

# MINUTES of the EASTER MEETING of CHIEF PLEAS

Held in The Assembly Room, Sark on 4<sup>th</sup> May 2011 at 10.00 am.

**Present:** Sieur J.M. Beaumont OBE, Seigneur; Lt. Col. R.J. Guille MBE, Seneschal; K.N. Adams, Deputy Prévôt; T.J. Hamon, Greffier; W. Kiernan FCA, Treasurer; and the Constables.

His Excellency the Lieutenant Governor, Air Marshal Peter Walker, CB, CBE, also attended.

**23 Conseillers** were present at the roll call (see attached list and named voting record).

Apologies were received from Conseiller Cocksedge who is in hospital recovering from surgery.

Apologies were given by Conseiller Bache who arrived late.

## 01 Opening Comments

0.1 [Lt. Governor Peter Walker](#) – The Seneschal welcomed His Excellency, The Lieutenant Governor, Air Marshall Peter Walker on this his first attendance at Chief Pleas and also extended a very warm welcome to Mrs Lynda Walker who joins us today. The Seneschal hoped that the people of Sark would see them on many more occasions of a less formal nature than Chief Pleas Meetings.

0.2 [Royal Warrant](#) - The Seigneur, Conseiller & Mrs Maitland, The Seneschal and his wife had the pleasure of attending the *Swearing-In* of His Excellency on the 15<sup>th</sup> April. The Seneschal shared part of that ceremony with Chief Pleas by reading out His Excellency's Royal Warrant. The Seneschal also read out some words from the Oath that His Excellency took before the Royal Court....

***That you will also preserve and support the said inhabitants of this Island and its dependencies in their rights, liberties and privileges and ancient customs, and will likewise maintain the Ordinances for the time being in force.***

The Seneschal emphasised the importance of those words and was sure that Sark can continue to look forward with confidence that the Lt. Governor will continue to support this community as his predecessors have done to help Sark protect its customs, traditions and laws as much as his appointment allows.

The Seneschal remarked that, unlike the States of Guernsey and Alderney whose short Meetings the Lt. Governor has already attended, here in Sark there is quite a large amount of business on today's agenda. The fact that refreshments await at the Vin D'Honneur may concentrate the minds of those debating that business.

0.3 [Response from the Lt. Governor](#) – Air Marshall Peter Walker thanked the Seneschal for the welcome and confirmed that today was only a short visit but that he and his wife looked forward to further visits and becoming better acquainted with the people of Sark and its democratically elected Assembly.

0.4 [Art for the Love of Sark](#) - the Seneschal informed Chief Pleas of the presence of Xavier Pick at the rear of the Assembly Room who would be undertaking sketches of Chief Pleas during the meeting.

0.5 [Alderney Visit](#) – Conseiller Maitland reported that one of the General Purposes & Advisory Committee's principal roles is being the main contact point between Chief Pleas and the outside world. Conseillers Maitland and Edric Baker, at the invitation of the Alderney Policy & Finance Committee, visited Alderney in April and this was followed by the visit of the External Relations Group of the Guernsey Policy Council to Sark.

Both these visits were extremely valuable and provided opportunities for the discussion of common problems and the formation of closer links between the Islands.

Discussions in Alderney covered topics as diverse as agriculture, census, cultural and sporting links and ways the two islands can cooperate in the future. An afternoon tour took in the old fort that is in the very early stages of being transformed into a hotel and conference centre. It was interesting to note that the planning fees on the development were in the region of £20,000, reflecting the true cost of monitoring these complex projects.

The Conseillers also saw the newly opened water treatment plant and it seems that Alderney has grasped the nettle of securing its water supplies for the future by using old quarries for water storage. Certainly, Sark still has a lot to do in this direction as no one really knows whether the Island will be able to cope with the present hotel and agricultural developments and the increasing need for this precious resource. Plans are also in hand for a marina development in Alderney and there was talk of co-operation with Jersey in looking at ways in which the Island can deal with its waste disposal problems – something that Sark can learn from too.

The Conseillers also attended a Peoples meeting – held before States meetings - so that

- members of the public can debate important issues. One of the topics raised was how Alderney was going to cope with its growing pension deficit, a black hole of over £1.5 million.
- 0.5 cont The visitors came away with the conviction that although at times Conseillers could do with a little civil service help, it would be a great mistake to lose the ethos of voluntary work that is such a feature of Sark. The next meeting of the Alderney and Sark Cooperation Group will take place here later in the year.
- 0.6 [External Relations Group](#) – Conseiller Maitland reported that a week later the GP&A Committee welcomed the Chief Minister and members of Guernsey’s External Relations Group to Sark. There were wide ranging discussions from how to simplify the mechanics of putting international sanctions in place – there are a number at the end of this agenda – to the likely reciprocal health agreement with the UK.
- At the moment, Sark is experiencing problems in connection with processing its legislation through the Ministry of Justice (MoJ). Three Projets are becalmed there; the Shipping Law has been there for over a year and both it and the Reform Law Amendment, dealing with the splitting of the Seneschal’s role, have been the subject of legal challenge by the Barclays’ lawyers.
- It is outrageous that legislation passed by this Assembly should be delayed in this manner. The Justice Committee Report recommended that the legislative process should be streamlined as far as the MoJ was concerned and laws passed by the Crown Dependencies should not be subject to further lengthy legal scrutiny in London. The budget cuts at the MoJ have made the problem worse as has the reduction in civil servants. HM Procureur is to visit London soon with his counterpart from Jersey and it is hoped that pressure will be applied to help sort out this problem. Conseiller Maitland felt that altogether, it was perhaps the most successful and productive meeting to date with the next one planned in six months’ time.
- 0.7 [April 29<sup>th</sup> Public Holiday](#) – The Constable reported that last week Prince William married Kate Middleton and upon their marriage they became the Duke and Duchess of Cambridge. The Sark Constables were given the task of organising celebrations on the Island and were given a budget of £2,000 by Chief Pleas of which so far only around half has been spent. Still to be obtained are the commemorative souvenirs for all the school/nursery children and each will be given a first day stamp cover featuring the Royal couple but these are not released until next month.
- The day started with coffee and biscuits in the Island Hall whilst those present watched the wedding; an inside Street Party followed with a mini disco for the kids. Both these events were well attended. Somebody commentated that the celebrations could have finished there and, in hindsight, perhaps that should have happened. The evening buffet and party was only attended by about thirty people; hearing afterwards about a number of other parties happening elsewhere it was not surprising but nonetheless disappointing.
- The Constable thought Sark had celebrated the Royal Wedding in good style and the people of Sark all wish William and Catherine the very best for their future life together.
- 0.8 [Wedding Gift](#) – the Seigneur detailed the amount raised through the charitable fund set up as a gift from Sark; £935 was contributed of which £275 would go to the couple’s nominated charities and £660 to the Professor Saint Fund. The opportunity to contribute remains open for now.
- 0.9 [Conseiller resignation](#) – the Seneschal informed Members that he had received a letter of resignation as a Conseiller from Mr Rossford de Carteret with his resignation effective yesterday, 3<sup>rd</sup> May. Mr de Carteret has served many years in Chief Pleas as a Deputy, Tenement Member and latterly as a Conseiller; all know Mr de Carteret has a serious medical condition and first indicated his intention to resign as a Conseiller at about this time last year. Mr de Carteret served as Vingtenier and Constable in the early eighties and as a Member of Chief Pleas has served on many committees including, Agriculture, the Cemetery Committee, the Douzaine, Public Works, Road Traffic, Harbours and then Harbours & Pilotage, Sea Fisheries, the Old Hall Management sub-Committee and the Millennium Committee. He has always thrown himself wholeheartedly into committee work and has always been a hands-on practical working Member with huge experience. The Seneschal asked that a vote of thanks be recorded for Mr De Carteret’s public service to Sark and this was acknowledged by the Assembly.
- 0.10 [Dependencies of Guernsey](#) – Conseiller Gomoll raised the issue of the wording in the Royal Warrant in which it describes Alderney and Sark as dependencies of Guernsey rather than as jurisdictions in their own right. The Seneschal has written to the GP&A Committee on the issue.

**Conseiller Bache joined the meeting at 10.20am and his presence was recorded by the Greffier.**

## **1 Minutes of the Christmas Meeting on 19<sup>th</sup> January 2011**

- 1.1 E. Dewe [Correction to Item 23.70](#) – Conseiller E. Dewe said her son was 15 years old and not 14 as stated. The minutes were **APPROVED** with that one minor change.

## Matters Arising

1.2	Maitland	<a href="#">Ref: 2.1 Customs Post on Sark</a> - answered questions from Conseiller Perrée on this issue at Christmas Chief Pleas (Ref: 2.1 of the minutes) but last week the Chairman and Deputy Chairman of the Harbours and Pilotage Committee had occasion to speak on several issues with Rob Prow, Senior Officer, Guernsey Borders Agency (GBA) and his colleague, Phil Taylor. Conseiller Maitland passed to Conseiller Guy for an update.
1.3	Guy	Had cleared the following statement with Rob Prow on the telephone before this meeting having taken the opportunity last week to revisit the subject of Sark becoming a port of entry and/or having a customs presence in Sark.
1.4		The current legal situation under the Customs and Excise Bailiwick Law is - <ul style="list-style-type: none"><li>○ Vessels (any vessels including non-commercial) can only enter the Bailiwick of Guernsey via an approved port of entry;</li><li>○ These are Braye Harbour, Alderney, St. Peter Port and St. Sampson in Guernsey;</li><li>○ A very few operators have waivers to clear in to Sark via Jersey and one has a very restricted waiver to operate aggregate cargo direct from France. These are regarded by GBA as relatively safe.</li></ul>
1.5		The question of whether or not Sark could become an approved port of entry was then discussed. <ul style="list-style-type: none"><li>○ In theory, Sark could apply to become an approved port of entry by statutory instrument <i>but</i> GBA would have to be satisfied that all criteria for this would be fulfilled. (GBA in turn, has to satisfy Common Travel Area criteria, EU Common Customs Territory Agreement, Vienna Convention on Drug Trafficking and other criteria)</li><li>○ Other criteria are such things as:<ul style="list-style-type: none"><li>● Accredited and fully trained officers; (Braye has two full time and one part time)</li><li>● Facilities for processing passengers; each passenger has to be seen individually and each passport examined;</li><li>● Separation of incoming and outgoing passengers;</li><li>● A full border control office suite and equipment;</li><li>● A custody facility;</li><li>● A facility related to import/export examination and there is an additional difficulty here in that Sark does not have import/export control law.</li></ul></li></ul> <p>Practicalities would be difficult if not impossible and costs would hugely outweigh benefits. Also the risk of illegal immigration from the adjacent French coast is very high at the present time.</p>
1.6		The final question asked was - <i>Would it be possible for an operator to request GBA to come to Sark to clear?</i> The response was no; personnel limitations and practicalities mean that this is not viable but GBA will continue to carry out checks using the <i>Leopardess</i> as it feels appropriate or necessary.
1.7		Guernsey Border Agency is very willing to come to Sark to give a presentation about its work to Chief Pleas' Members and any others who are interested. This would enable questions to be asked of people who will be able to give answers in a public forum.
1.8	Seneschal	Offered Conseiller Perrée, the opportunity to respond.
1.9	Perrée	Her questions had been made on behalf of those with 12 and under licences for small boat charters and she still wished to pursue the question if possible.
1.10	Seneschal	Asked if Conseiller Perrée would like to have a public meeting in Sark as offered by the Guernsey Borders Agency.
1.11	Perrée	Would welcome that opportunity.
1.12	Guy	Agreed to organise such a meeting.
1.13	Gomoll	Questioned whether Conseiller Bache having arrived late had to be sworn-in as had happened to him on a previous occasion.
1.14	Seneschal	Explained this was no longer necessary under the updated rules of procedure used by the new Assembly (see Rules of Procedure 5(2)).

## 2 Questions not related to the Business of the Day

- 2.1 S.Williams [Bore Holes](#) –the following question was asked of the Public Health Committee –  
***“Can the Public Health Committee inform me if there are any regulations relating to Bore Holes or, more specifically, to the sinking of them? Could the Committee seek legal advice and bring a report back to the Midsummer Chief Pleas meeting”?***
- 2.2 Melling At present the Committee takes into consideration the site of a borehole when considering an application for a new sewage system but in the present mandate it has not been deemed, or indeed considered, necessary to have a view on the sinking of a borehole; those responsible have always been sensible and taken into account any existing sewage systems in the chosen location.  
Some years ago, a private resident, with Chief Pleas full consent, commissioned a report on water supply and that included boreholes, and extended into professional views on the effect of ‘overdrawing’ measured with the co-operation of the Sark Electric Company. Records were produced as to the sites and numbers, which in 2004 show 167 boreholes on the Island.  
The Committee understands the question being raised is indicating concern for how many more boreholes can Sark take without serious damage to its water supply. This will be difficult to answer, but the Committee will attempt to quantify an answer.  
It is assumed that the concern in the question leads to the Public Health Committee investigating the possible control of boreholes in future.
- 2.3 S.Williams [Rubbish Dumps](#) – the following question was asked of the Douzaine and/or Development Control Committees –  
***“Could either of the Committees seek legal advice to ascertain the Law regarding Rubbish Dumps? The number of such dumps has increased in recent months and, with the Tourist Season now started, action needs to be taken to clear up such unsightly locations”.***
- 2.4 E. Baker Confirmed that the matter was not within the Douzaine Mandate.
- 2.5 Dunks Accepted that the Development Control Committee would seek legal advice on the interpretation of its legislation referring to rubbish dumps.
- 2.6 Melling Drew attention to the Sark Litter Law in which the abandonment of rubbish is also included and may be of some value.
- 2.7 Ventress [Reform Law Amendments](#) –the following question was asked of the General Purposes and Advisory Committee –  
***“How far has The Reform (Sark)(Amendment)(No.2) Law, 2010, progressed and when is it likely to receive Privy Council approval? This has especial reference to a possible by-election”.***
- 2.8 Maitland Reference had already been made in this meeting (see Paragraph 0.6) to delays at the Ministry of Justice (MoJ) in the processing of legislation passed by Chief Pleas and awaiting consideration by the Privy Council.
- 2.9 Ventress [Ministerial Government](#) –the following question was asked of the General Purposes and Advisory Committee –  
***“In view of the medias insistence in calling the Chairman of the GP&A Committee Chief Minister, would all members of Chief Pleas agree to a statement to all of the media be put out emphasising that Chief Pleas does not have Ministerial Government but works through Committees; thus the correct title for the for the head of GP&A is Chairman of General Purposes & Advisory Committee”.***
- 2.10 Maitland Chided Conseiller Ventress about reading too many newsletters; the phrase was only used to annoy. Conseiller Maitland recommended that the House just ignore it.

## 3 General Purposes & Advisory Committee

### The Law Enforcement Commission (Bailiwick of Guernsey) Law, 2011

- 3.1 Maitland Referred back to Christmas Chief Pleas (Item 14) when a report on this Bailiwick legislation, with explanatory papers attached, was considered by Chief Pleas.  
As promised, there followed a presentation to Conseillers by Messrs. Paul Whitfield and Mark Lampriere, both from Guernsey’s Home Department, accompanied by Crown Advocate Robert Titterington, on January 28<sup>th</sup> 2011.

- 3.2 Bateson Had concerns over Section 2(4) of the Law which promises that “...before making any decisions or taking any action in the discharge of its functions that has, or is likely to have, a significant impact on Sark, the Commission shall consult the GP&A Committee of the Chief Pleas of Sark”. He asked if the GP&A Committee had the right of veto.
- 3.3 Maitland The Commission will have an overview. If anything is likely to affect Sark they will contact the Committee.
- 3.4 Bateson Felt the safeguard was weak. In Section 11 the Chief Officer is given extensive powers without the need for permission “... to direct and control the operations and resources of the law enforcement organisation for which that officer is responsible”.
- 3.5 Gomoll The GP&A Committee has discussed the application of the Law to Sark and when it was brought to the House previously there were no concerns over the implications. It is a decision for Chief Pleas to say whether the principle of the GP&A Committee acting on its behalf is acceptable. There is a need to sort this issue out once and for all.
- 3.6 Seneschal Drew attention to the Rules of Procedure Section 11(9) which states –  
*“Where a Member proposes to move an amendment to a Projet de Loi or a draft Ordinance, he shall send the amendment to the Committee bringing the legislation forward, no later than ten working days before the Chief Pleas meeting. No such restriction shall apply to an amendment proposed on behalf of the the Committee submitting the original legislation”.*
- 3.7 The purpose of this rule is to allow the Committee time to investigate and seek legal advice before the meeting and provide informed answers to the question. Chief Pleas now has only the option to approve or disapprove the Projet de Loi.  
 If it is a debate on principle, it must be brought as a separate report.
- 3.8 Bache Suggested it might be resolved by exchanging letters now and delaying decisions if the Committee, when consulted, is not satisfied with what is being proposed.
- 3.9 E. Baker The Committee brought a report at Christmas and the issue was not raised then.
- 3.10 Maitland It has been brought to Chief Pleas and a presentation was given by the Home Department, so there has been plenty of opportunity to raise such issues.
- 3.11 Gomoll Asked if Conseiller Bache could clarify his ideas about exchanging letters. In the meantime is it best to speak with Guernsey about the Law.
- 3.12 Bache Consultation is difficult. Further discussion with Guernsey could bring clarification.
- 3.13 Seneschal There might be difficulties here if the Bailiwick Law has to be rewritten. It was approved by Guernsey on 23<sup>rd</sup> February and he believed Alderney has also approved it.  
 Bailiwick Laws need all three jurisdictions to approve the identical legislation.
- 3.14 Bache There is no need to rewrite the Law. An exchange of letters is all that is necessary to clarify the terms of consultation to be used in the event of a future dispute.
- 3.15 Seneschal It is not a practise used before but it could introduce ground breaking technology.  
 He gave the Committee the opportunity to break and discuss its intentions.

**A 15 MINUTE BREAK WAS TAKEN AT 10.50am**

- 3.16 Maitland The Committee decided to withdraw the proposition, take legal advice and return with the legislation to Midsummer Chief Pleas on 6<sup>th</sup> July.
- 3.17 **Proposition – WITHDRAWN**  
 That Chief Pleas approve the Projet entitled *The Law Enforcement Commission (Bailiwick of Guernsey) Law, 2011*.

**4 General Purposes & Advisory Committee**

**The Terrorist Asset-Freezing (Bailiwick of Guernsey) Law, 2011**

- 4.1 Maitland Explanation is provided in the accompanying report. The Law has now been now approved by Guernsey, bringing the Bailiwick into line with UK legislation.

4.2 **Proposition – CARRIED**

That Chief Pleas approve *The Terrorist-Asset Freezing (Bailiwick of Guernsey) Law, 2011*.

**5 Development Control Committee**

**The Housing Extension (Sark) Law, 2011**

- 5.1 Dunks This three year extension will ensure that any delay in the processing of “*The Housing (Control of Occupation) (Sark) Law, 2011*” does not leave local market property vulnerable without the protection of legislation.

5.2 **Proposition – CARRIED**

That Chief Pleas approve *The Housing (Extension) (Sark) Law, 2011*.

## 6 Development Control Committee

### The Housing (Control of Occupation)(Sark) Law, 2011

- 6.1 Dunks Introduced the report, referring to the mechanics of the consultation process that has been undertaken by the Committee. At the most recent of these public meetings, on 11<sup>th</sup> April, a number of opinions were expressed over just one or two points; these were noted, each being later looked into and where required advice sought. Following this advice, the Committee did not feel any further changes were required to the Law.
- 6.2 In addition to the public meetings at which the new Law was discussed, questions have been put to the Committee. Conseiller Dunks ran through a number of examples for illustrative purposes.
- 6.3 *Why have a new Law rather than make the existing the Temporary Provisions permanent as it is now?*  
There were a number of details in the Temporary Provisions Law that need amending/changing to bring them up to date, which along with the inclusion of a Register meant that making the old Law permanent resulted in effectively writing it.
- 6.4 *Why does the Law and the draft Ordinance give so much power to the Douzaine to un/designate a person as they see fit?*  
The current draft of the Ordinance does give the Douzaine a great deal of discretion. This matter will be attended to in future drafts.
- 6.5 *Would this all have been a lot easier if the draft Register had been available for the public to look at now?*  
Yes; it had been the intention of the Committee to have drawn up a draft register by now but the task has taken longer than anticipated. It will be done ahead of the next meeting of Chief Pleas.
- 6.6 *Why is the Register a list of "local market" houses?*  
When the initial drafting was being considered, the advice at the time was to go for a Register of Restricted Dwellings. The advice given has not been found in the files, assuming it was ever recorded.
- 6.7 *Are there any guidelines for the Douzaine when making their decisions?*  
These have been suggested to the Committee and are being worked upon for inclusion in the draft Ordinance.
- 6.8 *If an "open market" house is divided now, what happens when the Law comes into effect?*  
Any division of an "open market" dwelling performed now would be covered under the existing 1976 Law, in which case all the sub-divisions would be regarded as "open market". When the new Law comes into effect, they would not be recorded on the Register as the legislation cannot be retrospective.
- 6.9 *Why have the Douzaine been given the powers of entry in 4(4)?*  
The power of entry listed at 4(4) of the new Law is a translation of that already contained in the existing Temporary Provisions at 3(1).
- 6.10 S.Williams As a Member of the Development Control Committee, she acknowledged the work and effort that Conseiller Dunks has contributed in preparing this legislation and the exchange of views he has achieved through his consultation meetings. She did criticise the holding of another consultation meeting after the Chief Pleas papers had been distributed. Although it was not impossible to try and seek further changes to the draft law before this meeting today, introducing changes at the meeting is confusing. She suggested delaying the approval of the law until the Midsummer meeting with a final consultation meeting before the papers are sent out next time.
- 6.11 Dunks Accepted this idea.
- 6.12 Hunt Attended the open meeting, one of only a few Conseillers who did so as others were side tracked by an alternative meeting arranged for the same evening. As Chief Pleas has just extended the current law for three years, why is there undue haste today to approve the new law?
- 6.13 Dunks It was never intended that both pieces of legislation should have been on the same agenda; previous delays to the new legislation has made that happen coincidentally.
- 6.14 Audrain Had concerns about the new register as this seems pivotal to the new legislation being accepted. She asked for assurance that it would be completed by the next time this Projet came forward for consideration; if it isn't available more delays will be inevitable.
- 6.15 Perrée Suggested that Sark people are bad at attending public meetings and she advocated sending around a consultation document.
- 6.16 Gomoll Advocated bringing out the register, making it available and then having a public meeting before bringing out the papers for the next meeting of Chief Pleas.
- 6.17 Hunt Asked if the whole Committee was supporting the legislation.

- 6.18 Seneschal The fact that there was no minority report suggests that it is in agreement.
- 6.19 S.Williams Was happy with the report but by having a meeting after the papers went out meant that new issues have been raised.
- 6.20 Bateson Also a DCC Member, he felt that having the register or at least a draft register available was essential.
- 6.21 Dunks It has to be a draft register. Until the Law commences the option to appeal against the inscription of a property on the register is not an option as it is conferred by Section 8 of the Law.
- 6.22 E. Baker Is also a Member of the DCC; the register is just a list compiled by the Douzaine for interpreting the Law. He pointed out the list of considerations by Chief Pleas at the start of the Law – 23<sup>rd</sup> April 2003, 30<sup>th</sup> September 2009, 14<sup>th</sup> April 2010, and now 4<sup>th</sup> May 2011 – indicated that the Law is hardly being rushed through. He agreed that now the further extension of the current law was approved, there was no immediate haste.
- 6.23 **Proposition - LOST**  
That Chief Pleas approve *The Housing (Control of Occupation) (Sark) Law, 2011*.
- 6.24 Dunks Asked if the Committee has permission to redraft.
- 6.25 Seneschal There is no indication that Chief Pleas has said no to that option.
- 6.26 Dunks Accepted the need to have the draft list available before having a consultation and then circulating the papers.

## **7 Harbours & Pilotage Committee**

### **The Harbours (Sark) Ordinance, 2011**

- 7.1 Guy Brought back this Ordinance, amendments to which were approved at the Christmas meeting. She drew attention to Section 7 where the words “moored and berthed” have been added to the word “anchor” as explained in the accompanying report and clarified the Law Officers advice that, whilst this modification falls outside the resolution of 19<sup>th</sup> January, it does not prevent Chief Pleas from approving it.

- 7.2 **Proposition – CARRIED**  
That Chief Pleas approves the Harbours (Sark) Ordinance 2011.

## **8 Finance & Commerce Committee**

### **2010 Financial Statements**

- 8.1 Gomoll Since this report was written, £50k has been repaid by the Isle of Sark Shipping Company.
- 8.2 Prevel Asked what the expected budget for Tourism was likely to be in 2012.
- 8.3 S.Williams At this stage it is anticipated that it will remain the same as this year with an increase based on the retail price index.
- 8.4 Prevel Pointed to Appendix 2 and the £6k reduction shown under Tourism expenditure, attributable to savings in advertising. He questioned why savings were being made when we need to attract visitors to Sark.
- 8.5 S.Williams Explained that the Committee was prudent in its spending and avoided duplication of advertising in the same magazines where Sark businesses are already running promotions. A different focus was employed and savings had been made. The successful poster campaign inside buses on Guernsey was continuing for the winter and those same posters will remain for this summer too. As a consequence, significant savings on the contract and on printing costs have also been achieved. The Committee has spent its money wisely and well.

- Proposition – CARRIED**  
That the Financial Statements of the Island for the year ended 31 December 2010 be approved.

## **9 General Purposes & Advisory Committee**

### **The Fief of Sark**

- 9.1 Maitland Since this report was written some weeks ago, further clarification of the issues involved has been provided by both H.M. Procureur and H.M. Comptroller through the good offices of the Lt. Governor. Conseiller Maitland promised to e-mail Conseillers with that advice after this meeting.

- 9.2 Maitland The salient points of the advice received were that:
1. In relation to Sark, the Fief is of the highest class of fief, a fief haubert, in respect of which the Seigneur owes homage to Her Majesty the Queen in person;
  2. The rights and obligations comprising the Fief cannot be transferred by private agreement between the Seigneur and some other person. As shown on the face of the Letters Patent of 1565, the express consent of the Sovereign is an essential pre-requisite to any gift, sale or alienation of the "whole estate" comprising the Fief. When the Fief was last sold in 1852 to Marie Allaire that sale, by Pierre le Pelley, was authorised by Queen Victoria by way of an Order in Council dated 27<sup>th</sup> November 1852.
  3. The last paragraph of the advice was read out full -  
*"Were the Seigneur of Sark to seek Her Majesty's authorisation to sell the Fief in the future, it is inevitable that, before responding to such a request, Her Majesty would take appropriate advice. As to Her Majesty's engagement with Sark, Chief Pleas will recall that Her Majesty's Private Secretary visited Sark in March 2009 and most recently in February 2011 when he made clear that no-one should have any doubt whatsoever that the Queen takes a very close and well informed interest in Sark's affairs. By the very nature of the rights and obligations comprising the Fief, the central consideration will always be what appears to Her Majesty to be best calculated to preserve the peace and well-being of the islands and their inhabitants, reflecting the long and important historical context of Sark. Such a process clearly would not be undertaken lightly, but rather would demand the most mature and careful consideration."*
- 9.3 In the light of this advice, the Committee feels that the MoJ would not be able to give the confirmation outlined in the original proposition; however it does not make its concerns on this issue any less valid. There is no doubt that the Government of Sark, as represented by Chief Pleas, would play a vital role in any consultation process were the future of the Fief ever in doubt. The Committee therefore asks for the support of Chief Pleas if it becomes necessary for the Committee to approach any or all concerned parties on this issue at any time in the future. The current proposition is therefore withdrawn and a revised proposition is substituted in its place.
- 9.4 S.Williams Was glad that this proposition had been withdrawn; there had been a misunderstanding of the report and some people had thought the Fief was going to be sold. It was difficult for people to understand and many had requested a public meeting, to include the Seigneur, if this had been the case.
- 9.5 Guy In the 21<sup>st</sup> century communities should not be capable of being sold like goods and chattels. She thought the revised proposition would adequately cover the situation should it ever arise; the community of Sark would always be an interested party.

9.6 **Proposition – WITHDRAWN**

That Chief Pleas supports an initiative by the Seigneur and the General Purposes and Advisory Committee to seek confirmation from the Ministry of Justice that:

- 1) the Fief of Sark would not be permitted to be transferred (other than by way of inheritance to a descendant of the Seigneur) at some future date and that:
- 2) in the event that the Fief reverted to the Crown, the feudal rights of the Seigneur should be transferred to Chief Pleas in perpetuity for the benefit of the inhabitants of Sark unconditionally and free of charge.

9.7 **New Proposition – CARRIED**

That should the Committee feel it is necessary to approach any or all parties on this issue in the future it would have the support of Chief Pleas.

## 10 Medical Committee

### Smoking Ban inside Buildings Open to the Public

- 10.1 D. Baker In 2008 the Medical Committee asked how people felt about having a no smoking policy in bars restaurants and cafes on Sark and there were some who were against the idea feeling it took away their freedom of choice. A voluntary ban was called for and the majority of establishments did impose a no smoking rule; this was helped in particular by businesses owned by Sark Estate Management embracing this policy immediately.

- 10.2 D. Baker There were already restrictions set by proprietors of independent restaurants, bars and cafes which had stopped allowing smoking inside their premises previous to the request, and of course Chief Pleas voted to make all its offices no smoking. The Medical Committee feel this move was very successful.
- 10.3 Visitors to Sark are usually surprised to find smoking allowed in any public bar or eating area, and many residents have told us they no longer wish to sit in a bar where smokers freely light up. Conseiller Baker didn't believe it was necessary to quote facts and figures on the health benefits as there are well known causative links between cigarette smoke and heart disease and cancer for both the smoker and the people who are forced to inhale passively. Dr. Steven Bridgeman, Director of Public Health, said in 2009 that smoking is a major cause of premature death in the Bailiwick; this is in contrast to binge alcohol consumption which also does considerable harm on Sark but only directly affects the physical health of the person who drinks it.
- 10.4 The Committee had hoped to avoid bringing in legislation similar to the UK and other Channel Islands and, with the co-operation of all concerned, it would create a cleaner healthier atmosphere for all. Unfortunately not every business has agreed to take part in this voluntary ban and some concerns have been raised that without legislation any restaurant, cafe or tea room could simply change ownership and the new owner decide they would allow their guests to smoke openly on the premises and there would be nothing anyone could do about it. The Committee has looked at different options such as making it a condition of holding a liquor license but cafes don't have a liquor license and, sadly without legislation there are those that will continue to allow smoking on their premises. The Medical Committee along with the Medical Officer for Health feel it would be foolish to ignore the health risks.
- 10.5 Conseiller Baker admitted that she enjoyed the habit of smoking up until three years ago but her home became a no smoking zone sixteen years ago after the birth of her first grandchild. By then she was well aware as to how damaging this habit is and while she chose to continue smoking she could not bring children into that atmosphere. On reflection she could not condone non-smokers having to put up with this as one can always chose to go outside for a cigarette but a non-smoker has to leave the premises completely if they object to the atmosphere and to clothes being impregnated with the smell.
- 10.6 Regardless of any public opposition, she will vote for this proposition; one has to have one's head firmly stuck in the sand to ignore the health risks and continue to smoke, but it's entirely up to the individual who has that choice, Undoubtedly there will be some effect in business for a while but if every public bar/restaurant has the same guide lines it will be seen to be fair all round. There are some very successful restaurants on Sark who do not allow smoking inside, doesn't that say something. Guernsey and Alderney have legislation already in place and we think it would not be too difficult to adapt this to suit Sark, but this must be a decision made by Chief Pleas
- 10.7 Finally, the Committee wish to make a change to its first proposition to read as follows:  
***That Chief Pleas directs the Medical Committee to request the Law Officers to draft an Ordinance to ban smoking in public bars, cafes, restaurants or any building open to the public.***
- 10.8 Melling Was not happy with the change of proposition; the dropping of "enclosed" and the implications for outside seating accessed from the building could lead to difficulties. He would now need to review his position as a result of that change.
- 10.9 D. Baker Acknowledged that Conseiller Melling had made a fair point.
- 10.10 Gomoll Asked for clarification of the revised proposition and gave examples of the owner of a shop no longer being able to smoke on his own premises but if a shop operated for its customers by appointment, it was not strictly open to the public and everyone could smoke.
- 10.11 D. Baker Any shop would become a non-smoking area; she was not sure about hotel rooms.
- 10.12 Seneschal Understood that in Guernsey, smoking was banned in hotel rooms.
- 10.13 Ventress Admitted to being in a quandary; as a rabid anti-smoker and an ex-member of ASH (anti-smoking for health) he should vote for this but believing in freedom of choice he should vote against it. He had searched for definitive views and had looked at the "Your Shout" column following the 'Sark landladies fume over ban on smoking' article in the *Guernsey Press* on the 18<sup>th</sup> April.

- 10.13 Ventress Up to yesterday morning thirty-seven comments had been posted by fourteen  
cont individuals of whom, seven were for the ban, six against and with one off subject!
- 10.14 He had received a quote from a Sark "Resident" –  
*'I abhor smoking myself. It is unhealthy and it creates an environment which makes me very uncomfortable. The thought that the rest of us should have any right whatsoever to impose our own preferences on what other people do in other people's establishments seems so alien to me.'* In talking to individuals there appeared to be a similar split. Not much help.
- 10.15 To make everyone happy Conseiller Ventress had thought of proposing that a category of smoking pub be introduced with clauses that all minors under 21 be barred, that no food or any description including packets of peanut, chocolate etc. be provided and that the bar person must be a smoker. He trawled this through a handful of people and the idea went down like a lead filled lifejacket. Not a lot of help.
- 10.16 Atkinson Corrected the reference to Guernsey hotel rooms; some hotels have smoking rooms and the enclosed areas is an issue too.
- 10.17 Guy Did Conseiller Baker misread the new proposition, inadvertently leaving out the word enclosed?
- 10.18 Audrain So open areas are for smokers? As a non-smoker she might also want to sit outside too. Outside areas should also be included in any ban as well.
- 10.19 Melling As Chairman of the Island Hall Trustees, he confirmed that a ban was introduced on 18<sup>th</sup> April in the upstairs bar, the only remaining enclosed part of the building where smoking was allowed. This met with a lot of anger from the regulars who had enjoyed a cigarette with their pint for a number of years. The Hall Trustees had considered this subject many times during the eighteen months since the Medical Committee had been looking for a voluntary ban. Eventually the Trustees agreed that the building is too close to being Island Property and that it should come under the order made by Chief Pleas that all Island Property will be non-smoking. There were other reasons which were explained in a letter to all customers; anyway the ban was introduced.
- 10.20 The Management has reported that a large loss of custom has occurred, with those customers choosing to go to premises that have refused to introduce a voluntary ban. This loss of income is serious and he stressed that if this ban becomes law that all speed is needed to correct the balance.
- 10.21 Had suggested that the liquor licence law could be used to implement a ban as, apart from the Harbour Café, all establishments sell liquor and implementation would be quicker and the penalty infrastructure already exists. It is simply that activities such as gambling and prostitution are already illegal in licenced premises, why not just add – "*This liquor licence is issued subject to all enclosed areas being non-smoking in the said premises*". It is only an idea but seems a simple and quick solution.
- 10.22 Outlets without liquor-licences would not be covered but these are a rarity as it is difficult to run such a business in profit without selling liquor too. If there is still concern then an Ordinance can then be introduced.
- 10.23 He never believed that he would be called to support a ban but realised that he now has to and insist on urgency so that everyone is once again on a level playing field.
- 10.24 Perrée Was not a smoker but represents those requesting freedom of choice. For many smoking has been a lifetime habit. There must be some form of compromise – perhaps with separate bars.
- 10.25 Hunt Supported Conseiller Baker but suggested that the word enclosed should be returned to the proposition.
- 10.26 Gomoll Asked if smoking is allowed anywhere on IoSS vessels.
- 10.27 D. Baker Will clarify with the company. She then gave as an example, the experience of one individual from off-Island who had always smoked but who had seen such great improvements and benefits over time since the ban had been introduced. The Committee would discuss the wording of the proposition.
- 10.28 Guy Asked that the word enclosed be reinstated in its original position in the proposition.
- 10.29 Cook Will the Medical Committee go to the Law Officers and bring back draft legislation for consultation.
- 10.30 Bateson Has had more individuals come to him against the ban than for it. As his position in Chief Pleas is to represent the people, regardless of his own personal view, he would be voting against the proposition.
- 10.31 Gomoll If the Assembly is voting today could somebody clarify the alternative of banning through licensing?

- 10.32 S.Williams **Declared an interest as the Licensee at The Island Hall and asked if she could speak or should she leave. The consensus was that she stayed.**
- 10.33 She felt it was a sad day that legislation had to be introduced but understood why this was necessary. She would appreciate the phrase “enclosed” being returned to the proposition. She pointed out the amount of revenue gained from impôt (£145, 287 in 2010) shown in the accounts (Item 8). She would be voting for the people who voted her into government.
- 10.34 R. Dewe There had been no mention for the effect of passive smoking on employees.
- 10.35 Prevel Was a smoker previously but gave it up and his life has markedly improved since. If legislation and a ban is not imposed what would be the effect please?
- 10.36 Seneschal Only Chief Pleas can bring in a smoking ban on Sark.
- 10.37 Melling Nobody seems interested in the idea of imposing changes to the issue and conditions of Liquor Licences. Is it to be dismissed?
- 10.38 D. Baker It wouldn't apply to shops or other buildings open to the public. The Medical Committee has discussed that route but would be glad of further debate.
- 10.39 Hunt Is the liquor licence option instead of legislation or a quick fix until it is available?
- 10.40 Melling It could be an alternative but he was now in a quandary because of the change in the proposition.
- 10.41 E. Dewe Why not go down both routes with the Law Officers?
- 10.42 D. Baker Asked whether Chief Pleas wanted the original or the extended propositions that covered shops and other buildings, requesting a show of hands.
- 10.43 Gomoll The Committee could have two propositions but there is a need for clarification as to what is meant in the extended version and he returned to the hotel room example.
- 10.44 Seneschal Analysed the options, even to suggesting withdrawing the proposition.
- 10.45 S.Williams Wouldn't support delay as Sark was not working with a level playing field.
- 10.46 D. Baker At this stage it is not possible to give any timescale for implementation.
- The Seneschal gave the Medical Committee the opportunity to withdraw for two minutes to discuss its strategy and come back with a recommendation as to what, if any, proposition would be put to Chief Pleas.**
- 10.47 D. Baker The Committee decided to keep to the original proposition but will come back to a future Chief Pleas with draft legislation having had more consultation in the meantime.
- 10.48 Ventress Called for a named vote.
- 10.49 **Proposition 1 – CARRIED on a named vote – 19 Pour, 5 Contre**  
That Chief Pleas direct the Medical Committee to request the Law Officers to draft an Ordinance to ban smoking in enclosed public bars, cafes and restaurants.
- 10.50 D. Baker The Committee would like to point out that Sark has no laws concerning the sale of tobacco and whilst the local stores are quite careful about the sale of tobacco, this is maybe the time for discussion on whether Sark wishes to legislate as a safeguard and whether both proposition could be drafted into one Ordinance.
- 10.51 Seneschal Reminded the Assembly that there were clauses in the Reform (Sark) Law, 2008 that related to liquor and smoking issues. Section 12 identifies the Court as the authority for granting licences for the sale of intoxicating liquors and tobacco products.
- 10.52 Ventress Was in favour but wanted the age limit raised from 16 to 18 years of age.
- 10.53 S.Williams All those selling tobacco on the Island were responsible people and there is no need for legislation. She understood that boxes of matches could not be sold to children but it was pointed out that this was a voluntary ban and not upheld in law.
- 10.54 Audrain Agreed that this legislation was not needed in Sark.
- 10.55 Guy Disagreed; the demographic make-up of the Island is changing and she asked the question as to whether we still know all our shopkeepers.
- 10.56 D. Baker For her part she would prefer not to vote on this issue.
- 10.57 Magell Found it hard to understand why anyone should vote against this proposition.
- 10.58 Dunks Asked what the age limit was on buying alcohol and, when told it was 18, agreed that this restriction should be the same.
- 10.59 Gomoll Tried to apply practical consideration by asking how the age of someone can be proven. There is no requirement to carry personal identity with age shown.
- 10.60 Guy Many of the children who go to school in the UK have such identification.

- 10.61 R. Dewe If the Chief Pleas went down the Reform Law option, there would need to be a fee for the issue of a tobacco licence.
- 10.62 Seneschal Acknowledged the point and confirmed it would require a regime to be set-up and court time and consequently a fee would be necessary to cover costs.
- 10.63 D. Baker Proposition 2 remains as written with no change to the age limit.
- 10.64 **Proposition 2 – CARRIED**  
That Chief Pleas directs the Medical Committee to request the Law Officers to draft an Ordinance to licence the retail sale of tobacco and tobacco products and ban the sale of tobacco and tobacco products to minors under 16 years old.
- 10.65 Melling Requested that the Medical Committee ask the Law Officers to give preference to Proposition 1.
- 10.66 D. Baker Intended these propositions to go forward separately.

## **11 Finance & Commerce Committee**

### **Taxation Appeals Tribunal**

- 11.1 Gomoll The background to this appointment is contained in the report and this Committee acts as a conduit on behalf of the Taxation Appeals Tribunal.
- 11.2 **Proposition – CARRIED**  
That Chief Pleas approves the nomination of Mr. David Brunning as the Clerk to the Tax Tribunal.

## **12 Medical Committee**

### **Island Health Insurance**

- 12.1 D. Baker The Medical Committee along with its new brokers, *Q&A people matter*, and *Aetna*, its medical insurers, held two presentations last week of which hopefully everyone was aware. On the following day all four representatives were available to answer questions, and she was delighted over both days with the number of people coming. Everyone had an opportunity to speak personally with Mr. Robert Adams, Ms. Nikki Ferguson, (both from Q&A) and Mr. Duncan Craig and Ms. Janet King (from Aetna). The Committee hope that the people of Sark now have a better idea of what is and isn't included in their policy and what you are getting for your money.
- 12.2 The Committee remains concerned about those who have chosen to buy an off the shelf policy and another two days are planned when the representatives will again be at the hall to answer questions; anyone who has a policy not recommended by the Medical Committee should come and ask questions, compare that policy with the Sark scheme and, if still happy to continue with that off the shelf policy then that is a personal decision but at least it will be an informed decision. The Committee also feel there is a need to have as many residents on the recommended policy as possible; in this way it gives the Committee strength when fighting its corner when the time comes to renew subscriptions. The greater the spread across age groups helps to look after the elderly population who, if they tried to insure themselves alone, would have great difficulties in obtaining a medical insurance or even affording a policy.
- 12.3 It is difficult to change from one insurer to another especially if you have any ailments that have to be declared. The Committee has consulted carefully with *Q&A* and *Aetna* over this and for anyone considering a change this is the time to do it; whilst the Committee cannot promise everything will be easy, you will have the support of these people to do what is best, ask your questions while you have a chance and you may even be advised to stay with your existing insurer.
- 12.4 The Committee and its brokers are delighted that many have chosen to continue with the recommendation, but it has meant higher premiums for most of us; she accepted her own family is certainly paying more but she remained confident after so much time and effort, she had the best policy available as a resident of Sark. On behalf of the Committee she wanted to thank Dr. Peter Counsell who has been the most enormous help; he is fighting Sark's corner in so many ways.

- 12.5 D. Baker Finally, she read an extract from an e-mail received this morning from Ms. Ferguson of Q&A *people matter* which says–  
*“Robert and I have spent time today reconciling who the four of us have either seen face to face or who attended the seminar and requested a quote and of the existing ALC members there are only approximately 40 families or individuals we have not had some form of contact with;  
 In addition we have had 20 requests from islanders who are not currently with ALC and these were a mix of those who either were insured with another provider and were looking to switch or had no insurance.  
 With regard to quotations, we will be writing to everyone, even those whom we met face to face and gave quotes, so that everyone has something in writing from us. These will be issued by the end of this week”.*
- 12.6 Guy Thanked the Medical Committee and Dr. Peter for all their efforts on behalf of Sark residents. It is a tribute that only 40 families or individuals remain outstanding.
- 12.7 Seneschal Have the further visits been arranged?
- 12.8 D. Baker On Wednesday 11<sup>th</sup> May between Midday and 6.00pm and Thursday 12<sup>th</sup> May between 9.30am and 3.00pm.

### 13 General Purposes & Advisory Committee

#### Land Reform

- 13.1 Cook Land Reform has been talked about on Sark for many years. The Committee feels that Sark's land holding laws made in the seventeenth century for purposes that no longer exist, are not appropriate for the twenty first century.  
 Is it right that people living on Sark are unable to borrow against their property, or unable to buy and sell an available piece of land as is the normal expectation in most of the developed world?  
 The Committee therefore ask that you approve the propositions attached to this report so that these issues can be fully explored.  
 Any questions relating to charging will be better answered by Conseiller Gomoll as Chairman of the Finance & Commerce Committee that will, if you approve the propositions, be working on this issue.
- 13.2 Gomoll Affirmed his willingness to answer questions; there were public policy reasons for introducing the system of land holding in 1611 that no longer exist today.
- 13.3 Plummer Sark Landowners have approached her as to why the GP&A Committee haven't talked to them about these proposals.
- 13.4 Cook The report identifies areas for discussion but the propositions do not seek to draft legislation at this stage only to investigate and consult with interested parties about the way forward.
- 13.5 Plummer They think they are being railroaded into change.
- 13.6 Cook The report sets out to allow consultation to take place.
- 13.7 **Proposition 1 – CARRIED**  
 That Chief Pleas direct the Finance and Commerce Committee to investigate further the practicalities and desirability of bringing into effect the mortgaging and charging provisions contained in the Real Property (Transfer Tax, Charging and Related Provisions) (Sark) Law, 2007, and to report on these matters to Chief Pleas by no later than the Easter 2012 Meeting.
- 13.8 **Proposition 2 – CARRIED**  
 That Chief Pleas direct the General Purposes & Advisory Committee (a) to investigate further the practicalities and desirability of modifying the effect of the Letters Patent of 1611 so as to remove the prohibition against the divisibility of land holdings and (b) to review the customary law rights relating to Retrait Lignager, and to report on these matters to Chief Pleas by no later than the Easter 2012 Meeting.

## 14 Tourism Committee

### The Tourism (Sark) Law, 1982

14.1 S.Williams Apart from the specific changes mentioned in this report, the Committee feel it is time to review the Law and give it a spring-clean to see if updates are needed.

#### 14.2 **Proposition – CARRIED**

That Chief Pleas instructs the Tourism Committee to request the Law Officers at St. James' Chambers to revise the Tourism (Sark) Law, 1982 to change the date of issue and the period of validity for accommodation permits and to review the Law for any other necessary updates to increase its effectiveness and to return with the amended legislation to a future meeting of Chief Pleas.

## 15 Medical Committee

### The Medical Practitioner's Ordinance

15.1 D. Baker The Medical Committee has debated the position of Sark's General Practitioner (GP) and its Medical Officer; Dr. Peter Counsell has been fully involved with this discussion, as he attends all the Committee's meetings and advises on all matters concerning the Islands health and social problems. The Committee listens and draws an opinion; in no way would it do anything without having expert advice and it is only natural Sark's own Medical Officer should be the one to give it.

15.2 In an island as small as Sark and with a population of around 600, there wouldn't appear to be a need for a second doctor at this moment. That doesn't mean our GP isn't extremely busy, he most certainly is with a 24 hour 7 days a week position, and we are all aware as to just how much work he has to do. Again Dr Counsell and the Committee do not see a need to employ a second doctor just now and hopefully not for a long time but if it ever became necessary to do so they would need to be set up to work alongside and with the existing Sark doctor. If any doctor were allowed to set up a surgery it could undermine the existing one; Dr. Counsell and the Medical Centre are our health service and a good one at that and need protection.

15.3 In recent times, there have been some concerns with health companies indicating a wish to set up in business on Sark selling their goods and even having their own doctors working here about which the Committee has had serious concerns. This has highlighted the need to safeguard our Medical Centre and GP and also the people of Sark. The Doctor's contract states he has sole right to practise; there is nothing new in this, and the contract has been in place for many years and over a number of different doctors, however there is no law to back that up.

15.4 The Committee has considered operating a register for any Medical Practitioner working on Sark; the difficulty may be justifying why someone should be refused 'registration'. This could be difficult if they are 'registered' in the UK and 'registered' in Guernsey. All the register protects against is unregistered doctors working here which sounds sensible but does not prevent others setting up shop if they can tick the correct boxes. The question is does Sark wish to protect its health service (and it is a health service of sorts providing 24 hour care and emergency treatment) from possible future competition?

The Committee has contacted the Law Officers in Guernsey who tell us it would be a simple Ordinance to draft. The Medical Committee feel the time has come to proceed with this and asks Chief Pleas to approve this move.

15.5 Gomoll The Island of Brecqhou for obvious reasons would be exempt from this law. Was happy to hear that a register would be kept.

#### 15.6 **Proposition – CARRIED**

That Chief Pleas directs the Medical Committee to request the Law Officers to draft an Ordinance to restrict a medical practitioner practising on Sark other than the medical practitioner(s) employed by the Committee and any personal family physician registered with the Committee.

15.7 Audrain Checked on the definition of Medical Practitioner; does that simply mean a doctor?

15.8 D. Baker Yes, it was not envisaged nurses would be included.

15.9 Bateson Suggested it being specified in the definitions at the end of the Ordinance.

## 16 Douzaine Sheltered Housing

- 16.1 E. Baker The alienation of land required would make this a time consuming process. Initially, there needed to be a debate on the principle of providing sheltered housing and he asked the Assembly to make its views known.
- 16.2 Dunks Could the Committee explain sheltered accommodation rather than social housing?
- 16.3 E. Baker Douzaine debated the need as being for those requiring a small amount of care.
- 16.4 Dunks He had asked because some residents thought it was referring to homes for young families and not necessarily for older people.
- 16.5 E. Baker It was those looked after by the Procureur of the Poor.
- 16.6 Plummer Apart from the initial cost of land and building, there was the upkeep and maintenance of the property and the implications for those occupying it. Where do people go beyond such housing if and when they need more care?
- 16.7 Guy Believed that the Douzaine is right in its assumption that there is a need for assistance for residents who have fallen on hard times particularly now that extended families feature less in our society. She also applauded the generous spirited manner in which Mr. & Mrs. Curtis are making this land available to the island. Does the Douzaine have clear long and short term aims and objectives on this?

### Lunch Break 12.55pm - 2.15pm

including a vin d'honneur to welcome the new Lt. Governor and his wife to Sark

- 16.8 Guy As the Douzaine rightly observes, if approved, this project will take considerable time. She asked that the following issues are taken in to consideration from the outset to allow flexibility and financial prudence at a later stage -
1. Subject to Mr and Mrs Curtis' approval, will the alienation document be flexible enough to allow for development which may fall slightly outside the perceived understanding of "sheltered housing"?
  2. Though the project may be intended mainly for those who are receiving care from the Procureur, will there be sufficient flexibility for the units to be used by others who for some reason or another may need some kind of housing or assistance for some time, perhaps a short time, and are able to pay for this? For example - convalescence, a young couple waiting for a house to be available, someone having to move out of their own house temporarily because of work following a flood or fire. This could bring in an income.
  3. It is unlikely that this will be the case but, should this prove not to be necessary, can the Douzaine see their way out? Will the alienation document be flexible enough to avoid a white elephant situation? The phrase "*alienation of land for public use*" is a phrase that has been used in the past.
  4. A member of the public has also asked that three other issues should be brought into the debate or be considered by The Douzaine. These are -
    - o The field that it is proposed to alienate is good agricultural land.
    - o Whether or not the cost for employing a carer to assist people in their own homes as necessary set against the cost of providing sheltered housing have been considered.
    - o Whether or not the Old Island Hall has been considered as an alternative location.
- In conclusion, whilst she would like to be able to support this at some future time, she felt that more information is needed.
- 16.9 Atkinson Wonderful idea and much needed but how can it be brought to Chief Pleas without a business plan? Guernsey has spent four years trying to move forward on a similar project. Chief Pleas cannot spend £20k on a whim without a business plan.
- 16.10 Bache Chief Pleas cannot start such a project without identifying the on-costs of such a project. What about treasury funded schemes; are there no other higher priorities such as La Coupée.
- 16.11 Gomoll Finance & Commerce Committee has considered the opportunity on offer and it is limited at this stage to £20k. It could go with the first step but not commit further yet.
- 16.12 Seneschal The Alienation Law states that each application is for a specific public purpose. It is not for Chief Pleas to purchase and do with that land whatsoever it so wishes. His understanding was that if Chief Pleas do not comply, it reverts to the tenement from whence it came. Legal advice must be taken.

- 16.13 Maitland If the land is purchased now that would be too strict a determination; there would need to be some flexibility in the arrangement. Demand for the units may not be consistent every year and the project has to be viable.
- 16.14 S.Williams It is a generous offer but has wide ramifications with further unknown cost involved.
- 16.15 Dunks Has the Douzaine any idea how big the building will be and how many units it will contain?
- 16.16 E. Baker No. The Alienation Law (1927) is very clear and he supported the Seneschal's helpful interpretation. The owners would be happy to use the land for other medical reasons – for example an Ambulance Station. If units were built could they have short term use for reasons other than medical purposes? The Douzaine is looking for an "in principle" decision at this stage.
- 16.17 Cook Was concerned about using a green field site.
- 16.18 Prevel The Development Control Committee would be reluctant to approve the use of this good agricultural land.
- 16.19 Plummer What happens when the old people cannot look after themselves any more yet they do not want to be moved on to Guernsey as the next obvious place for care?
- 16.20 Seneschal Recounted a former attempt to provide a care home at Le Vieux Clos which ceased when the proprietor left the Island.
- 16.21 E. Baker Suggested withdrawing the proposition until more information could be made available and a longer term plan prepared.
- 16.22 Guy Welcomed the suggestion
- 16.23 E. Baker With the approval of other Douzainiers, he withdrew the proposition.
- 16.24 Atkinson Was sorry that the accommodation would not be available for her use.
- 16.25 Ventress For his own part, he seconded that comment.

**Proposition 1 – WITHDRAWN**

That Chief Pleas approves in principle the provision of sheltered accommodation.

**Proposition 2 – WITHDRAWN**

That Chief Pleas approves a capital payment of £20,000 and the alienation of a piece of land measuring 42 metres by 45 metres approximately south of the Medical Centre from the tenement of Clos du Menage.

**17 Medical Committee  
Pathology Fees**

- 17.1 D. Baker Guernsey has dramatically increased its charges very recently and whilst Doctor Counsell has been in communication with Health & Social Services Department (HSSD) in Guernsey and the Medical Committee has written to the Minister, Deputy Hunter Adam, it seems that HSSD is standing by its decision to implement these large increases. Dr. Counsell has been working very hard to find alternative solutions but you will appreciate this is no easy problem to resolve. The Committee has no answers at this time but want residents of Sark to be aware this is happening.
- 17.2 HSSD Guernsey has stated that it delayed the charges by three months in order to help Sark sort out this problem. It is true the charges were delayed from January until April 2011. She used herself as an example; having had blood tests taken in January, it was only when the account arrived sometime in late February that she and Dr. Counsell became aware and this was confirmed by the experience of other patients who had questioned the size of the increases.
- 17.3 It was only when Dr. Counsell confronted HSSD Guernsey that we were informed of the increases, so in reality two months, January and February had already passed by the time we were alerted of the postponement to increase charges until April to give Sark time to sort its problems out.
- 17.4 HSSD may well have consulted major insurers about the increase but the Sark scheme insurer was not one of them; surprising as Sark must be one of the bigger private patient schemes. It should also be remembered that the increased charges may be acceptable to the insurers but they recover their additional costs by putting up the premiums; the patient will always pay in one way or another.
- 17.5 The Committee has also learnt by looking at off the shelf policies that many have a cap on how much they will pay; for those who attended one of the presentations it was pointed out that some policies pay up to a set amount for out-patients which if you need a consultation, blood test and scan is already way past the cap set by BUPA and other such companies.

- 17.6 This is an on-going concern for the Medical Committee and will take some time to resolve. In the meantime, Sark needs the Princess Elizabeth Hospital facilities and the services in Guernsey as many patients in an emergency will be too ill to go further afield. In reality, everyone would prefer to be close to home when ill. However, for other services, investigations are taking place as to how Sark can best serve its population. There may be advantages to purchasing blood testing equipment for use on the Island but such innovations needs careful consideration before being implemented.

## 18 Emergency Services Committee Marine Ambulance Scheme

- 18.1 Plummer As Chief Pleas will be aware the Emergency Services and Medical Committees have been working with St. John Ambulance on this scheme for more than a year now. *The Flying Christine III* and emergency vessels remain Sark's lifeline. Conseiller Plummer urged Conseillers and the public to come and listen to the presentations, at which the St. John Ambulance Managers will answer questions and listen to opinions. It is to be held in the Island Hall on the evening of Friday 20<sup>th</sup> May and Saturday morning, 21<sup>st</sup> May, in readiness for the scheme launch on 1<sup>st</sup> July. Notices will be put up in public places and leaflets will be available at the presentations.

## 19 Douzaine Procureurs of the Poor

- 19.1 Dunks **Declared an interest but as it was not pecuniary it was agreed that he should remain.**
- 19.2 E. Baker Explained the difficulties of recruiting people to undertake a four year commitment; the period of service was laid down in the Reform (Sark) Law and to change it would require an amendment to that Law. He asked for a change to the wording of the proposition in the report.

### **Proposition – CARRIED as amended**

That Chief Pleas **directs the Douzaine** to request the Law Officers of the Crown to draft an amending Projet de Loi to change Section 55 (4) of The Reform (Sark) Law, 2008 (as amended), **to reduce the term of office as provided for in the report.**

## 20 Emergency Services Committee Provision of Smoke and Carbon Monoxide Detectors in Rented Accommodation The Fire Service (Sark) Law

- 20.1 Plummer This proposition is a safety precaution to improve and protect Sark Fire Service in their duties with safety measures including Carbon Monoxide detectors and Smoke Alarms within rental and commercial properties. She asked for support for the proposition.
- 20.2 S.Williams Agreed with this report and its proposition. She asked how the implementation will be monitored, particularly in rented accommodation. There is no requirement to register such accommodation under the law or when using part of a property for rental accommodation.
- 20.3 Plummer The Fire Service already checks such property.
- 20.4 Hunt Introducing this law means that anyone renting out a room or a property will be breaking the law if that fact is not notified.
- 20.5 Gomoll What is the definition of rented accommodation and would the offence of not registering it be a criminal offence?
- 20.5 Plummer It will be defined within the legislation.
- 20.7 Gomoll Appreciated the seriousness of the issue but Chief Pleas needs to be clear as to what is the aim of the law.
- 20.8 Prevel Couldn't believe why the Assembly was debating this issue. Anything that saves lives and assists the Emergency Services must be supported.

### **Proposition – CARRIED**

That Chief Pleas directs the Emergency Services Committee to request the Law Officers to draw up the Projet de Loi "The Fire Service (Sark) Law".

## 21 Douzaine

### St. Peter's Church Tower

- 21.1 Dunks Declared a pecuniary interest (as he is paid to wind the clock) and consequently he left the Chamber until the item was completed.
- 21.2 Melling Considered this to be a good housekeeping exercise as both the agreement and responsibilities at the Church are 'muddled'. The report seeks to tidy this up, making the Church Authorities responsible for all aspects of the Church building. It would need a simple "Letter of Agreement", which could be drawn up by the Douzaine on behalf of Chief Pleas, should this proposition be accepted. It is understood that there is still some responsibility issue over the Chancery that involves the Seigneur. Should the Seigneur be so minded, this could be dealt with in the same Agreement, after which the whole Church building would be under the responsibility of one authority.
- 21.3 A question has been raised about the effect of this proposition with regard to the land on which the tower stands. The ground floor section of the tower is already deemed to be part of the Church; the part of the tower for which the Douzaine has been responsible, on behalf of the People of Sark, starts at the first floor level, so no land problem occurs. The Index Link referred to in Proposition 2 is the Guernsey R.P.I.
- 21.4 Seneschal Confirmed that the Seigneur has given his consent for the Chancel to be incorporated into the agreement.
- 21.5 Gomoll Are there any conditions on the grant?
- 21.6 Melling None.
- 21.7 Guy Suggested that no part of the grant made by Chief Pleas should be used as part of the Church's annual contribution to the Diocese.
- 21.8 Seneschal Confirmed that St. Peter's Church paid £14k last year to the Diocesan authorities.
- 21.9 Melling Confirmed that the Chief Pleas grant was purely for upkeep and maintenance.
- 21.10 R. Dewe Informally the Law Officers have suggested that the whole building should be the responsibility of the Church.
- 21.11 **Proposition 1 – CARRIED**  
That Chief Pleas agrees that the Douzaine be relieved of the responsibility for the care of St Peter's Church Tower, after the completion of the works already agreed and in hand, and that the responsibility should pass to the Church Wardens.
- 21.12 **Proposition 2 – CARRIED**  
That Chief Pleas agrees that the grant payable to the Church for 2012 be increased to £2,000 and that the grant be indexed linked for future years.

## 22 Millennium Committee

### The Future of the Millennium Committee

- 22.1 Hunt The Constable has circulated a statement to all Conseillers about this item and he understood Conseiller Magell had been asked to read it out.
- 22.2 Magell Read the following statement from the Constable –  
*"The future of the Millennium Committee. While the Constables understand that all committees need a purpose, changing this one seems a bit unjustified. Over the years the Constables have been given a wide variety of events to plan and organize and this for the Constables is both enjoyable and rewarding. The report that is before you now states that "...the Committee believes that it would make the Constables job easier when public events arise", while on Page 2 the constitution for the Millennium Committee states "...Sark Constables shall be ex-officio members with no voting rights". The Constable will therefore go from being the organiser of these events to being a member of a Committee with no vote at all. As the Committee proposes to use the Constable in name only, it will indeed make their job easier - the Constables will have no role at all when it comes to these events. Over the last two years the Constables have had to deal with two deaths and countless sleepless nights; these are the things that most Constables have had to and will continue to have to deal with. Having an event to plan and organize, gives the Constables the opportunity to enjoy the role that they are doing voluntarily".*

- 22.3 Magell *"In summing up, the Constables believe that having any event to organise is something that should not be taken away from them; it has been traditional for them to do it for years. Agreed the Millennium Committee has Members that are good at organising events as they have done in the past when Constables, which I'm sure made their time as Constables more memorable and enjoyable. When the Constables are tasked with these events they go out and create a Committee of their own choosing; generally some members of the Millennium Committee are involved in these committees and are worth having on board".*
- 22.4 Magell Gave her personal view that the Constable should retain the responsibility with the Committee Members assisting.
- 22.5 Hunt Because the Committee is a political body it has to have the Constables as ex-officio. There is no wish to usurp the Constables role.
- 22.6 Guy As a past Constable, she would have been delighted to have events taken off the remit. Alternatives have been suggested.
- 22.7 Prevel Change would be the loss of yet another Sark tradition.
- 22.8 R. Dewe Admitted to being a traditionalist; the system has always worked with the Constables in charge and supported Proposition 5.
- 22.9 S.Williams Agreed with Conseiller Prevel and wished to see no change to the current tradition.
- 22.10 **Proposition 1 – LOST**  
That Chief Pleas approves that the Millennium Committee takes on the role of organising public events.
- 22.11 **Proposition 2 – WITHDRAWN BY DEFAULT**  
Upon the approval of Proposition 1; that Chief Pleas approves the changing of the name of the Millennium Committee to *The Millennium Field & Chief Pleas Events Committee*.
- 22.12 **Proposition 3 – WITHDRAWN BY DEFAULT**  
Upon the approval of Propositions 1 & 2; that Chief Pleas approves the attached Mandate.
- 22.13 **Proposition 4 – WITHDRAWN BY DEFAULT** Upon the approval of the above Propositions; that a fifth member be elected to the Committee.
- 22.14 **Proposition 5 – CARRIED**  
If Chief Pleas disapproves Proposition 1; that Chief Pleas approves the disbandment of the Millennium Committee and hands responsibility of the Millennium Field to another Committee.
- 22.15 Seneschal Asked what Committee took responsibility for the work of the present Millennium Committee now that it had been disbanded.
- 22.16 P.Williams Felt it should be the responsibility of The Douzaine.
- 22.17 Melling Supported that view.
- 22.18 Seneschal Requested Conseiller E. Baker, as Chairman of the Douzaine, to bring a revised mandate to Chief Pleas and a request for the Law Officers to draft amending legislation (Transfer of Functions).

## **23 Education Committee**

### **School Teacher's House**

- 23.1 Magell Outlined the problems with the current rental property used to house one of the school teachers. The current rent is low and the use of an alternative available property for the remaining part of the budget year will require an additional £6k to be added to the Education Committee budget.
- 23.2 Bache Asked for clarification that no rent would be paid on the present property whilst repairs were being carried out.
- 23.3 Magell Confirmed that to be the case; there is no clear intention as to the longer term arrangement yet and alternatives are currently being discussed.
- 23.4 **Proposition – CARRIED**  
That Chief Pleas approves the spending of up to £6,000 from Unforeseen Expenditure for the purpose of teacher's housing.

## 24 Conseillers P. Williams and D. Melling

### Art for the Love of Sark – Artists for Nature Foundation Jubilee Project

- 24.1 Melling Although the report lists him as the prime mover with Conseiller Paul Williams as the seconder, in reality it was the other way around. He supported the statement that Conseiller Williams was just about to give.
- 24.2 P.Williams Gave his motivation for bringing this project to Chief Pleas and to ask for funding, as the same reasoning and faith that he had for the Sark Dark Skies project, in that it will be another block in the continued building of our tourism industry. He believed the uniqueness of Sark must be preserved for future generations before it is too late. He quoted the old saying “*You don’t know what you have until it’s gone*”.
- 24.3 The whole ethos of the Artists for Nature Foundation (ANF) is to raise awareness of the world’s most special, though threatened places and to appeal for their protection. Putting an official stamp of approval on this project will also add to its gravitas. The project itself will be running for approximately three years and the request for a one off payment to assist with all the expenses will be money well spent. Some of the money needed will be for food for the twelve artists and two ANF staff for twelve days. Costing £1,680. The ANF office charges are £480 per day. Between last May, when they made the Sark promotional film, and this May they have helped enormously to get the project off the ground and are only charging a total of 7 days of their time over the whole year, for this there is a cost of £3,360.
- 24.4 As you will see from this report, Ms. Roseanne Guille has worked tirelessly for the project and has raised donations of £10,000. This will cover the flights for the artists for this month’s visit. Fund raising will go on after May when Stocks Hotel is holding a fundraising evening with Mr. Michael Aspel, and three artworks and sculptures will be sold. It is hoped that enough money will be raised to bring back around five of the artists to Sark in the autumn/winter to get a feel for the different seasons and/or species to be found on the Island then.
- 24.5 There is work in progress with the possibility of an exhibition at the Candie Art Gallery in Guernsey and also in the U.K. In addition, it is hoped that a book and a film will be made to tell the story of the project in Sark. By Chief Pleas supporting the project we will be recognising what a special place we live in and help by supporting Tourism and attracting visitors to the Island.
- 24.6 Cook Remarked on the value of the publicity generated by this project.
- 24.7 Perrée Admired the work of Ms. Roseanne Guille but asked if Tourism could give some assistance with other projects.
- 24.8 Prevel Money had been granted for Conseiller Perrée’s twinning initiative involving Port Bail.
- 24.9 Guy Supported the ANF initiative on the grounds that projects such as this put a high profile on the natural beauties of Sark and emphasis the need to retain its natural scenery and its wild life which is why so many visitors come here.
- 24.10 Perrée Acknowledged the assistance with the Port Bail initiative but she had been asked by others to ask the question.
- 24.11 Gomoll Thought Chief Pleas should have better guidelines on what to support and what not to support and some measure of the benefits each would bring to Sark.
- 24.12 S.Williams Tourism Committee has already made a contribution.
- 24.13 Gomoll Asked if Chief Pleas could know how much Tourism had contributed.
- 24.14 S.Williams Did not have details to hand but it was over and above the £10k raised by Ms. Guille and the £5k grant requested.
- 24.15 **Proposition – CARRIED**  
We propose that Chief Pleas request the Finance & Commerce Committee to make up to £5,000 available to assist with the cost of this project.

## 25 Harbours & Pilotage Committee Change of Mandate

- 25.1 Guy Explained that the change reflects the approval of the new Ordinance at Item 7 on this agenda.
- 25.2 Seneschal Committees should note that Convention Responsibilities have been added to the Mandate and indicates the breadth of work with which Committees are involved and not just parochial or domestic issues.
- 25.3 **Proposition – CARRIED**  
That section (a) of The Harbours and Pilotage mandate is altered to read -  
*To oversee all aspects of the Harbours (Sark) Ordinance, 2011 and The Safety in Sark Waters Ordinance. 2008.*  
- from May 5<sup>th</sup> 2011.

## 26 Medical Committee Change of Mandate

- 26.1 D. Baker The Medical Committee has looked at and updated its mandate and the words highlighted in Yellow are the new additions which you are asked to accept.
- 26.2 **Item (b)** is better worded to cover health insurance.
- 26.3 **Item (c)** is new; when reviewing the doctor's contract it was noted that the annual audit for the use and keeping of dangerous drugs had not been included on the mandate. The contract says –  
*"The Sark Medical Committee will appoint a registered medical practitioner or registered pharmacist of their choice to undertake an annual audit of the use and record keeping of dangerous drugs."*  
The Committee has undertaken such an audit at a cost of £300 during the early part of this year using Lloyds Pharmacy which supplies many of Sark's controlled drugs. The Medical Committee feel this should be carried out every other year rather than annually and ask that this is added to the accounts statement.
- 26.4 **Item (e)** is looking particularly towards a children's law for Sark; one of the points to be considered is that when any outside person or department is invited to help with a problem concerning a Sark child, there is no knowledge of how Sark works in solving or managing its problems and who best to contact.  
A court sitting in Sark with Guernsey Advocates and Guernsey Social Workers or the Safeguarder has no idea what Sark is about and, through experience in the past two years, the Committee has found it beneficial to have a person approved by the court to liaise with anyone concerned in such a case. Conseiller D. Baker was appointed liaison officer some time ago and this was agreed by the Court of the Seneschal and it has proved a great benefit to everyone involved.  
When some difficulty arises it is also important for Sark to be fully involved and kept up to date with any issues relevant to that particular case. The Committee would like to be able to appoint such a person in the future who does not necessarily have to be a Member of this Committee but is a suitable person to hold this position.  
How that person is selected would be left to the Medical Committee.
- 26.5 Nightingale Asked if the dangerous drugs for animals issue had been resolved.
- 26.6 D. Baker Confirmed that it had been resolved.
- 26.7 **Proposition – CARRIED**  
That Chief Pleas approves the revised Medical Committee Mandate.

## 27 Tourism Committee Information Report

- 27.1 S. Williams Updated the report with news that so far this year 27 journalists are to be assisted on visits to Sark (compared to eleven in 2010). Chapel Studios has requested the cessation of its involvement in maps & brochures for Sark Tourism.
- 27.2 E. Baker Proposed that a vote of thanks was recorded for the retiring Visitor Officer, Mrs. Penny Prevel and this was supported by the Assembly.

## **28 Agriculture Committee**

### **Dark Skies Project - Information Report**

- 28.1 P.Williams Added nothing to the information report but following discussions with the Tourism Committee recently it was felt that for just one committee to push Sark Dark Skies forward would be an injustice to all the work done by others. It is suggested that a joint group of Agriculture, Tourism, and the newly formed Sark Astronomy Society, and any other interested bodies should come together to make more plans and exploit the status to its full potential. With this in mind, the Agriculture Committee will take the lead and call the first meeting of all parties as soon as is feasible. As with many things, this needs to be a community effort; Chief Pleas, local organisations, and private businesses all have to pull together to make this project a success. The detractors must not sidetrack us. It is obvious that with the right kind of handling and a little forethought Sark Dark Skies can be a winner for everyone.  
It is worth mentioning that Sark is not only the first Dark Skies Island but the first Dark Skies Community. As all the other sites in the word are uninhabited natural parks.
- 28.2 Congratulations go to Mr. Steve Owens, our mentor, on being awarded by the IDA at their recent conference in New Jersey, U.S.A. the title of "Dark Skies Defender 2011". For his work in setting up Galloway Forest Dark Sky Park and Sark Dark Skies Island.

## **29 Harbours & Pilotage Committee**

### **Information Report on Repairs & Maintenance**

### **Information Report on Harbourmasters**

- 29.1 Guy Paid tribute to Mr Mick Mann, retiring as Senior Harbourmaster, who has given much time and extra effort, working way above his job description.

## **30 Shipping Committee**

### **Verbal Report**

- 30.1 Cook The service provided to the Island by the Isle of Sark Shipping Company (IoSS) continues to be extremely efficient, running in all but the most impossible of conditions, and for this we thank all those involved in delivering this service – the Directors, staff and of course the crews.
- 30.2 At a public meeting called by the Directors of the company on 12<sup>th</sup> April to give residents the opportunity to view, discuss and understand the accounts for the previous financial year, those present were delighted with the confirmation that the company continued to run profitably with the boats being maintained to a very high standard and with continuing investment in IT systems.
- 30.3 The boats are in excellent condition and are capable of many more years of service. The IT investment will continue to improve ticketing and booking services and could also enable targeted benefits for Sark Residents in the future. (The company did provide special rates on some ex Sark day returns this winter).
- 30.4 The current building boom brings added revenue to the company. It has also provided the opportunity to prove its capacity and ability to run freight to and from France and take on other charter work without interference to its scheduled service to and from Sark.
- 30.5 The Committee would like to remind everyone that no-one other than the residents of Sark now benefit from any profits made by IoSS and it is pleasing to note the recent repayment to the Island of £50k. We can all be very proud of our very own Shipping Company.
- 30.6 The new office for the quay on Maseline Harbour has now arrived and will soon be operational; this will also contain a small waiting area that will be much welcomed in bad weather. IoSS has also successfully applied to run the ticketing and check-in at the harbour for Manche îles Express, and we are pleased to see an increase in sailings by that company this year.

### **31 General Purposes & Advisory Committee Ordinances made by the Committee**

The Al-Qaida and Taliban (Freezing of Funds)(Sark) Ordinance, 2011

The Tunisia (Freezing of Funds) (Sark) Ordinance, 2011

The Libya (Restrictive Measures) (Sark) Ordinance, 2011

The Egypt (Freezing of Funds) (Sark) Ordinance, 2011

The Libya (Restrictive Measures) (Sark) (Amendment) Ordinance, 2011

31.1 Maitland The above Ordinances have all been approved by this Committee under the provisions of the Reform Law. In each case HM Procureur or HM Comptroller has certified that early enactment under fast track provisions was necessary in the public interest.

In the case of emergency legislation, section 41(4) of the Reform Law provides that such Ordinances should be laid before a meeting of Chief Pleas as soon as possible and in any event within four months of the Order made by this Committee in order to continue to have effect.

31.2 Seneschal No motions to annul these Ordinances had been received.

### **02 Closing Remarks**

0.11 [HMS Ledbury](#) – The Constable made the following statement -

*“On Friday, 13<sup>th</sup> May, HMS Ledbury will be in Sark waters. She will be moored just outside Maseline Harbour for the night. She is a sister ship of HMS Cattistock which some of you had the pleasure of going aboard.*

*There will be drinks and nibbles for the Navy guys and Sark residents at the Hall from 12.30pm, after which time (at 1pm) we have the Royal Navy Presentation Team giving its presentation.*

*At 2.30pm there will be a football match between Sark and HMS Ledbury.*

*There is a shipboard reception for 40 invited guests from 5.30pm till 7pm, then in the evening some sailors have a liberty run ashore.*

*On May 14<sup>th</sup>, HMS Ledbury will (weather permitting) be taking a party of ten school children and two teachers to Alderney. This is an experience they are not likely to forget”.*

0.12 [By-election](#) – with the resignation of Conseiller Rossford de Carteret, three vacancies now exist in Chief Pleas and this triggers the mechanism required for a by-election to take place. The GP&A Committee will be returning to Midsummer Chief Pleas with an Ordinance following discussion with the Seneschal/Returning Officer as to a suitable date.

### **Forthcoming meetings for Chief Pleas Members**

**MIDSUMMER MEETING – [Wednesday 6<sup>th</sup> JULY 2011 at 10.00am](#)**

Agenda closes -

**[Wednesday 8<sup>th</sup> June 2011 at 3.00pm](#)**

Papers distributed to Members by Wednesday 15<sup>th</sup> June 2011.

**This meeting closed at 3.35pm**

Brian Garrard MILT (Sark Committee Secretary) 9<sup>th</sup> -11<sup>th</sup> May 2011

**Seneschal**  
and President of Chief Pleas

**Greffier**

**Signed on 13<sup>th</sup> May 2011**

The reports, to which these decisions refer, are shown in full on the website

**[www.gov.sark.gg](http://www.gov.sark.gg)**

and are also available from the Committee Office for a small charge per sheet.

# MEMBERS OF CHIEF PLEAS

Easter Chief Pleas Meeting –4<sup>th</sup> May 2011

	Attending	Item 10							
The Seigneur – J. M. Beaumont	/								
The Seneschal – Lt. Col. R. Guille	/								

## CONSEILLERS

2	Vacancy		-						
2	Mrs. H.C. Magell	/	P						
2	Mr. A. Dunks	/	P						
2	Mr. A.C. Prevel	/	P						
2	Mrs. S. Williams	/	C						
2	Ms. E.M. Dewe	/	P						
2	Mr. P.J. Williams	/	P						
2	Mr. R.J. Dewe	/	P						
2	Mr. P.M. Armorgie	/	P						
2	Mr. C.N.D. Maitland	/	P						
2	Mrs. A. Atkinson	/	C						
2	Ms. C.D. Audrain	/	P						
4	Mr. D.T. Cocksedge	A	-						
4	Mrs. H.M. Plummer	/	P						
4	Mr. D.W. Melling	/	P						
4	Mr. C.R. Nightingale	/	P						
4	Mr. A.P.F. Bache	L	P						
4	Mr. E. Baker	/	P						
4	Mr. C.H. Bateson	/	C						
4	Mr. S.B. Gomoll	/	P						
4	Mrs. D. Baker	/	P						
4	Mr. A.G. Ventress	/	C						
4	Mr. A.J. Cook	/	P						
4	Ms. M.A. Perrée	/	C						
4	Ms. J.M. Guy	/	P						
4	Mr. J.E. Hunt	/	P						
2	Vacancy		-						
2	Vacancy		-						

**2 – Term of office ends in January 2013**  
**4 – Term of office ends in January 2015**

**A**  
**L**  
**/**  
**Apologies**  
**Late arrival**  
**Present**

**C**  
**P**  
**Contre**  
**Pour**

Brian Garrard, Committee Secretary, 5<sup>th</sup> May 2011