy Brouard has confirmed this, did not save any money and in fact resulted in a reduced specification and that people have been suffering from that ever since.

I would also refer to Deputy Fallaize's excellent speech because again he draws to the attention of the Assembly the significance of the amendment which actually hands over the ultimate decision to the Policy Council. Now as a former Member of Policy Council, I have no problems with Policy Council, comprising 10 of the great and the good and also including Deputy Stewart (*Laughter*) but I do question whether it is appropriate or necessarily within the mandate of...

**The Deputy Bailiff:** Deputy Harwood, that is a little unfair given that Deputy Stewart cannot at least leap to his feet and respond.

**Deputy Harwood:** In which case I will apologise to Deputy Stewart next time he appears at this Assembly. (*Laughter*)

But I do question whether Policy Council is appropriate to take that final decision, (a) because it is taking away the sovereignty of the States but (b) because also, although we may have confidence in the Ministers that are on the dais before us, bear in mind that any meeting of Policy Council can be attended, if the Ministers are not there, by Deputy Ministers or by other Members of various Departments nominated. So you do not actually even know who will ultimately be taking the decision on behalf of Policy Council.

I question whether it is appropriate in this context to defer that ultimate decision and it is a decision for proving a point, if we are up to £65 million, to the members of Policy Council.

So I would urge Members to vote against this amendment. I have reservations, yes, on the sum of proposal being put forward by the Education Department but I think that on the question of this amendment, it will delay, it is inappropriate for Policy Council to be the ultimate determiner of the decision. I therefore urge Members to vote against the amendment.

**The Deputy Bailiff:** Deputy Sherbourne.

**Deputy Sherbourne:** Thank you, sir.

Before I start my speech I would like to declare an interest. I am the only male Member in this room today that has actually worked in a building that Deputy Domaille built. The other person of course is my ex-colleague in the viewing gallery, Jenny Tasker.

We spent seven very happy years working together at La Mare de Carteret and putting up with the problems associated with the school. However, we had seven very happy years because of the children that were in it – and the work that was actually done.

What I would like to do initially is just to paint my perspective, if you like, or illustrate the perspective of a person in education, working at La Mare during that period and witnessing the mistakes that were made by previous Assemblies. I think that Deputy Fallaize got hold of my bullet points because most of the points that I wanted to make, he covered and covered extremely well, as he usually does. But I would like to just look at how we got to where we are today.

There have been mentions of a three-school solution, higher school solution. Actually I subscribe to that. That was my preferred option. But, unfortunately, a previous States decided in 2005 to chop a bit of St Sampson's High off – 'We don't need it for 900 youngsters', which would have been the number required for a three-school solution. 'No, we'll reduce it' – and within a very short time that school was full. It is full now. Corridors are too narrow, there are all sorts of issues. Plenty of space around, as Deputy Salisbury has mentioned on social media, yes but not the ability to extend... well, I am sorry, yes the ability to extend is there but the cost is absolutely incredible now. And the school is running and running very effectively. That was a fundamental mistake.

Of course before that was the initial mistake with La Mare de Carteret, not just the quality of the build but the size of the build at that time. Within a very short time that was full to overflowing and in fact those of you that have actually been down to the school, have witnessed the number of portacabins both in primary and secondary school that were necessary to meet the needs of that growing community.

According to our States' Strategic Plan, Cobo is an area for development and in fact there is a statement in Environment's latest offering which states that these growing communities require certain facilities. They need a primary school – that has been questioned. Do we really need to build that after potentially closing two schools? For that community? It was very seriously considered by Education but it is essential that it is built and that is why we have ended up, Education has ended up, with a proposal which I am proud to put my name to. Proud because not only does it replace two schools but it actually encompasses other needs that this Island has that would have been met in a rather piecemeal way.

Most of the things we do in Guernsey are piecemeal. I am sorry to say that but after 40-odd years of living here I have not seen great long strategic plans that have stood up to real scrutiny. And that is why we are where we are today. It is a real fundamental problem.

It could have been different had a previous States, back in 2002, actually accepted the proposals that were offered to them but what I considered to be an ill-conceived amendment by Deputies Berry and

Torode actually scuppered that process and led us to where we are now (**A Member:** Hear, hear!) with all sorts of issues.

3130 The 11-plus has been mentioned. That is not an issue for today. I hope that it will be very soon.

Education has not been intransigent or dogmatic on this issue. We have simply disagreed with T&R's proposals – sorry, 'challenges'. We have maintained our belief in the educational principles that underpin the proposals that are in front of you – and it has also been underpinned by over 12 years of successful capital project management.

3135 Every single project managed by Education in that period has come in on time and on budget. And yet I read in social media people claiming that Education is always overspending – actually we are probably one of the few Departments on capital investment and projects that can actually claim that. We have been very careful with the management of the capital that has been offered to us by the States of Guernsey.

3140 Our progress through the SCIP process to date has followed that process as stated. We have met all the requirements up to this stage, endorsed by T&R's appointed monitors. They applauded us as a well-managed project. And yet T&R are coming back with this amendment which is actually suggesting that well, no, that is not quite right.

3145 **The Deputy Bailiff:** Deputy Sherbourne, the amendment is moved by the Chief Minister and seconded by Deputy Langlois.

**Deputy Sherbourne:** I do beg your pardon, sir.

3150 Anyway, why question scale and spec now? It was actually stated back in 2001 that the solution was to be four... sorry, 2002 I think was the debate, and because the proposals by the Council at the time were actually thrown out by the States, a four-school solution was offered and that meant four schools of 600. As you see, we are in a situation now where we have St Sampson's at 700-odd, we have the other schools around the 500.

3155 Now, that is a management issue for Education. There is nothing to stop Education in the future, if we maintain catchment areas, actually re-adjusting boundaries and evening those numbers up. But what we do not need are three schools of 600 and one of 480, or whatever the proposals a review body actually suggests.

3160 I can see the attraction to a review body. We have got to meet somewhere in the middle, a bit like arbitration. That will be a disaster. It will be a disaster for the Federation. The Federation is not a proposal or a structure, a system, that means that three schools can make up for the shortcomings of another, of a fourth. That is a serious misunderstanding of what our Federation proposals are all about.

3165 They are about four schools providing a breadth of curriculum, well-resourced, well-staffed and the focus on designing and evolving four centres of excellence. It might be in specific areas of expertise that the schools actually have, special developments. A lot of my colleagues here today will have spoken about that – why can't we do this? It will be an opportunity for schools to offer a broader breadth of curriculum yet again.

Now I actually had 10 years' experience as a timetabler – I know the problems of managing curriculum, especially for Key Stage 4, in a school with falling rolls. St Peter Port, when I was there, I did the timetable there and we had falling rolls at that time. Very difficult to manage, helped a bit by Education actually.

3170 I have been a critic of Education in the past as being an employee (*Laughter*) but they did help because we do have, even now, quite advantageous teacher-pupil ratios, it is something to applaud. And it is compensated for the fact that we have got these smaller schools.

3175 Managing a timetable especially at Key Stage 4 is very difficult. Allocation of rooms: we might have some subjects at Key Stage 4, Key Stage 4 being GCSE, with maybe a dozen or 15 youngsters in it, if we could manage that allocation. There will be others with 25 or 26. But finding appropriate rooms especially at La Mare de Carteret was very, very difficult.

The allocation of staff is a big issue here. I am actually putting a case really for larger schools and for us to beware of going down the route of small schools.

3180 Let us take mathematics and English in our standard high schools. We need between five and six specialist English and maths teachers in each of our high schools to maintain a setting programme. What actually happens in small schools is that you might have four, if you are lucky, if you can employ four, but you will have to ask another member of staff from a different subject area to fill their timetable up by taking on maths or English or geography or history. These are the sort of practical issues that schools have maintaining a curriculum. And where these, if you like, raw figures that we have been talking about today have no bearing on the reality of managing that in a school. That is why we do need bigger schools than the actual numbers suggest because we have opted for a four-school option.

3185 Various speeches, but also with discussion prior to this debate, I have detected what I have actually called historical mistrust of Education – a mistrust of the information being given to this Assembly. I would



have hoped by now, in the two and a half years we have been together, that all my colleagues are very much aware that the one thing that this Education Board has been is honest, transparent, open.

3190 It has also constantly promoted the values that underpin our Board and I am sure that all the Members of the Board will agree with this. Our values: child first, equality of opportunity, inclusion and excellence. Excellence in all of those. They are the touchstones for this Board and that is why you have got a well-thought out proposal in front of you and why this amendment could actually destroy its integrity. That is my greatest fear.

3195 I want this Assembly to share our aims and not be persuaded and compromised for the sake of a fiscal mind-set which has dominated this Assembly, that, as I have said before, will result in the destruction in the integrity of our proposals and work streams over the next 18 months. T&R have had representation on the project board since its inception. They withdrew their political membership but they have still had representation. They have had plenty of time to sort out these issues and we do not need last minute amendments to go through the same process again.

3200 I am not against... I do agree with those that have said we must applaud T&R for keeping an eye on the fiscal purse. I do. There is no question and, as Deputy Green said, we all share that responsibility (**A Member:** Hear, hear.) and this Board has certainly taken that responsibility on board.

3205 Any rate, I have gone on longer than I normally speak but it will not surprise you that I feel fairly passionate about this. I feel passionate about education for all our children. I feel a special passion, if you like, for the needs of the children at La Mare de Carteret because of my association with the school. I suspect that my ex-colleague ex-Deputy Jenny Tasker would subscribe to the comments that I have actually made. We have shared, if you like, the energy, the expectations, the aspirations of those children and that still goes on.

3210 Those of you who listened to the phone-in and heard teachers, assistant head teachers, phoning in expressing the passion they feel for their institution – that is wonderful for me. I like people to feel that passion, because there is nothing more important than ensuring the best for our children and *all* children, not those that just happen to be in the sparkling new buildings now or who have managed to gain a place at the, what are perceived in this community, to be the superior educational establishments. Our children are 3215 worthy children and it is up to us to meet their aspirations. By voting for this amendment you are going to undermine that, you are opening up... Their confidence at La Mare has been hammered over the last few years and yet they have picked themselves up, their staff have picked themselves up and they are doing wonders. Now let us send that message to them, (**A Member:** Hear, hear.) that we fully support them.

Thank you.

3220

**The Deputy Bailiff:** Deputy Lowe

**Deputy Lowe:** Thank you, Deputy Bailiff.

3225 In 2012, we heard so much about ‘this States will be a can-do and will-do and we will not have a delaying States’, as they perceived had happened previously. Well, here is an amendment that actually throws all those nice sound-bites out of the window because they are looking for a delaying States rather than a can-do States.

3230 Why didn’t T&R – or Policy Council, because I say it is pretty mixed up whose amendment this really is – agree that this review happen months ago? They receive the draft States’ reports, they are discussed around the Policy Council weeks and weeks before we actually have them so why wasn’t that proposed or even dealt with?

Policy Council are able to actually take out a review without the approval of the Education Department. They could have carried that out weeks ago exactly what they are asking to do now. They did not need to leave it to an amendment that came out less than a week to this debate.

3235 I would like answers as to why they think that is good government and indeed good governance to come out with, what I see is no other word for, a vote of no confidence as this amendment because that is how I see it, as many amendments in the past and sursis. This to me is a very clear ‘no confidence’ in the Education Department that you have got before you today. And I am very disappointed that they were not bold enough to actually call it a vote of no confidence.

3240 But this was also part of this amendment: 47 of us here would be voting if it went through to just six Members making that final decision of how the school will be built. *Six* Members. They only need the majority of Policy Council, and as has been said by Deputy Harwood, it might not even be the Ministers it could be the Deputy Ministers. In fact there could even be tactical voting, by making sure that someone might not be around and you send somebody who would actually support that. Six Members of Policy 3245 Council taking away your responsibility as Members of this States.

Clearly from some of the speeches already we have heard today, we have got 47 designers in here. It is a bit like the Traffic Strategy where we all experts in traffic and now suddenly we are all experts in how to build a building. We all know that whether a classroom should be bigger or whether it should it be smaller

or whether a child should actually go out into a separate room or whether a child should actually go into a corner of another room.

It is cringingly embarrassing to me that we have got staff here we pay a very good salary to, that we in here know better than the expertise and the knowledge of the Education Department staff who deal with education on a daily basis, year in and year out. Yet we in here, some, actually know better how to design a school and I think, in that case, you should hang your heads in shame because if you really feel that the staff are not capable of doing so, what have you done when actually speaking to any of the Education – in which case some may tell me that has already happened? But we have some very good Members on Education Department.

I cannot see any of those Members sitting there allowing staff who are not capable, or able, or expert enough to be able to just try and get this Report through, because if they felt those staff were not capable of doing it, they would remove them. There is no doubt about that because we have got a cracking Education team, Board Members there, so they would not sit back and allow that to happen.

Yet we in here are suddenly looking at classroom size, and expertise, and the 11-plus – it has been mentioned already about this 11-plus by Deputy Adam. It is the same amount of children! It does not matter whether we have got 11-plus or not, we are still talking about the same amount of children. It is totally irrelevant, that is a total red herring.

I have been on La Mare de Carteret school management committee now, served for 28 years and I have been president for quite a few of the last few years of that. We have sent report and report to the Education Department, letter upon letter, seeking them to address the failure of that building which has been expressed by Deputy Domaille, who even accepts it was like that when it was built.

It is a disgrace that we, as a States, have allowed that to continue but we, as a management committee, have made sure that we have had it in writing several times to ensure that we are covered under the law, with responsibility for the upkeep of that building, that we have been dissatisfied with the state of it. That really is not a criticism of the caretakers or anybody but it is a case of the building is not fit for purpose.

It is also interesting, as well, there are only six Members out of the 47 here that really... we are all part of the States of Guernsey, States of Deliberation, that is right to say. There are only six States' Members in here who do not have children of whom they represent going to La Mare de Carteret because legally there are eight parishes and there are eight members from each parish on the school management committee. There are only two parishes that are not actually qualified to be able to go to La Mare de Carteret School under the catchment area, which are St Martin's and St Andrew's. All the rest of the parishes, of which we are all sitting around here, have a legal representative elected by your parish to sit on the school management committee, of which there are eight members for the eight parishes present.

This is the only high school left out of all the parishes around the Island that has such poor facilities and it is a shame that we have to have a debate to highlight the bad maintenance of the school, and about the bad facilities, because, as has been said previously, the youngsters in that school have had a bad enough and big enough problem to have to deal with and here we are saying you are also in a rubbish building. I am sure that makes them feel really great, but it seems that has to be repeated in here to get the message across that the Report that has been produced for Education Department has been justified. You were all invited to come and I think those who actually came down to La Mare to have a look, but the large majority of you did not, and yet you are saying it is probably not needed. I wish you had actually all come down.

It has been said as well about the custodians of the public purse. We are all custodians of the public purse, not just T&R and as for being responsible for custodian of the public purse, this amendment sends out signals only Policy Council are capable or able to make the final decision about this rebuild. This amendment does not trust the Members on the floor of the Assembly even though all 47 States' Members are responsible as custodians of the public purse. Are you comfortable with that?

Do not throw away your responsibility – reject this amendment because it is a bad amendment, it is wrong that you should be actually allowing Policy Council to make a decision that actually even Education Department are not part of. That is shocking. I have never seen it in all my time in the States, I have never seen such as shocking amendment as actually taking away the mandate and the decision of a Department to the Policy Council. I hope this is the first and indeed, the last, during my time in the States that we have anything like this in front of us. If those that want executive government still want it, fine, do it the proper way but do not do it through a tatty amendment like this that actually says, 'Leave it for you, you are not all capable, leave it to them at Policy Council,' because it is wrong. Please reject it.

**The Deputy Bailiff:** Deputy Trott, to be followed by Deputy Inglis

**Deputy Trott:** Sir, thank you.

Deputy Lowe tells us that we have 47 experts in this Assembly. She is wrong of course but we do have one, Deputy Domaille, (*Laughter*) who very revealingly advises us to support this amendment, having spent a lifetime as a chartered surveyor advising the States on matters of this type.

3310 Deputy Lowe also tells us that this is all about the children and on that, of course, she is absolutely right. It is all about the children because it is as much to do with them not having to pay in the future for the mistakes of the past as it is anything else.

3315 Sir, Deputy Brouard has spoken earlier. He jumped up and he told us about the Dean of the Douzaine who anecdotally was Minister of the Education Department back in the days that we built St Sampson's High and again, sir, he told us anecdotally that there were no savings. My recollection of that was somewhat different to his so I checked the post-implementation review. That post-implementation review, sir, carried out independently, said the St Sampson's High review resulted in net savings of £3.4 million. Now that was 10 years ago, so inflated to today's prices that would equate to a saving of about £6 million. That independent review went on to say that there is a 7% saving from the project cost, all things being equal. So those are the facts, Deputy Brouard, and if you could advise the Dean of St Peter's Douzaine, I would be grateful. *(Laughter)*

3320 Now Deputy Green, Deputy Fallaize, Deputy Sherbourne and Deputy Sillars have all made remarks which I think are extremely relevant to this debate. Deputy Green reminded us, and I am grateful to him, that we are all custodians of the public purse. And Deputy Fallaize particularly saliently reminded us that the Education Department must believe in their proposals or they would not have laid them before the Assembly, and of course he is quite right.

Deputy Sherbourne told us the 11-plus is not an issue for today but it will be very soon. So I assume, sir, that is during the course of this Assembly i.e. within the next year or 18 months or so.

3330 Deputy Sillars told us that no part of the project involves extravagance and that the construction industry support immediate implementation. So let us examine some of these remarks now, sir, as the debate has developed.

I would ask Members of the States to turn to page 2691 of the Billet, value for money. Sir, back in 2005, approaching nearly a decade ago, and I quote:

*'The review panel recommended that a 16% uplift on "Building Bulletin 98, Briefing Framework for Secondary School projects", produced by The Department for Children, Schools and Families (DCSF). The panel recommended that "the Education Department should design the other two schools (LBHS and LMDC) to a similar standard when funding becomes available."'*

Now that, sir, was 10 years ago.

3335 But on page 8 of Education's useful letter to us of 20th November, they tell us that an educationalist would tell you that every decade, changes in teaching approaches are likely to require changes in a school's accommodation.

3340 Now, sir, I am a simple soul, as Members of this States will know, *(Laughter)* but that seems to dictate, or seems to suggest to me, that Education themselves are saying that 16% is no longer appropriate. It might have been a decade ago. It certainly is not in the eyes of educationalists 10 years on.

Now, sir, on Education's Frequently Asked Questions, page 5, question 7, we are told, under the heading 'What happens if you decide to get rid of the 11-plus?' they say,

*'If we decide to get rid of the 11-plus, the basic need for school places for 11 to 16-year-olds will continue to exist regardless of any organisational changes which may be made in the delivery of education.'*

3345 However, on page 3 of their letter to us of 20th November and I quote on page 9, we are told the Education Department would welcome an independent review of the 16% space premium for any future rebuild after La Mare de Carteret redevelopment.

Well for me, sir, that poses two questions. The first is we are clearly 10 years on, so we should be doing it now and not once this school is completed. But secondly, have they taken into account the issues surrounding the 11-plus or changes in grant funding or any of these dynamics that could very well influence numbers and influence numbers very substantially.

3350 It they have not done that in the knowledge that the debate on the 11-plus is coming soon, and Education Members words not mine, then clearly, sir, that is further evidence of how important it is that a value for money review is undertaken.

3355 Now, sir, on page 17 of Education's letter, we are advised of the damaging consequence of delay. We are told, and I quote: 'It would damage the projects reputation in the contractors market'. So we are told that it would damage the reputation in the contractors market, and yet on the page of Frequently Asked Questions, Education tell us there is absolutely no guarantee that the final contract will be awarded to a local company.

3360 So if these local companies are expecting to land this project, Education has told them you should make no such assumption, it is all down to the tender. And I think the tender issues are particularly relevant, we are further told that there is an urgent need to provide stimulus to the local construction industry. Well, that may be the case, but it seems to me, sir, that if the construction industry is as desperate for this work as it appears to be, that a short delay may well result in an even sharper set of pencils once these tenders are produced.

I have been in the States now, sir, for 14 years and I think that far from it being a vote of no confidence in the Education Department if we support this amendment, it is actually the reverse. It is the reflection on our roles as custodians of the public purse if we do not seek an opportunity to guarantee ourselves that the same amount of significant savings that were achieved 10 years ago will not be replicated again today as a result of the Chief Minister and Deputy Chief Minister's amendment. It has my wholehearted support.

Thank you, sir.

**The Deputy Bailiff:** Deputy Lowe.

**Deputy Lowe:** Sir, could I just, as a point of correction –

**The Deputy Bailiff:** A point of correction, Deputy Lowe.

**Deputy Lowe:** It is following what Deputy Trott just said about the cost of it all and why we needed a review, but the actual Education States' Report, Proposition 3 states quite clearly:

'To fund La Mare de Carteret Redevelopment project subject to satisfactory completion and review of the Full Business Case to ensure that the project represents value for money for the States.'

The safeguards are actually in the Education Department's Report, of the resolution which the States will be voting on.

**The Deputy Bailiff:** Deputy Inglis.

**Deputy Inglis:** Thank you, Mr Deputy Bailiff.

This is an interesting discussion. The most crucial word that seems to come out of everything I am hearing is the word 'dilemma'. We have a dilemma in how we want to vote for this amendment.

Deputy Stewart took the first words I have got on here, about the difference between need and want. Everyone seems to want something but it is always going to be at a cost. Very interesting, we have all been circulated with e-mails from a lot of teachers and they want something. They have not talked about need and they have not reflected on the cost of what is potentially going to be spent.

I certainly want to see the school developed like all of us in this Assembly. I was visiting the school long before I came into this illustrious area. As a Constable in the Parish, they frequently invited us down and whilst it was distressing to see the conditions they worked in, what I want to hear and I have not been hearing much of is that the ability and skills of the students within that school are very much determined by the quality of the staff. That has got to be reflected in that there is a good quality of teaching in there. They would not have passionately sent us those e-mails if they did not feel that upgrading was the next best thing for them.

I am probably going to take the wrath now of my Minister, in that I have major issues with the development of what is called in the Billet, the Sports Building. I have asked questions as to what exactly the Sports Building constitutes and for all of you who have seen this drawing, it needs very close scrutiny to understand exactly what that area entails.

**Deputy Langlois:** A point of clarification, sir.

**The Deputy Bailiff:** A point of clarification, Deputy Langlois.

**Deputy Langlois:** I just hoped to understand which of his Ministers Deputy Inglis is talking about, because I do not do wrath. (*Laughter*)

**The Deputy Bailiff:** Deputy Inglis to continue.

**Deputy Inglis:** My apologies, Deputy Langlois.

So I have asked the question. Within the Billet it tells us that the Sports Building constitutes £4.5 million. Now, I do struggle because the Sports Building could be this area here, or it could be this area here and that whole block involves a lot of the school infrastructure. So I could be going down the wrong path and this is where the amendment for me is very crucial. It allows me to understand where the spend goes because in the second line, it talks about the match play facilities of £1.7 million.

I do understand that, because that has been brought about by three sports giving Education a wish list. I will be perfectly honest, that wish list has been totally transcribed into the Billet because it literally goes word for word for what the sports are looking for.

So if we take netball, netball in the Billet is described as an outside winter sport. They are going to get the benefit of a 42-metre hall by 32 metres, which I do not think Members realise has one court. So I struggle to understand how they are going to deal with the number of leagues that they have got, with one court, spaced over five days, competing with two other ball sports in basketball and volleyball.

3425 So the wish list is very precise. They talk about having 500 people attend their inter-insular. Well we know that, because we deal with them at Beau Séjour, so why are we building another feature and drawing revenue out of Beau Séjour when we already have that?

3430 If you go back to original design, I think most of the Members in here will recall when we met in the assembly room, ten minutes later we were back in the same room doing gym exercises, so the gym was always doubled up with the assembly room. In this design, we have an assembly room, it is very adequate, it deals with the numbers that it is looking to accommodate, but we also have a gym. There is a gym and then a sports hall and this is where, again, I have difficulty understanding why we need to spend that amount of money on two elements when you could double them up. But like Deputy Lowe said, I am not professing to be an expert in building design. I am just trying to use a common sense approach to how one might manage a sporting occasion or a sports requirement.

3435 If I can draw Members' attention to the fact that Education is embracing sports tourism, and Deputy Stewart brought this up. We actually pay and give grants to sports to bring people in so the trade-off is whatever we can generate in terms of bed space and obviously what people eat and drink within the Island, but it is not as simple as just having the facility. There are a lot of things that go into creating the demand. 3440 Sports Commission only accommodates 65% of their requests. So there is a market out there but it comes at a price and this is something that could be raised even more if Education wants to go and follow this route.

Issue was being pointed out at Culture and Leisure's letter. If I could just take one point that we said, we said the Culture and Leisure Department cannot currently envisage an alternative, better value option that would secure the minimum required standard for the facilities of these three courts. Well, of course we are going to agree to that. It is not costing the Department. The Department is struggling to actually provide support to sports in this Island but we have got minimal amounts of cash reserves to offer them. So the two words within that statement are 'better value'. We just cannot provide it, so it is logical that we would accept this wonderful offer that Education is providing.

3450 But then when we do get the drawings, and I would like to say we have had one meeting with Education, one meeting after the event, after it had been put in here. They did talk with our officers regarding requirements and that is right and proper, but as it progressed through the process, at no point were we spoken to about the options on how best to develop La Mare de Carteret.

I looked in the Billet where it looks at elements that have not been costed for and probably at this stage I need to identify the fact that my daughter-in-law works for Gardener & Theobald, but not on this project. 3455 But in there, they talk about not allowing for archaeological testing. At no point has anyone ever come to talk to Culture & Leisure as to whether that facility might be required, might be a factor in holding up the actual job. Nothing has been said. There are huge amounts of things that have not been costed in the job which I suspect is one of the reasons behind this review, to make sure that we have covered everything.

3460 So all in all, I am supporting amendments. I think there are still areas of conflict. Why is there a community feature within this build when Cobo Community Centre is being rebuilt and KGV is, at the moment, actively promoting the use of that area as a community centre? I do not know whether Education has spoken to the Sports Commission about that and how they are developing it.

I would urge Members to reflect on giving Treasury & Resources three months to find the answers that we want to proceed with this build, but at an economical cost that taxpayers will feel comfortable with, 3465 when at the moment everything we try and do spend is deemed to be far too expensive and not what we need.

Thank you, sir.

3470 **The Deputy Bailiff:** Deputy Spruce, to be followed by Deputy Langlois.

**Deputy Spruce:** Thank you, sir.

Members, I find myself with the same dilemma that Deputy Inglis just mentioned. I am a keen supporter of the need to rebuild both the primary and secondary schools at La Mare de Carteret but my concerns are expressed in T&R's letter of comment. It is the scale of the project, lack of compliance with the final stages 3475 of the SCIP process and the fact that the overall project and value for money stages have not yet been completed or demonstrated adequately.

I doubt there is anyone in this Assembly who is not signed up to the need to replace both primary and secondary schools (**A Member:** Hear, hear.) but I cannot remember signing up to a pre-school facility, a communication in autism centre, a community and social suite, a county standards sports facility seating 3480 500 people, which will be a sports facility which surely could only undermine Beau Séjour. Now it may be

that some or all of those facilities are required, but Education would appear to have gone way beyond their mandate and way beyond the brief that I thought they were working to.

You will note that Treasury & Resources do not wish to stall the project, all we have been asking for is for the correct validation processes to be completed, the type of allocation and scrutiny that is required from all Departments under the rules of the States' Capital Investment Programme. Completion of this process will validate both the essentiality of the entire project and whether value for money can be demonstrated. It is worth remembering that we all have a responsibility to ensure that public money is used wisely.

I cannot really understand why the Education Board are so unwilling to accept the need for this amendment. After all, we all have a duty to ensure that our currently inadequate capital funds are properly used, in order that any savings achieved can be made available for other Departments who desperately require funds for their capital works programmes. The gross figure including inflation of £64 million is a huge, an absolutely huge sum of money. Just think about that, it makes your eyes water. That figure represents £2,600 worth of investment by every household in this Island. That is £2,600 of taxes already paid by each household. So I would say we have a duty to make sure that we do not spend more of their money that we really do have to. The Education Department's enthusiasm and passion should not blind us to the need to fulfil due process.

The SCIP process approved by this Assembly only in July of this year, whilst I admit is irritating at times, to me provides the discipline that is required on large capital projects of this type. So Members I ask you to support the amendment. In doing so, you will effectively approve the rebuild of the two schools and allow the correct validation process to continue. Hopefully you will see some savings out of the whole project, but if you do not, so be it. This may or may not result in a capital cost saving but it certainly is an essential step to take before finally agreeing to the rebuild.

Please, therefore, vote in favour of this amendment.

Thank you.

**The Deputy Bailiff:** Deputy Langlois.

**Deputy Langlois:** Thank you, sir.

Well, to quote the Education Minister from this morning, La Mare de Carteret schools have to be replaced. It has been said by the Chief Minister laying this amendment, it has been repeated by his seconder, it has been repeated by the Education Minister and by virtually every other speaker today.

I am 100% behind that, I was on the Education Board for nine years, latterly as Deputy Minister, I was on the Education Board at the same time as the Chief Minister for a certain period of time, so I do not think I have to defend my credentials dealing with my commitment to education in this Island.

Now, during that period, the EDP1, as we lovingly called it... the first of many previous abbreviations but we had a number with ours. It was quite superior and the EDP1 was all about getting these schools built and you were sitting there – those of you who were old enough, and there are some who are even too young to remember this far back – but we were sitting there in 2000 and 2001 – some of you were possibly even still at school at that time, but we were there – and we were looking at a length of build to complete that programme which inevitably would stretch out to round about 2017.

That is absolutely right, because it included other projects which have yet to be tackled. And funnily enough, La Mare de Carteret School should have been earlier than we are now capable of building it, right. And funnily enough, in the period between 2000 and now, the world has changed. It is a funny old thing, sir, every now and then financial markets and all sorts of other conditions change and we have to look to our laurels as to how we manage this sort of long-term planning.

I can assure you, in Propositions that are going to be put to you next year; this will apply to certain other long-term planning which is coming up. Times are harder than they were and economic realities which could not be identified prior to round about 2008 were not foreseen and therefore the timetable for completion of EDP1, especially in relation to this project, has slipped.

Can I also clear up one other misunderstanding – ?

**Deputy Sillars:** A point of correction please, sir.

**The Deputy Bailiff:** Deputy Sillars, a point of correction.

**Deputy Sillars:** EDP1 for the three high schools was supposed to end at 2013. Tertiary went on beyond that, so we are already well behind where La Mare should have already been built.

Thank you.

**Deputy Langlois:** I am very glad the Minister was listening to me. That is exactly what I have just said. Thank you.

Can I just clear up one other point here? It has been repeatedly said for some reason that this is a T&R amendment. I can assure you that the Chief Minister and I have worked on this, we are placing this as the Chief Minister and the Deputy Chief Minister. It is not a T&R amendment.

3545 Deputy Fallaize in a debate not very long ago, I think he described T&R as paranoid – I hope he will correct me, I think it was the word that was used.

**Deputy Fallaize:** I think it was neurotic, sir. (*Laughter*)

3550 **Deputy Langlois:** Ah well, well done. I knew it was something like that but possibly paranoid might be more apposite at some point. (*Laughter*) But yes, neurotic. We need them to be neurotic and I support that view here and now, because that is what we are looking at today: some need for review and additional scrutiny over a very, very expensive plan on a 60-year decision.

Of course, following on from that, Deputy Fallaize, as is his wont, turns the thing into a process matter. 3555 Rather than looking at the actual where are we going today, what decisions do we have to make, we get bogged down in whether Policy Councils do this and other people do that, and so on and so forth. What this is about is a decision on the Propositions in front of us, about whether we build a school – the answer to that is yes – and if we do, how big it should be and how much would it cost?

There are other people who are... We can all quote public support issues, and I think this one, like many 3560 other major debates when we get to this sort of crunch point, there is a fairly even split. I hope that both parties, in terms of this debate on this amendment, will acknowledge that the scattering of e-mails and public views and so on is fairly evenly spread. Of course, there are sections of the population who think that education should come at any cost, and there are others who think that costs should be controlled regardless of the effects on children and the public. I do not think that is a very useful route to pursue, as to whether 3565 we have got the critical mass of public opinion.

So, in that sense why is this amendment here? Well, it is here, in my view, in order to control or to moderate or mitigate political risk. There are two Departments which are clearly in disagreement. One has the responsibility for education, one has responsibility for finance. They are obviously in disagreement about this and I think what we have here is an amendment that enables us to reduce the risk of some sort of 3570 train-crash decision, if either of those two views holds sway today.

The risk if T&R hold sway absolutely today is that there is nothing else, no other course left to us than to simply throw out Education's proposals and that will carry with it certainty of at least a one-year or two-year delay.

The risk if you accept the amendment is that we move to a point where the Education proposals are 3575 reviewed. I have been assured – but I want more assurance before the end of the debate on this amendment – that that review... And there has been a little bit of almost misinformation creeping in, because the value engineering bit of this will happen anyway, that is always in the programme and I hope that everybody understands the difference between the initial review and the value engineering that goes back years and has been very much set in stone in the States' processes since the early part of this century.

But there is a risk that the early review, the additional review will delay and I would like an assurance 3580 from the Treasury Minister, and then a comment from the Education Minister, as to where they place that risk. Because I have been told by various staff members of their teams that that delay is very probably *not* going to push it back an additional year on opening. If that is a fundamental point of disagreement, I think we need to know before we vote.

3585 So, sir, this debate on the amendment is not a debate about whether or not to have a school. Proposition 1 says we have got to have the school. Subject to some assurances from the Treasury Minister, it need not be a debate about a one-year delay in the building. But it *is* a debate about good governance, fiscal prudence and value for money, and how can we ignore those in this day and age?

3590 **The Deputy Bailiff:** Deputy Ogier.

**Deputy Ogier:** Thank you, sir.

I have to ask how this Government can go through all the SCIP processes and the gateway review 3595 processes that we have to go through and still end up here, (**Several Members:** Hear, hear.) where we are uncertain of the merits or the scale of this project? Because our systems and our internal controls have been set up to avoid the need for last-minute reviews, to remove the need for last-minute delays. That is why they are in place, amongst other reasons.

Has something gone wrong with our systems? Have they failed to give the proper and due scrutiny and oversight required from them?

3600 I hear that there were problems at each stage. What this Assembly and the people of Guernsey need to hear is how this project was able to progress through to this Assembly without meeting the requirements of all the internal systems, internal control systems we have put in place, designed to prevent this indecisive

outcome and designed to give us assurance that when a project comes before this Assembly, it has received a rigorous examination.

3605 Now, I support Education and we do need the third school. La Mare needs to be rebuilt and I was on Education in 2012 when we pressed the button to proceed. We are delivering on promises from over a decade ago and they are finally coming before this Assembly and they are long overdue.

I also, however, support the need for proper financial scrutiny and I want to hear an explanation of why this proper financial scrutiny has not been given in this instance and why it has to happen now, resulting in potential delay and potential extra cost. If proper scrutiny has not been given, then it needs to be and I may support the amendment with bitterness and with frustration, but I need to understand what went wrong with our internal controls.

3615 In removing Treasury & Resources representatives from the project boards for capital projects, we are told that the SCIP process will provide the level of scrutiny required. But here we are, after the SCIP process where T&R are not happy with the results. What does that say about the robustness of the process that T&R rely on to provide their scrutiny in the absence of T&R representatives on the board?

I like the Chief Minister – *(Laughter)* Sorry, that just shows the importance of punctuation! *(Laughter)* I, like the Chief Minister, *(Laughter)* regret the decision of T&R to remove their board members from project boards.

3620 I served with Deputy Perrot on Berths 4, 5 & 6 Project and we are all comforted by his level of understanding of the project, his scrutiny of the project and the occasional helping hand he has given us on internal communications with Treasury & Resources. There is no doubt that project boards historically have benefited from T&R political representation.

3625 Now I am going to answer the questions that I raised in the first part of my speech, where I asked where our internal control systems let us down. Treasury & Resources in their letter of comment on page 2687 tell us that Education did not follow the sequence required in the SCIP process. So my question is now directed to Education: why was the SCIP process not followed? Is it the fact that Education submitted the States' Report prior to the completion of the outline business case? And in hindsight what, if anything, would they do differently?

3630 **The Deputy Bailiff:** Well, if nobody wishes to speak on the amendment, then I will be turning to the Minister of the Department, so Deputy Gillson has leapt to his feet – and then sat down again. Are you leaping to your feet again?

3635 **Deputy Gillson:** Yes, sir, I am leaping to my feet.

**The Deputy Bailiff:** Deputy Gillson.

3640 **Deputy Gillson:** Sir, like all Members of this Assembly, I support the need to redevelop La Mare de Carteret. I was very concerned about the size and scope of the project. With our economy, we should be building what we need and not what we would like.

3645 But at this point, I would just like to take a moment to digress and comment on something that Deputy Hadley said. He said the amendment should be rejected because it is taking away the mandate of another Department. Well, it is interesting to note that a year ago, Deputy Hadley voted in favour of the Deputies Le Lièvre and Sillars' amendment which created SWBIC, which did exactly that and took part of Social Security's mandate away. *(Interjections)* It is similar, well I think it is.

3650 Assuring value for money is, and should be, of prime importance to us and to the public. T&R have raised many valid concerns which need to be addressed before the project proceeds. We owe it to the public to be 100% certain that we are happy with the value for money. It has been suggested that justification for ignoring the concerns of T&R and suggesting we vote against the amendment is that the issues raised by T&R have been raised late in the day, they should have been raised earlier. There may be justification in that comment. Quite frankly, I do not know and I actually do not care. What is important is the validity of the concerns, not necessarily the timing of them.

3655 We all stood... well, some of us stood on the pier a few weeks ago and people who voted in favour of CO<sub>2</sub> emissions in May are now thinking of voting against it because they have changed their minds, they have had valid concerns. It is right to have concerns and if necessary change your mind. So irrespective of when T&R raised their concerns, the fact that these concerns are valid is important and we as an Assembly must make sure that we address the concerns.

3660 It has been mentioned and it is quite interesting that Deputy Kuttelwascher mentioned that T&R and Education had not replied to the answers, but there is a great difference between that they did not provide full justification. I think that is quite telling, because there is a big difference between answering a question or replying to a question and fully answering the question to the extent that it satisfies the questioner. So I think that is quite interesting.



We are about to embark on an expensive project but we need to remember something very, very obvious. We cannot spend the same money twice. So if the money is spent on La Mare de Carteret it cannot be spent elsewhere. Capital funding is limited, we have more projects in the pipeline than we have got money for. Therefore we need to be 100% sure that every penny we spend on La Mare de Carteret is what we need and not just what we would like.

We know that we have got a request for £60 million, nearly £70 million but we are also, in a few years' time going to have Education coming back and wanting more money. The Report says so on page 2536. At the top of the table, it refers to the Grammar School being over 30 years old and refurbishment will be needed within the next decade – right in the period when we have got more projects than money.

In some interviews, my colleague and good friend, Deputy Sillars, and in his speech, has explained that building the schools will not affect taxes – that it is not to do with Zero-10 and all those concerns of the public are not relevant to this situation, because it is a capital build and money is there. Well, in the very narrowest sense he is not wrong, but in the wider real sense, of money coming out of people's pockets, he is totally wrong.

So let me explain by stating the obvious. All States' monies, whether revenue spending or capital spending come out of the pockets of the public. It is not our money; it is not States' money. It is the public's money.

In the last few years, we have been running a deficit, a black hole. But during these years, our revenue account on income has exceeded our revenue expenditure. It is when we transfer money to capital that our deficit occurs.

So therefore it is wrong to try and separate deficit from capital expenditure. They are linked. Revenue expenditure, capital expenditure, the deficit, the black hole are all intrinsically linked and are funded from the pockets of taxpayers. What this means is that if money is spent on this project, then less money will be available for other projects or more money for those projects will have to be taken from taxpayers. So this project, like all projects, like all spending, is linked – albeit it may be indirectly, but it is linked – to the same black hole, to taxes and to the taxpayers' pockets.

I would like to move on now to the question about the building needing to be replaced now. I think most people agree it does, it is clearly beyond its date. But the argument that it must be replaced now, without delay, is being used as justification for not reviewing the scope and therefore rejecting the amendments, I do not think is valid. Yes, it needs to be replaced, but equally importantly we need to make sure the money is spent wisely. The condition of the buildings is unfortunately being used as a moral gun to our heads to justify rejecting this amendment.

So at the risk of digressing, let us just consider for a moment why we are in this position of almost having a moral gun to our head. Education has brought this on the States of Guernsey themselves, possibly not this political Board, possibly not even the previous one, but the decision to prioritise Beaucamps ahead of La Mare de Carteret was the decision. The Beaucamps building was older than La Mare but better constructed. Had La Mare been prioritised, we would not be in a position of such urgency.

Why do I suggest that? It is very simple. We have another school on the Island, another building, same age as Beaucamps, Ladies College Building – a States-owned school which was built a couple of years after Beaucamps but now is pretty well the same age as Beaucamps was when it was demolished. Last year we re-roofed it, re-clad the outside added new windows and it has been given another 30 years of life.

An interesting e-mail from a former head teacher referring to King Sturge survey, carried out a decade ago when it was recognised then that La Mare should have been prioritised ahead of Beaucamps because it should have been built, but Beaucamps could have been refurbished. So it does raise the question of why Education prioritised Beaucamps ahead of La Mare.

And before the Minister jumps up saying that it was the States that made the decision, yes it was the States that made the decision but the States made the decision on the basis of a report from Education, and I cannot recall that report giving either the option to prioritise La Mare or the condition of La Mare at the day.

So some Members are going to be asking, well, why am I saying this it is history, it is done, it is past? But it is relevant because it is the reason why students are still in La Mare de Carteret.

Cynically, some may say there is a reason why this was prioritised, because if it had not been and we were looking at rebuilding Beaucamps, we would now be looking at the option of refurbishing it, rather than a £30-million or £40-million nice, shiny new school. But irrespective of the why, the fact that Beaucamps was prioritised – and it is history, I agree – ahead of La Mare does, at minimum, question Education's strategic planning over the longer term and we are being asked to ignore the concerns raised by T&R and trust Education's strategic planning.

Deputy Fallaize in his speech said that the order had been determined because of the order within EDPI. That is true but that is not particularly relevant because we are here as a Government. We can change orders, we can prioritise as circumstances change and actually, if you were to stick strictly to the logic that

Deputy Fallaize had, you would suggest that... you would ask questions as to why Education extended the scope of La Mare because that was outside of EDP1.

Having mentioned strategic strategy, it is interesting to talk about the strategic fit, because a number of times, Members of Education have emphasised that the development complies with our strategic plans, using this again as justification for the scope and size of the school and the project as a whole that it is in line fits in the strategic plan so it is good to go. Clearly the development fits in with the States' strategies – no argument about that – but fitting in with States' strategies is not in itself justification for scope of the project, nor reason to pass without review. Non-alignment with the Strategic Plan would stop the project, but alignment does not automatically mean that it should proceed in its current scope.

I will give you an example. The Strategic Plan or strategic document would allow a cruise liner jetty to be built, but PSD have evaluated it and said there is no economic place for it so they are not going to do one. The States' Strategic Plan allows it does not mean you have to do it.

I am not suggesting La Mare is not progressed; just saying that the argument that we have heard on various occasions that because it is within scope of the Strategic Plan, then that is fine and that is a reason for it to proceed, that is not valid.

Sir, I would like to now jump to – while talking about scope – to the sports facilities and a concern I have there which makes me want to support the amendment. A lot has been made about Culture & Leisure and Guernsey Sports Commission supporting a large competitive sports hall which has seating for 500 spectators. Well, as Deputy Le Lièvre said, there is no surprise there. If someone has offered something for free, they are hardly going to turn it round. And yet we do hear concerns that Beau Séjour may lose business. But we do not just *hear* concerns that Beau Séjour may lose business from the school being redeveloped. We can read it. We can read it in Education's own Report or to be exact in the letter from the Netball Association. In the letter, they confirm that they will move at least one of their leagues from Beau Séjour to La Mare de Carteret.

Beau Séjour is already having financial problems, (**A Member:** Hear, hear.) so Education is planning to make it worse. (*Interjections*) Yes, it is! Well, as part of the justification for the sports hall, you have got a letter from the Netball Association saying they will move business from Beau Séjour.

**Deputy O'Hara:** A point of correction, if I may, sir.

**The Deputy Bailiff:** Deputy O'Hara, a point of correction.

**Deputy O'Hara:** On page 3 of the letter from the Netball Association, it makes it clear that it would then free up the courts at Beau Séjour to run a more comprehensive winter junior league programme. In other words, they will be able to have their winter junior club. So they are not completely going out of Beau Séjour. And incidentally, it will open up space which other facilities can use.

**The Deputy Bailiff:** Deputy Gillson to continue.

**Deputy Gillson:** Thank you, sir.

We need to ask ourselves three questions relating to the sports hall. Can we afford it? Do we actually need it? And what are the drivers that are being proposed?

Well, from the school's point of view, clearly I do not think the school needs a sports hall which can cope with 300 spectators being seated. It is not included in EDP1, it is a nice to have. I accept it is very nice, it would be nice for the community; nice for the school, but it is a nice to have. Can we afford it? Well, only if we really need it should we need to afford it.

Interestingly, in this Assembly and on other occasions, Deputy Sillars – my good friend, for the moment (*Laughter*) – has on many occasions said that in relation to making savings, Education is committed to savings as long as the decisions would not negatively affect educational outcomes. (**A Member:** For students.) For students. Well, here they are doing the opposite because spending millions on this facility will not improve education outcomes. Having 500 seating arrangements next to a sports hall is not going to improve educational outcomes. Likewise, removing that facility will not negatively affect educational outcomes. So to be consistent with everything Education have said about commitment to make savings as long as it does not negatively affect educational outcomes, is thrown out of the window when it comes to this sports hall.

But what is the driver for the sports hall?

**Deputy Sillars:** Can I ask for a point of clarification?

**The Deputy Bailiff:** A point of clarification, Deputy Sillars.

3785 **Deputy Sillars:** It seems to me that Deputy Gillson is alluding to the fact that sport has no impact on the education of our children, which is clearly wrong.

**A Member:** Hear, hear.

3790 **Deputy Gillson:** I am not alluding to that. What I am alluding to is that the education of children through sport does not need to have 500 people sitting down next to them watching them, (*Laughter*) which is what the sports hall would create. That is what I am alluding to –

**Deputy Lowe:** Thank you, sir.

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**The Deputy Bailiff:** Why are you rising, Deputy Lowe? (*Laughter*)

**Deputy Lowe:** A point of correction, sir.

3800 **The Deputy Bailiff:** A point of correction, Deputy Lowe.

**Deputy Lowe:** The sports hall will be used by the school as the only facility available to have for assemblies, otherwise there is not enough room to have full assemblies unless they use the sports hall. It is a dual use.

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**The Deputy Bailiff:** Deputy Gillson to continue.

**Deputy Gillson:** In which case, shouldn't the other halls be made bigger in Beaucamps then, in that case? They do not have the facilities and St Sampson's High School then cannot have full single assemblies in one place because they do not have sports halls that big, so is Deputy Lowe suggesting that they are disadvantaged?

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**The Deputy Bailiff:** Deputy Gillson, Deputy Lowe has made a point of correction, if you like, or a point of clarification. It is a matter for you to continue the speech that you were making and not engaging in a direct conversation with Deputy Lowe.

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**Deputy Gillson:** Apologies, sir.

I was talking about what the drivers are for the need for the sports hall. Well, one of the drivers is because there is not a swimming pool and it is to make up for that lack of facility. It says as much in the Report, which says at one point that the reason they can afford the addition to the sports hall is because they do not have the swimming pool. Well, on many occasions I have heard Members of Education say we are saving money... by not having a swimming pool we are saving money. But you are not actually saving money if you are taking that money and spending it on luxuries that you do not need for educational purposes. So I suggest that we cannot afford nice to haves and that is a nice to have and that is where the review would be useful.

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Now I will turn to my concern on community facilities. On the face of it, there is validity to the idea. Given the area I think it is a good idea. Whether it is affordable is debatable, hence the review would be interesting because my understanding is there has not been enough information on the affordability. But I do have a couple of issues, which you would expect. The first is that the scope of the project has grown not to include just the schools, it has grown to include the sport, it has grown to include the community, and I have a question.

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Given that is such a big increase from EDP1, why didn't Education come to the States earlier with a form of green paper to get our buy-in at an earlier stage? This could have been agreed in principle or just removed a lot earlier and it could have been done outside the SCIP process. When you were doing the original design and saying what are we going to have in this building, at that stage we could have commented, 'We know that EDP says that we want to build a school, we want to build a school and a community centre, what do the States think about it?' So I am disappointed that did not happen.

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But I also have a second concern about the design and location of the centre and that relates to security. I have been subject to two school inspections by the Independent Schools Inspectorate and one thing that they did on both was to look at security. When I was at the presentation a few weeks ago at La Mare de Carteret School, before the presentation while looking at the plans, I asked about the security because the community centre is right in the centre. As it says in the Billet, it is in the heart of the school. I said what about the security of the people walking there? When I was first elected by this Assembly, or the last Assembly, as Chairman of the Ladies College, I was not allowed on the grounds unaccompanied until I had

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been CBT checked. Yet this is going to allow people coming right into the centre, which is what the concern is.

A senior member of Education said to me: 'Well, that would be for the individual user groups to sort out.' I found that dreadful to think that. I really do put up a concern there, so I would be interested to know what sort of procedure is going to be placed for that.

I shall start to speed up, given the time. I am concerned about the statement saying about curriculum and the size has to be 600 for the curriculum, because of the Federation. Now, we do have an example of where a federated approach in the States' sector is providing the quality service across all the schools, a service which could not be provided by individual schools and that is the school's music service which none of the individual schools could afford the quality of tutorage that it provides, but it provides it across all of them in effectively a federated model.

One of the points that was made by Deputy Sillars in the Report and in his speech was about needing to build in 5% from day one because of the possibility of the shift of demand from the colleges. Part of that was an economic one saying that as we could end up with people's disposable income contracting, could make it difficult. That is pure economic theory – supply and demand, in effect. What it does not account for is that the people do not operate in a supply-and-demand, perfect competitive world. Often they will prioritise their children. The assumption behind that is not particularly valid.

But more importantly, we hope that the squeeze on disposable income is not going to last for the 60-year life of the fund of the school and really, that is evident in two respects. Firstly, the assumption that there will be net immigration from 200 people, now that immigration is based upon our economy having to grow, so that will lead to an increase in people's disposable income which is counter to what the letter says.

I am not suggesting that we enter into an economic debate over what is going to happen on that, just that there are two sides to an economic argument and if Education stand up and say, 'We think this might happen because of this side of an argument,' they have to also say, 'Well actually, quite the opposite may happen and maybe the risks balance out.' I think it –

**Deputy Sillars:** Sir, can I have a point of clarification?

**The Deputy Bailiff:** A point of clarification then, Deputy Sillars.

**Deputy Sillars:** We point to the college risk as only one scenario out of five possible. What we said is any one of those five could cause an increase for La Mare, and Deputy Gillson is focusing on one small part of five various ones.

**The Deputy Bailiff:** Deputy Gillson to continue.

**Deputy Gillson:** Yes, but I am pointing out I am focusing on one scenario, quite possibly the other scenarios have balances as well. I am just saying that the Department has produced an argument which is focused on one side and is unbalanced.

The other point and I think Deputy Trott mentioned this in general terms, but it goes again to demand from the colleges, is that the 11-plus is likely to come back to this Assembly. I see Deputy Brehaut nodding his head because he is planning to place a Requête, if it does not. Deputy Sherbourne says he hopes it does. Well, I know that in the past, Education have said they have not made the decision as to what the recommendation will be, but given that most evidence is balanced one way or another and four of the five Members have publicly said they would like to get rid of the 11-plus, it is pretty good odds that it is going to come back saying it is going to suggest removing it. But even if that assumption is wrong, then there is a 50:50 chance of it coming back.

What happens if the 11-plus is removed? Generally, I think that the demand for the colleges may well go up but that is not mentioned in this Report. Why? Well, some of you may look and think 'why would he say that?' Every year the colleges have more people take their entrance tests than go to the colleges. Most of those end up going to the Grammar School. If people pay for the entrance test, it is a fair assumption that they would be willing to pay fees and they do not, because they go to the Grammar School. If you remove the Grammar School, possibly demand would go up for the colleges. But again the Education comments are all one sided, they do not actually say this may go down here but could go up there. It is just one sided and that I find disappointing.

So to bring this to conclusion, in terms of supporting the amendment, key is the demand in the estimation of students, the size of the facilities. I think that it is fair to say there have been a lot of doubts raised, a lot of questions raised about the scope, the benefits, whether it is value for money and we need, for the sake of the public, to demonstrate good governance to show that we are committed to make sure that every pound we spend is spent wisely. This is a once-in-60-year decision. It is really for us to make sure that it is the right decision and to that end, I think that this review is therefore needed.

Mention has been made that that the amendment could result in a delay but that would only happen if Education's proposals and assumptions are wrong. But if they are wrong, then it needs to be reviewed, so the only downside of the amendment is it could be proven to be right and either the review is not needed and things progress as they are – great, all well and good – or it is proven that there has to be a change in which case we save a lot of money for the taxpayer (**Several Members:** Hear, hear.) and we do what we should do in terms of doing the job properly.

So I urge people... I apologise for being a bit more long winded than normal, rambling a little bit, but I hope people will support the amendment. I hope we can have the review. I hope that we can then have a school that is fit for the children but also one we need and of a size that we need and not greater than we need. It is about balancing the need and affordability.

Thank you, sir.

**The Deputy Bailiff:** Well, Members of the States, it has just gone half past five, but if it is the will of Members to stay to conclude the debate on the amendment and have a vote on it, then I would be prepared to continue sitting for that basis.

So I am going to put very briefly to you a motion to say do you want to continue so that we can hear from whoever else wants to speak? I imagine that will include the Minister of the Treasury & Resources Department, although not necessarily the Minister of the Education Department, and then the Chief Minister's reply as the proposer of the amendment. But if there are others who want to speak then clearly it might delay matters.

Those in favour of continuing the sitting; those against.

*Members voted Contre.*

**The Deputy Bailiff:** We will adjourn until tomorrow morning.

*The Assembly adjourned at 5.33 p.m.*