

# MINUTES of the MIDSUMMER MEETING of CHIEF PLEAS

Held in The Assembly Room, Sark on 4<sup>th</sup> July 2012 at 10.00am.

**Present:** Sieur J.M. Beaumont OBE, Seigneur; Lt. Col. R.J. Guille MBE, Seneschal; A.W.J. 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.

**26 Conseillers** were present at the roll call (see attached list and named voting record). Apologies were received from Conseillers Plummer and Prevel.

## 01 Opening Comments

- 0.1 [Lt. Governor](#) – the Seneschal welcomed the Lt. Governor to this meeting of Chief Pleas.
- 0.2 [Carriage Accident](#) – the Seigneur made a statement sympathising with the passengers and driver who had been injured in the recent accident and he had written, on behalf of the Island, to the husband and family of the lady who had died. He praised the Emergency Services for their professionalism and skill in reacting so well and so quickly.
- 0.3 [Lone Piper](#) – the Seneschal, on behalf of the Island, had written to Mr Bill Jenkins thanking him for playing a piper's lament on Sark's Liberation Day this year, over the grave of Nanette Hamon, who was killed by a German anti-personnel mine at age 4 in 1942.
- 0.4 [Diamond Jubilee Plaque](#) – the Hall Trustees have made a donation of £400 (which included an anonymous donation of £100) towards the cost of the Diamond Jubilee Plaque to be unveiled by The Prince of Wales and The Duchess of Cornwall during their visit on Friday the 20<sup>th</sup> July.
- 0.5 [Diamond Jubilee Reception](#) – the Seneschal and Conseiller Maitland attended a Reception in the State Rooms, Speaker's House, Westminster on the evening of 18<sup>th</sup> June in honour of Her Majesty The Queen's Diamond Jubilee with invitations being extended to all the Crown Dependencies, British Overseas Territories and Commonwealth Realms. Sark had some really good publicity with Sark butter from La Sablonnerie and crab meat and a whole Chancre crab from Bas Adams provided by Sark for the buffet; both of these products were mentioned in various speeches and raised a lot of positive comment in general conversations.
- 0.6 [Wendy van Leuven](#) – on the 20<sup>th</sup> April, the Seneschal wrote to Nik van Leuven, telling him of the silence held in memory of his wife Wendy at the Easter Chief Pleas' meeting and sending condolences to the family. He kindly replied thanking us on the 30<sup>th</sup> April.
- 0.7 [Guernsey Chief Minister](#) – on behalf of Chief Pleas, the Seneschal wrote on the 2<sup>nd</sup> May, to Deputy Peter Harwood offering congratulations on his appointment as Chief Minister of the States of Guernsey. He replied on the 10<sup>th</sup> May saying that he looked forward to continued good relations with Sark and that the two Islands should continue to work together to strengthen this productive relationship; he believed it to be particularly important to develop how the administrations of both Islands work together in these challenging political and economic times.
- 0.8 [Road Traffic Committee](#) – Conseiller Elizabeth Dewe, Deputy Chairman of Road Traffic, tendered her resignation from the Committee to the Seneschal as from 28<sup>th</sup> May. Conseiller Dewe has been a much valued member since her election to the Committee on the 9<sup>th</sup> January 2009. The Seneschal, on behalf of Chief Pleas thanked her for her service on that Committee.
- 0.9 [Agriculture Committee](#) – Conseiller Paul Williams stated that the Committee would be bringing a report to Michaelmas Chief Pleas about banning snares as well as gin traps which are already banned. Approaches are to be made to Mr David Chamberlain (Guernsey's Veterinary Officer) requesting a Memorandum of Understanding and his appointment as Veterinary Officer for Sark which has no such position filled currently.
- 0.10 [Lord McNally](#) – Conseiller Maitland had just received a letter from Lord McNally thanking Sark for its hospitality during his recent visit. A copy will be emailed to all Conseillers this afternoon. The complete letter will be attached to the minutes of this meeting.

- 0.11 [Crown Dependencies](#) – on 9<sup>th</sup> July Conseillers Maitland and Cook will be attending the first meeting of representatives of the Crown Dependencies which is taking place in Guernsey. Although set-up for civil servants, they will be representing Sark and such meetings are likely to take place on a quarterly basis in future.
- 0.12 [MoJ led Workshop](#) - On the following day, a meeting at Government House (Conseiller Maitland thanked His Excellency for hosting this) will take the form of a workshop for members of GP&A to discuss the problems facing Sark; representatives from Guernsey, Jersey, the Isle of Man, and Alderney as well as Cathryn Hannah from the MoJ will attend. Discussions will include the implementation of the Belinda Crowe Report and how we consult effectively with the people of Sark. The Committee was grateful to Cathryn Hannah who has arranged this support group as a direct result of Lord McNally's initiative and she will be there to advise and give on-going support.
- 0.13 Work is also being done on the recruitment of an interim civil servant, including the cost involved, and as soon as information on this is available, GP&A will be consulting with members of Chief Pleas. An extraordinary meeting of Chief Pleas in August is envisaged. The GP&A Committee is firmly committed to this end but everyone should realise that this is very much a Sark initiative and how we implement the report will be the result of a process of consultation and consideration.
- 0.14 Conseiller Maitland continued by referring to a number of recent issues raised in the Island, for example the provision of health care, dealing with the ramifications of the tragic carriage accident, and the resulting insurance issues for carriage owners; this has led many Conseillers to conclude that help is needed and the urgent consideration and implementation of Belinda Crowe's recommendations is a sound starting point.
- 0.15 [Seigneurie Chapel](#) – Conseiller Maitland reminded Chief Pleas that at the Midsummer Meeting last year, £20,000 was voted to the Seigneurie Gardens for the restoration of the building which is known as the Chapel. As a Trustee of the Gardens, he was very pleased to report that thanks to this donation from the Hathaway Settlement, the restoration of the Chapel has now been completed and within budget. At present, the building houses an exhibition which tells the story of the Seigneurs and the Seigneurie which has been put together by Jan Guy and Sue Daly. This will be formally opened by the Seigneur on July 13<sup>th</sup>. It is pleasing to know that one more of Sark's historic buildings has been sensitively restored and preserved for the future. He added that nothing has been done in the Chapel that would preclude its use as a wedding venue in the future.
- 0.16 [Diamond Jubilee celebrations](#) – the Constable hoped everyone agreed that it had been a very successful celebration of the Queen's Diamond Jubilee here on Sark. The sun even made a rare appearance to enable us to enjoy the day. Both the street party in The Avenue and the evening celebrations at La Collinette were well attended and enjoyed by all.  
Mrs. Pam Cocksedge, MBE lit our beacon watched by a large group of Sark residents and visitors. The Constable thanked the committee which worked so hard to organize everything – Zoe Adams, Julie Barker, Darren Betts, Rossford de Carteret, Ray Lowe, David Cocksedge and not forgetting Assistant Constable, Fiona Hamon and Vingtenier, Adrian Guille.  
She thanked everyone who gave so generously, both contributors of food and time, to make the event a success. Sark Estate Management has kindly donated the profits made on the bar to the Professor Saint Fund - a cheque rounded up to £1,000.  
The Constables' Committee was given a budget of £5,000 and has spent approximately £3,750.  
The Seneschal thanked the Constable, Mrs. Joanne Godwin, for chairing the Committee and her personal contribution to the successful celebrations.

## **1 Minutes of the Easter Meeting on 18<sup>th</sup> April 2012**

- 1.1 [Harbours' Maintenance \(Ref: 24.9\)](#) – Conseiller Guy asked that this paragraph should read – *Harbours & Pilotage Committee has arranged to have an underwater survey done of the outside wall of Creux Harbour. This may have heavy implications for the repair and maintenance budget next year.*  
It is the possible work that the survey might reveal that would be the expense, not the survey itself, which has already been carried out at a very favourable cost indeed.
- 1.2 The minutes were **APPROVED** with this one change.

### **Matters Arising**

- 1.3 [\(Ref: 1.6\)](#) Conseiller Bache asked about progress on establishing a Sark RPI and Conseiller Gomoll confirmed that the Chamber of Commerce hoped to move forward after its meeting in September.

- 1.4 [\(Ref. 3.3\)](#) Conseiller Hunt reported that the Emergency Services Committee is meeting with the Emergency Planning Officer and Advocate John McLellan (St. James' Chambers) on 11<sup>th</sup> July.
- 1.5 [\(Ref. 7\)](#) Conseiller Hunt reported that under the provisions of the amendment Ordinances, the Road Traffic Committee has rescinded the two existing Road Traffic Orders and replaced them with Road Traffic Regulations and have also raised two new Road Traffic Regulations; the four Road Traffic Regulations have been posted on the Chief Pleas website.
- 1.6 [\(Ref. 12.17-18\)](#) as most committees worked pretty hard to get in budget requirements and inventory of assets for the June deadline, Conseiller Guy asked if the Finance and Commerce Committee has anything to report on this as there isn't an agenda item which might have been expected. Conseiller Gomoll confirmed this to be so and these submissions would be considered at the next Finance and Commerce Committee.
- 1.7 [\(Ref. 17.37\)](#) Conseiller Guy asked if a meeting had taken place with landowners; Conseiller Maitland confirmed he had met with Sieur Chris Rang representing some of the landowners.
- 1.8 [\(Ref. 24.13\)](#) Conseiller Guy reported that this work is now just about completed with minimum disruption to harbour users. Allocation of funds has allowed the work to be done in the very short window that exists between the removal of boats overwintering on the hardstanding and the arrival of high summer season.
- 1.9 [\(Ref. 25\)](#) Conseiller Guy noted the letter sent to all households yesterday by Sark Electricity Company relating to regulation and she asked whether its contents matched GP&As assessment of the developments so far.
- 1.10 Conseiller Maitland reminded Chief Pleas that at its Easter meeting (18<sup>th</sup> April), the proposition was passed requesting ***"the Law Officers of the Crown to draw up the necessary legislation to provide for a suitable regulatory regime to cover the production of electricity in Sark."*** In order to give time for an alternative solution, the Committee decided to delay until after its next meeting on May 29<sup>th</sup> any further approach to the Law Officers. It was agreed that time would be allowed for the Electricity Company and the Director of Regulation to work out a way forward. As it happens another month has since passed and Conseiller Maitland has just received a letter from John Curran, the Director of Regulation, and it seems that, although a number of meetings had been held in May and June (the last one taking nearly 3 hours), his view is that ***"having reviewed the information provided we are unable to conclude that the tariffs being charged by Sark Electricity are fair and reasonable."*** He continues ***"We believe there are gaps in the cost justification offered by the Company such that we have doubts that the current charges are as low as they might otherwise be."*** He continues further: ***"Given that we have been unable to get agreement from the Company as part of this process to share any commercial information with your Committee - even on a confidential basis - we are not convinced that an informal approach to overseeing the Company's tariffs is likely to be workable going forward. While we would normally consider a formal regulatory approach as not being the most appropriate solution to a jurisdiction the size of Sark- indeed this was our starting position -in the absence of greater openness on the part of Sark Electricity, we believe a more formal approach will be required if your Committee is to adequately satisfy itself that the tariffs charged are fair and reasonable."***
- 1.11 The Committee had a further meeting yesterday at the request of the Company without any progress being made and has now concluded with some regret that the only way forward is to ask the Law Officers to begin work on a regulatory regime to cover the production of electricity in Sark.

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

- 2.1 Bateson [Following reports that Kevin Delaney was given a personal invitation to meet with Lord McNally, can GP&A confirm that their Committee played no part in the issuing of an invitation?](#)
- 2.2 Maitland The Committee played no part in issuing an invitation to Kevin Delaney
- 2.3 Bateson [Does the GP&A Committee agree that, if such an invitation was indeed made, giving preferential treatment to a member of the electorate because of his employers is unacceptable, and that in this case serves to legitimise the deceit that SEM is a political entity?](#)
- 2.4 Maitland This does not necessarily reflect the views of the Committee, but if he were Lord McNally he would want to have a meeting with Mr Delaney. Rather like his two principals, Mr Delaney would not put himself in a position where he might have to answer for his actions, so such a meeting was always going to be unlikely. Conseiller Maitland thought that Lord McNally might have wanted to judge for himself what the paranoia displayed by the Newsletter was all about.
- 2.5 Bateson [Does the GP&A Committee agree that Chief Pleas should send a clear message to Lord McNally that it strongly disapproves of this invitation to Kevin Delaney and ask that it is not repeated?](#)

- 2.6 Maitland Thought that it has to be for Lord McNally to judge the situation for himself. The recent handshake between the Queen and Martin McGuinness illustrates the fact that sometimes politics is the art of the impossible. Situations can change and it may be that the Barclays will realise that the growing media interest in the Sark story is making their own lives uncomfortable and that their bullying of Sark is entirely counterproductive and futile. But it is essential meanwhile, that we in Chief Pleas continue to carry on with the task that the electorate has entrusted to us and as far as possible ignore the aggravation and personal attacks.
- 2.7 Fry *This week the Sunday Times quoted Advocate Gordon Dawes as saying that Sark Chief Pleas is like the Feudal Taliban. As an elected Member of Chief Pleas I take exception to this. The Taliban has been responsible for the murder of thousands and is known for causing death and destruction and inflicting torture, mutilation and extreme oppression, especially against women. It seems extraordinarily inappropriate for a member of the legal profession to make such a statement to the National Press. I wonder if GP&A, on behalf of this Assembly, should make a formal complaint to the Batonnier.*
- 2.8 Maitland Would be happy to consider that option.
- Conseiller Maitland had also recently received a letter from Colonel Graham, writing on behalf of His Excellency, in which he had been asked to reassure Conseillers that at no point was the correspondence concerning Lord McNally's invitation to Kevin Delaney leaked to any person in Sark and that the allegation made by Ms Claire Wiseman in the 161<sup>st</sup> issue of the Newsletter was entirely false. The Lt Governor would like to assure Conseillers that correspondence on Sark matters will always be treated in a professional manner and with due and proper observance of confidentiality as it was on this occasion.

### 3 General Purposes & Advisory Committee

#### The Reform (Election of Conseillers) (General Provisions) (Amendment) (Sark) Ordinance, 2012

- 3.1 Maitland Explained that this Ordinance dealt with consequential changes relating to the election of Conseillers and the registration of voters as amended at Easter Chief Pleas. The Greffier had noticed some ambiguity in the Law and this Ordinance resolves that and gives greater clarification.

### General Purposes & Advisory Committee

#### The Reform (Sark) (Amendment) (No.2) Law, 2010 (Commencement No.2) Ordinance, 2012

- 3.2 Maitland This Ordinance brings into force those provisions of the 2010 Reform Law that deal with the appointment of the Seneschal in his solely judicial role. It will enable the Appointments Committee to be set up and the process of choosing and appointing the new Seneschal to begin. While the starting date of this Ordinance is September 3<sup>rd</sup> 2012, the appointment of the Seneschal in his new role will only take effect with the election of the President of Chief Pleas in 2013.
- The Committee will bring an Ordinance to Michaelmas Chief Pleas which will deal with the process for the election of the President of Chief Pleas.
- 3.3 Cocksedge Asked who it was envisaged would be on the Appointments Committee.
- 3.4 Maitland That has not yet been discussed but it is likely to include someone with legal training.
- 3.5 Seneschal The Appointments Committee will be chaired by the Seigneur and its membership will be his choice.
- 3.6 **Proposition – CARRIED**  
That Chief Pleas approves The Reform (Election of Conseillers) (General Provisions), (Amendment) (Sark) Ordinance, 2012.
- 3.7 **Proposition – CARRIED**  
That Chief Pleas approves The Reform (Sark) (Amendment) (No. 2) Law, 2010, (Commencement No. 2) Ordinance, 2012.

## 4 General Purposes & Advisory Committee

### Privilege and the Media

- 4.1 Maitland Under section 33 of the Reform (Sark) Law, 2008, Members enjoy absolute privilege when speaking in Chief Pleas and no proceedings for defamation can be brought concerning any statements made in the meetings. Chief Pleas has to give express authority, however, to any organisation which publishes a fair and accurate account of the proceedings so that they also are protected against actions for defamation. In the interests of free speech, it is vital that local media in particular are able to report proceedings of Chief Pleas without fear of litigation. While we may have supposed that the proposition passed at Christmas 2011 made it quite clear that it was intended to give the media protection for the foreseeable future, doubts have been raised in certain quarters. It is for the removal of doubt that the Committee asks Chief Pleas to agree to the proposition. The privilege applies particularly to local media such as the Guernsey Press, BBC Radio Guernsey, Island FM, Channel Television and BBC Television but would in effect cover all media reporting of proceedings of Chief Pleas.
- 4.2 **Proposition – CARRIED**  
That the intention of Chief Pleas in January 2011 was to give all media protection when they give a fair and accurate account of proceedings of Chief Pleas, that this protection is continuous and on-going and that Chief Pleas gives its full permission for such accurate and fair reporting.

## 5 Shipping Committee

### Proposals for the Implementation of the Alderney and Sark (Licensing of Vessels) (Amendment) (Sark) Law, 2010

- 5.1 Cook This report regarding the implementation of the 2010 amended Shipping Law has been brought to Chief Pleas today following the report at Christmas outlining how the Committee thought that the amended law should be implemented after a period of consultation within which any interested party could give their view. The Committee believes that its implementation proposals achieve the required clarification of the existing law given by the amendments, and confirm the protection of our lifeline service with the minimum of regulation. This is possible thanks to the ability to exempt certain vessels and activities by Ordinance and it is proposed to exempt those that have minimal or no effect on the ability of Isle of Sark Shipping Company (IoSS) to maintain that service.
- 5.2 For the same reason it is proposed to exempt all vessels doing an act of trade with Brecqhou where that Island is the intended final destination or initial starting point. i.e. no controls over what or who goes to or from Brecqhou from any port outside Sark waters provided that there is no onward journey to the main Island of Sark.
- 5.3 Under the existing law there is some differing opinion as to the precise meaning of an act of trade. The lack of clarity perceived by some arises in part as there is no statutory definition of a passenger or of cargo and, in particular, there is no clear indication of whether there is any requirement for a financial transaction to take place. Under the amended legislation it will be quite clear that the simple embarkation or disembarkation of passengers – as defined – or the loading or unloading of cargo – as defined - from a commercial vessel within Sark waters will constitute an act of trade for the purposes of the amended law.
- 5.4 Conseiller Cook made the point that exemptions made by Ordinance can be changed by Chief Pleas and that any commercial vessel not covered by an exemption would need to be licensed. Pleasure vessels – a category of vessel also defined with greater precision - and fishing vessels carrying fish will continue to be excluded from regulation under the amended Law.
- 5.5 The Committee believes that implementing this Amended Law in the way it is proposed in this report will remove much of the ambiguity and differing interpretation that has built up around the existing Law. It has been frustrating that it has taken so long, and indeed still has the threat of a Judicial Review hanging over it. It will make the application of the Law fairer, easier to understand, not only by those immediately effected, but also by the travelling public and will be seen to be used to achieve its objective in safeguarding the Islands lifeline shipping service for the benefit of the residents of Sark and visitors to Sark.

- 5.6 Gomoll Asked for reassurance that a Sark resident can travel by boat from Jersey to Sark in order to return home on occasions when, for example, 'planes are diverted.
- 5.7 Cook All pleasure and fishing vessels are exempt it is only boats operated commercially that would be encompassed by the Law and need a licence..
- 5.8 Gomoll So would it not be illegal for a resident of Sark to charter from Jersey? The issue needs to be clarified and would the Committee rethink this matter?
- 5.9 Cook The legislation will come to Michaelmas Chief Pleas in October but the Committee will look at these comments in the meantime.
- 5.10 **Proposition – CARRIED**  
That Chief Pleas directs the Shipping Committee to request the Law Officers of the Crown to draft Ordinances to bring this Law into effect in the manner described in this report.

## 6 Emergency Services Committee

### Night Time Helicopter Medical Evacuation

- 6.1 Hunt On behalf of the Emergency Services Committee, he said how proud the Committee is of the prompt professional service the Sark Emergency Services provided in response to the tragic events of last week. For the first time the Constable also enacted the Major Emergency Plan, wherein she contacted the Chairman, Conseiller Plummer, who in turn contacted members of the Sark community to provide refreshment, chairs, general assistance and transport to those at the scene. Thanks also go to those called who immediately dropped what they were doing and came in response.
- 6.2 Following from the previous announcement in Chief Pleas of the cessation of water deliveries for recreational purposes, the Chief Fire Officer (CFO) now feels that, as it hasn't stopped raining since that announcement, deliveries for recreational water can now recommence. (Perhaps this will mean we now get a dry spell... ).
- 6.3 Since the submittal of this report, the Sark Fire & Rescue Service (SFRS) Station Manager, Simon Adams, has been working diligently with a great number of suppliers in an attempt to reduce the price of supplying equipment from the initial estimate of £10,000. This he has managed in a timely fashion to do and he has managed to secure an impressive quote of just £2,883.70.
- 6.4 The Committee would therefore like to change the proposed budget amount from £10,000 to £4,500.00, sufficient to also cover any unforeseen requirements. If Chief Pleas approves this item, we will also approach Sure Telecom to ask them to fit a 'phone initiated red light atop their telecoms tower.
- 6.5 Since the submission of Captain Rover's report, CFO Kevin Adams has also been busy verifying the exact dimensions and GPS co-ordinates of each of the sites. For Site 1 ([4.1 A in report](#)), the confirmed size is 90m by 60m. (The original size given was for the entire field including the football pitch as Captain Rover advised that, if necessary, the helicopter could hover-taxi closer to the Medical Centre if required). Following further consultation with Captain Rover it was agreed that we should concentrate on only identifying the landing area itself. The Co-ordinates for this site are 49 2604N 02.2140W.  
Site 2 ([4.1 B in report](#)) 45m by 70m. 49.2609N 02.2052W  
Site 3 ([4.1 C in report](#)) 50m by 50m. 49.2452N 02.2240W  
Site 4 ([4.1 D in report](#)) 90m by 80m 49.2450N 02.2244W
- 6.6 Dunks Asked if the site at La Moinerie Cotil was covered by the scope of the report.
- 6.7 Hunt It was looked at and dismissed and not included in the sites selected.
- 6.8 S. Williams Are we going to pay for this to allow the Barclay helicopter to land?
- 6.9 Hunt It is not for the Emergency Services to dictate which helicopter comes if it is decided that a helicopter evacuation is indeed needed; that is a decision of the Coastguard. Calling out the Air-Sea Rescue helicopters from Culdrose on the UK mainland or Cherbourg in France are other options.
- 6.10 Guy Thanked the Emergency Services Committee for working with a professional, Captain Rover, to produce this very thorough report which outlines not only the usefulness but also the limitations of helicopters; she had learnt a lot by reading it. It appears that the ability to transport casualties direct to Southampton Hospital in those extreme and very rare cases outlined to us by Dr Counsell many months ago could increase the doctor's tool bag of ways to give us the best possible treatment. The report outlines one or two pieces of future work for SFRS but in the light of recent events, and in the knowledge of their very regular and well thought out training programme, she had complete faith in their ability to respond.

- 6.10 Guy  
cont Has Emergency Services got a ball park figure for the cost of evacuation say, to Southampton carried out by the Lee on Solent helicopter?
- 6.11 Hunt Stressed this was a ball-park figure but it would be in the order of £8k.
- 6.12 Bache Felt this was a helpful report but enquired how much use would be made of these sites. He suggested that bringing a helicopter from the south of England would take about two hours whereas the Brecqhou helicopter would be much quicker.  
Is the Brecqhou helicopter free or is it cynically conditional? He thought the decision should be delayed until it was ascertained whether the Brecqhou helicopter would be prepared to land at the sites identified or only at their own helicopter landing site.
- 6.13 Hunt Stressed again that the Clos de Pegane site (La Moinerie Cotil) cannot be taken in to account; after all Mr Delaney has stated that it is a helicopter pad, but Advocate Dawes has stated that it is not. Under normal circumstances one would suggest that one of them was lying, but, as was seen with the Medical Committee, we appear not to be able to use the word "lie"; he wondered what word should be used instead.  
Regardless, the Clos de Pegane site is not ICAO compliant for medical evacuation. There are however bigger issues with Brecqhou than just being able to land at night. The Brecqhou helicopter has been unavailable for the last two months whilst it undergoes major servicing. There have been three incidents over the last year at which it has been requested to attend – on one occasion it was unable to do so because of weather conditions, on one it was unavailable and in the third, an evacuation took place.
- 6.14 Cocksedge Agreed with Conseillers Williams and Bache; we should not use taxpayers' money to fund facilities for the helicopter to land when such occasions are likely to be limited, dependant on reasonable weather and the Brecqhou helicopter was not equipped for such work. The money could be better spent for other medical needs.  
We can always revert back to *the Flying Christine*.
- 6.15 Cook Commented on the light positioning on the Telecom Tower and made reference to Sark's Dark Island status.
- 6.16 Hunt It wouldn't be lit permanently as it is planned to have it activated by telephone.
- 6.17 S. Williams On the rare occasions it is used, who would pay the £8k for a helicopter emergency?
- 6.18 Hunt The patient through health insurance. When he had to be evacuated through Guernsey to Southampton at night the cost was roundly £5,000 as his insurance didn't cover at the time.
- 6.19 Bache Asked again whether Brecqhou would provide a free helicopter or was its use conditional. The question needs to be asked.
- 6.20 Hunt Quoted past precedent; when the *Flying Christine* had its accident, the *Brecqhou Chief* was offered as an alternative but the offer was withdrawn two weeks later for political reasons. The Brecqhou helicopter comes straight to Sark from its base, but without St. John Ambulance paramedics as they will not carry them, again for political reasons.  
If the use of the helicopter was unconditional it would be a reliable option on occasions when it might be needed but even if the Barclays wrote a letter of commitment we could still not fully rely on it, as its availability depends on it being in the Bailiwick at the time. It would be foolish for Sark to rely solely on a private helicopter for which it has no control whatsoever. Its availability is purely at the whim of its owners.  
It must be for Chief Pleas to decide whether it needs a night time helicopter evacuation facility or not, regardless of the Brecqhou helicopter.
- 6.21 Dunks Supported the report but was concerned about the expenditure of £4½k.  
He also drew attention to Paragraphs 6.3 & 7.7 of the report which mentioned "crash & burn" possibilities and what any additional equipment and training will cost.
- 6.22 Hunt Simon and Kevin Adams attended a training course yesterday at Guernsey Airport on the use of foam so that Emergency Services would be fully conversant with techniques to handle any such incident. The cost of the training came from the SF&RS budget.
- 6.23 Bache Chief Pleas should feel it has all the factors available to it before making a decision on financial expenditure; I have not heard anyone say that they will write a letter to the Barclays and take the matter forward.
- 6.24 S. Williams Only three Conseillers have admitted receiving comments about this issue but she had received many verbal comments on the report and the expenditure.  
She called for a public meeting to allow everyone to have their say.

- 6.25 Guy We're back to the Brecqhou helicopter again. This is a relatively small amount of money for relatively occasional incidents but leads to a greater safety net should such incidents occur.
- 6.26 Gomoll Supported Conseiller Guy's remarks but also had sympathies with Conseillers Dunks and Bache. The Committee should write to the Barclays demanding transparency.
- 6.27 Hunt The whole issue of helicopter landing sites has been in the public domain for a long time; Brecqhou representatives were invited, by the Committee, to attend a meeting on Sark to discuss future operational procedures in the aftermath of the last daylight helicopter evacuation, but instead received a letter from Brecqhou advising the Committee that the Brecqhou helicopter operated under the control of the Coastguard so there was no requirement for them to work directly with Sark.  
He therefore believed that Brecqhou have already shown their disregard for Sark's desire to work with them and that the "tail would still attempt to wag the dog". If their helicopter is available then great, but it should not be "the be all and end all" of any consideration.
- 6.28 S. Williams There are other medical insurance implications too. If the policy holder receives £8k for emergency evacuation this will raise the cost of everyone's premiums and she asked if Conseiller Baker, Chairman of the Medical Committee had any comments.
- 6.29 D. Baker It happens so infrequently that it is unlikely to have an effect on the overall cost of premiums. The new Island Insurance Policy includes Medevac and its likely cost is factored in when premium levels are planned.
- 6.30 Bateson Put forward a scenario that assumed the lights were deployed on the cricket pitch, the Brecqhou helicopter was summoned but would only land at La Moinerie Cotils. What happens then to the patient awaiting medical evacuation?
- 6.31 Hunt The Doctor will make the decision whether to still use the helicopter or revert to the *Flying Christine* which would be here with the paramedics to cover the doctor's enforced absence with the patient anyway. He emphasised that it is not for the Committee to dictate to the Doctor what he should do in such circumstances. However, it would be irresponsible of the helicopter pilot to land on the Cotil when the patient has already been reported as awaiting pick-up from one of the designated sites; again, the Cotil is not ICAO compliant.
- 6.32 The four sites listed have been chosen because they have easy access both for the ambulance and the SF&RS and are well within the regulation for night time evacuations. The Cotil cannot be easily accessed by the Emergency Services, especially if something was to go wrong.
- 6.33 **Proposition 1 – CARRIED**  
That Chief Pleas direct the Emergency Services Committee to direct the Sark Fire & Rescue Service to go ahead and purchase the necessary equipment for night time medical evacuation by helicopter.
- 6.34 **Proposition 2 – CARRIED as amended**  
Subject to the approval of Proposition 1, that Chief Pleas set aside **£4,500** for the Sark Fire & Rescue Service to use for the purchasing of the equipment.

## **7 General Purposes & Advisory Committee**

### **Criminal Justice Strategy**

- 7.1 Maitland The development of a Criminal Justice Strategy is a continuation of the work of the Criminal Justice Policy Working Group at the Home Department. As Guernsey deals with criminal matters for Sark, it is important that Chief Pleas is aware of the work being done on its behalf which may affect Sark in the future.  
These reports were put before the States of Deliberation on Guernsey on 30<sup>th</sup> May 2012 so that the work of the Group could be noted and now comes to Chief Pleas for the same reason.
- 7.2 Guy This ongoing report seems thorough and in keeping with a criminal justice system for the 21<sup>st</sup> century. A major piece of legislation related to policing, PPACE, was being discussed and came in to force during her period as Constable and Constables were able to be consulted. This was very useful at the practical level as some requirements were very difficult for Sark to implement and options had to be worked out. When some of the points in this strategy document go forward she hoped that someone will remember to consult the Sark Constables if this is not already happening.

- 7.3 Ventress Drew attention to Paragraph 2.10.1 of the Phase 2 Report in which it states that Chief Pleas did not approve the Projet concerning Criminal Injuries Compensation when it considered it on 24<sup>th</sup> February 2005. Will that be reviewed?
- 7.4 Ventress Also pointed out that in the list of consultees, neither Sark nor Alderney is listed.
- 7.5 **Proposition – CARRIED**  
That Chief Pleas note the Reports on Criminal Justice Strategy.

## 8 Medical Committee

### Appointment of Medical Officer of Health

- 8.1 D. Baker The Medical Committee will be very happy to welcome Dr John Stevenson as the Sark Medical Officer for Health for Sark, along with his wife Lizzie. They have returned since the time of Dr Stevenson's interview to learn more about the surgery and to spend a little time with Dr Counsell; Dr Stevenson is keen to make sure he is well prepared for his move to Sark. I am sure you will all welcome both Dr and Mrs Stevenson when they arrive, as this community has always done with the appointment of a new doctor, and hope you will do whatever you can to help them both settle in.
- 8.2 The Medical Committee will host a gathering in the Island Hall on Monday 30<sup>th</sup> July between 6.00 and 7.30pm for anyone and everyone to come and wish Dr Peter Counsell a fond farewell; there will be an island wide invitation going out as a door to door very soon. This gathering will also be an opportunity to say hello to Dr Stevenson and his wife Lizzie.  
Conseiller Baker encouraged all to come along as Dr Counsell has been an extremely well valued member of our community; he has shown such confidence in dealing with a diverse area of medical problems. Practising as a doctor on Sark calls on a multitude of medical skills and his encouragement of those that wish to learn has given Sark a team of first aiders of which we can be proud. He encouraged many of his female patients to attend a screening programme which he set-up in conjunction with Guernsey, spreading the cost between those attending and having appointments at times to suit the Sark boats. We hope the screening programme will continue to expand under the watchful eye of our new medical officer of health, Dr Stevenson.
- 8.3 Dr Norwich was invaluable when the Committee was looking to recruit a new doctor; he gave his expertise freely, starting from where to advertise to finally having a short list and attending the interviews. Dr and Mrs Norwich have both given an enormous amount of assistance to the Medical Committee and it thanks them both. Nobody on the Committee has any professional background in medicine and we miss the advice Dr Stephen Henry used to give; it was considered a good idea to ask Dr Norwich to work with us to give the benefit of his experience; last week we attended a meeting with Guernsey's Health and Social Services and Dr Norwich was a great asset. We would very much appreciate having his advice as a Committee Member and therefore Chief Pleas is asked to support the following proposition which has been slightly reworded to the version in the report.  
**That Chief Pleas approves the appointment of Dr Roger Norwich as a non-Chief Pleas Member to the Sark Medical Committee.**

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

That Chief Pleas approves the appointment of Doctor Roger Norwich as a **non-Chief Pleas Member** to the Sark Medical Committee.

## 9 Road Traffic Committee

### Committee Vacancy & Mandate

- 9.1 Hunt Those who have been on on this Committee before know it to be a difficult Committee on which to serve as it can strain relationships with others in the community when attempting to ensure good governance for the island; to this end I would like to thank Conseiller Liz Dewe, for the number of years that she has committed to this Committee.
- 9.2 The Committee has taken a tougher stand when corresponding with vehicle owners but all it has done is quote the relevant sections of the existing Sark Laws & Ordinances reminding owners of their obligations when wishing to make amendments or applications.

- 9.3 Hunt Apart from introducing the 5mph speed limit in the centre of the island, the Committee has done nothing different to previous years when issuing Regulations, other than ensuring that they are written in such a manner as to hold up in court; as advised by the Law Officers. As it was apparent that most owners and drivers appear to be unaware of Sark's "Rules of the Road", we made the decision to create a series of helpful pamphlets detailing the offences for each of the modes of transport (as per the appendix in your papers). Bearing in mind that most of these offences were enacted back in 1967/68, I find it unbelievable the flak a minority of drivers/owners have given this Committee as a result.
- 9.4 Following some helpful comments, the Committee can advise that (for horse-drawn vehicles, Section 14. Brakes) the rule that brakes must be fitted to all vehicles will not be enforced on two wheeled vehicles as we are given to understand that fitting brakes to two wheeled vehicles is dangerous. For tractors, we are told that it would be nigh on impossible for the Constable to conduct a roadside compression test. Yet, both of these conditions have been in force since the relevant Ordinances were first written in 1967/68; so it has taken over 40 years for someone to point out these problems.
- 9.5 Some statistics for you –
- there are currently 56 tractor owners;
  - there are currently 99 tractor licences issued of which –
    - 6 are Telehandlers
    - 1 is a JCB
    - 9 cannot be on the road at the same time as the owners other tractor(s).
    - leaving up to 83 tractors on the public roads at any one time.
- Presuming a population of 650 that means -
- 8% of the population are tractor owners;
  - 13% of the population can drive a tractor at any one time.
- The question has to be asked - should 13% of the population of Sark have the right to do as they please with the tractor in their possession?
- 9.6 The ownership and ability to drive a tractor is a privilege and not a right. The Law expressly states that a tractor is for use in connection with the person's business for which he derives an income. That does not mean that he can use it to pop down to the shops to pick up 2 cases of cat food. Remember at least 87% of the population have to use their bikes, walk or use a carter.
- 9.7 Now for some good news; this Committee is meeting with the Law Officers on the 11th July to finalise the drafting of the new Motor Vehicles (Sark) Law, 2012 and the Road Traffic Offences (Motor Vehicles) (Sark) Law, 2012, (which will replace the current Tractor and Invalid Carriage Laws and Ordinances) and we hope to finally present them at the Michaelmas sitting of Chief Pleas.
- 9.8 Conseiller Hunt said he has been accused of having a personal vendetta against tractor and horse-drawn vehicle owners; he assured Chief Pleas that he did not. Everything that has been done has been democratically decided and agreed upon by the Committee as a whole; as with any Committee, decisions are made subject to the majority of members agreeing to put the decisions in place but, in the case of the Road Traffic Committee, the recent decisions made have been unanimously agreed. The Road Traffic Committee has put Regulations in force on behalf of Chief Pleas but if Chief Pleas disagrees with any of these Regulations they can instruct the Committee to rescind them. If members of the Assembly feel that a Conseiller should not be on a particular Committee they can call for a resolution to be made by Chief Pleas to remove a person from a Committee as per Section 44 (3) of the Reform (Sark) Law 2008.
- 9.9 Finally, the Committee would like to change the word "appoint" in the proposition to "elect" It is now for Conseillers to decide whether they are up to the challenge of joining this Committee.
- 9.10 Magell Thanked the Committee for producing the pamphlets; she found them enormously helpful.
- 9.11 Audrain Agreed that it was really useful information for everyone to have.

- 9.12 Maitland Also supported the work of the Committee; he wanted to encourage a campaign for tractors to be left at the workplace and for greater use of bikes for the many journeys being undertaken where the use of a tractor was unnecessary. He was also concerned after the recent accident that no rights of way are shown at key places and he named Clos a Jaôn crossroads as an example of many conflicting movements over which no priority was evident. He called on the Road Traffic Committee or the Douzaine to give this problem some consideration.
- 9.13 S. Williams Said that there were many unhappy people out in the community who had taken offence at the stricter regime being introduced. However, that did not give anyone the right to post offensive remarks about individual members of Chief Pleas on their website and she asked that such comments should be removed.
- 9.14 Cocksedge Having been President of the Road Traffic Committee for so many years he welcomed the new pamphlets but questioned why there had been no consultation before they were issued.
- 9.15 Hunt Did not follow the reasoning here; the Laws have only been consolidated and put into useful pamphlets for information and there is nothing new being introduced so why would one need to go out to consultation?
- 9.16 Seneschal As nobody had been nominated by the Committee he asked for volunteers. The only person to offer her services was Conseiller Perrée.
- 9.17 **Proposition – CARRIED as amended**  
That Chief Pleas **elect** Conseiller Michelle Perrée to the Road Traffic Committee.

**As it was 11.30am, the Seneschal called a 10 minutes recess**

## **10 Medical Committee**

### **Health Visitor in Sark**

- 10.1 D. Baker Had received further contact from new mums telling her how valuable having a health visitor has been, not just the monthly visits to Sark but the fact they can ask for help, advice and reassurance by telephone. When she heard from a new mum about the advice given she thinks back to her own time as a new Mother and realises a little good advice goes a long way. The Medical Committee would like this funding to continue through 2013, still as a trial, but this is showing signs of being a valuable service to Sark and we would ask for your support with the following proposition.
- 10.2 Maitland How much will this cost?
- 10.3 D. Baker £5k per annum
- 10.4 Audrain Supported the initiative and would like it to continue as it was already showing signs of benefit for those who previously had no assistance.
- 10.5 **Proposition – CARRIED**  
That Chief Pleas approve the continuation of the Health Visitor Service on Sark until the end of 2013 so that its benefits can be fully assessed to justify its continuation into the future.

## **11 General Purposes & Advisory Committee**

### **Refurbishment of the Assembly Room and rebuilding of the Seneschal's Office**

- 11.1 E. Baker Just added to the report, which was self-explanatory that, following the tender process, three bids had been received. The successful tenderer is Island Building Company (Sam Higham and Rod Lalor)
- 11.2 Cocksedge The proposition asks for £75k; was this amount made known before the tender was issued? Is there a breakdown of the £75K? Why is there a need for a Project Manager?
- 11.3 E. Baker The amount requested was derived from the tender bid and not the other way round. It includes a contingency amount to ensure a sufficiency of tender and to cover for unknown conditions which may be discovered once the work begins. He was unable to provide a breakdown. Nobody on the Committee has expertise on building projects so it was felt sensible to appoint someone who does know about building.
- 11.4 Cocksedge Who will be the Project Manager.
- 11.5 E. Baker Jeremy La Trobe-Bateman has been requested to oversee the work.
- 11.6 Maitland Once the main work has been finished the Committee will work with the Island Trustees to improve the internal layout of the Assembly Room to make it more user-friendly and give better access for the public to hear the spoken word.

- 11.7 Hunt Given the crowded room and the poor ventilation, he asked if ceiling fans could also be considered in any internal redesign.
- 11.8 **Proposition – CARRIED**  
That Chief Pleas vote up to £75,000 for the Refurbishment of the Assembly Room and the rebuilding of the Seneschal's Office.

## 12 Education Committee

### Resignation of Class 1 Teacher

- 12.1 Magell Sadly the class one teacher Mrs Ludick has handed in her notice. She has been a fantastic asset to the school and will be really missed by her pupils and colleagues. Her husband Danie has been offered a fantastic job opportunity in Australia and they are emigrating there. We wish them both well with this exciting new chapter of their lives. Mrs Ludick will move to Australia in December at the end of the autumn term.
- 12.2 The new teacher will need to start at Sark school in January and as some contracts of employment require a terms notice the committee felt it was necessary to advertise the position this term. The Finance & Commerce Committee was asked to approve up to £3,000 from unforeseen expenditure to allow us to advertise and interview candidates for this post. To date £2,789 has been spent. This included newspaper and online website advertisements with the Times Educational Supplement (TES) at £1,810 and candidates travel and accommodation expenses £979.92. Just one bill from the taxi company is awaited but it was not expected to be high.
- 12.3 A large number of applications were received which resulted in a very heavy workload for the Committee Secretaries and the Education Committee would like to thank both of them for all their extra efforts and assistance throughout this procedure. The Committee shortlisted three candidates and invited them to Sark from Sunday 17<sup>th</sup> June until Tuesday 19<sup>th</sup>. This enabled the candidates to have a good look at Sark and the committee to have a good look at the candidates. On the Sunday the committee and all staff had the opportunity to meet the candidates and their partners socially. The Monday involved the candidates teaching a previously prepared, observed lesson to Class 1 and then having the opportunity to help/observe in the rest of the school for the day. On the Tuesday we held the formal interviews with the committee which were minuted.
- 12.4 The Education Committee is delighted to appoint Miss Alison Mills as the Class 1 teacher from January 2013. Alison has been a teacher for eight years, working with children across the age range found in Class 1. She has most recently been working as a foundation phase special needs teacher in Wales whilst also studying for her Master's Degree and leading a joint Forest School Community Project. Alison is hoping to visit Sark over the summer holidays and we look forward to welcoming her here.
- 12.5 At the next Chief Pleas, the Committee will be asking for a sum of money to pay for her removal expenses. She will be asked to obtain quotes from different companies before then so a more precise figure will be available but the Finance & Commerce Committee has been warned that, from past experience it is likely to be in the region of £7,000.  
To try to ameliorate the costs of removals for teachers who do not stay in their post long the Committee has added this clause to the teachers' contract of employment - ***"If at the end of one year, or at any time during the first year, the Teacher elects to leave, s/he shall repay removal costs, excluding fares, to the Island."***
- 12.6 The other staffing change at school is as a result of a child, who was receiving one to one support from a teaching assistant, leaving the Island in the last few weeks. This teaching assistant will therefore no longer be required after this term. Mrs Gemma Knight has filled this post ably, professionally and with great care and consideration. The Committee would like to take this opportunity to thank her and wish her well.
- 12.7 While talking to Chief Pleas about the staff at school, Conseiller Magell took the opportunity to answer a question that she has been asked by a member of the public since they heard about Mrs Ludick leaving. This person wanted to know why Sark School needed to replace the Class 1 teacher at all since the school, years ago, operated with only three teachers.

- 12.8 Magell The quick answer is that Sark School could not operate the way it does now or offer the same quality of education that it does now with only three teachers. The decision not to replace the teacher would therefore be a deliberate decision to impoverish the children of Sark's education.
- 12.9 The not so quick answer is this; although Sark School has only 37 students at present, these students are in 11 different years of education. In the UK mainland and other Bailiwick schools, most children are taught in single age classes. In Sark two classes cater for 3 years (Classes 1 and 2) and one class for 5 years (Class 3). This places great demands on the teacher, despite the relatively small class size with the needs of a wide range of ages and abilities having to be met in the one class.
- 12.10 In order to give students a viable alternative to being educated "off Island", the school has developed ways in which to deliver GCSE and equivalent courses and qualifications. Numbers of students are small (currently 2) but they need supervising and teaching – this is done by the Headteacher. The Headteacher, in addition to leading and managing the school, is also responsible for administration and communications as the school operates without any secretarial support. She provides teachers with weekly release time (PPA time) of ½ day per week as in all UK, Guernsey and Jersey schools and provides teaching cover if staff are attending training or are ill. The actual teaching timetable of the Headteacher is 2 days per week plus supervision of Year 11 for the equivalent of a further day. In some weeks the teaching commitment may be higher.
- 12.11 The school benefits from Teaching Assistant (TA) support and this greatly improves the provision for the students. Class 1 has a full time TA support as this is the class with the very young children in it. The needs of 4/5 and 6/7 year olds are very different and yet have to be met in the one class. The Special Educational Needs (SEN) Teaching Assistant provides support for individuals and small groups of pupils who struggle particularly with literacy and this makes a huge difference to the progress they can make. This TA is essential if recommendations of the Educational Psychologist for specific children are to be implemented. We also can't access support agencies and personnel as mainland and Guernsey schools can. All extra support has to be done here and we therefore need people to do it.
- 12.12 Although the School only has 37 children at the moment, since the new building has been open it has had up to 60 children at any one time and needs to have provision for this amount as families tend to be much more mobile these days.
- 12.13 Chief Pleas will remember from the school's recent inspection report the Committee specifically asked the inspectors to investigate the cost of education on Sark and whether Sark School was giving value for money and they found that it was very similar to the other Bailiwick schools and yet they also have the extra support of centralised island wide Education Departmental Services.
- 12.14 Ventress Thought the report most interesting and useful and thanked the Chairman of the Education Committee for her contribution.

### **13 General Purposes & Advisory Committee**

#### **The Iran (Restrictive Measures) (Sark) Ordinance, 2012 – Laid before Chief Pleas**

- 13.1 No motions to annul this Ordinance have been received by the President and it remains approved under the fast-track provisions necessary in the public interest.

### **ADDENDUM ITEMS:**

### **14 General Purposes & Advisory Committee**

#### **The Financial Services Commission (Bailiwick of Guernsey)(Amendment) Law, 2012**

- 14.1 Maitland Since 1996, the Guernsey Financial Services Commission (GFSC) has provided funding, governance and support to the Guernsey Training Agency (GTA) University Centre. The Commission's involvement in the Centre was reinforced by the Financial Services Commission (Amendment)(Bailiwick of Guernsey) Law, 2002 which extended the general functions of the GFSC in such a way as to put beyond doubt the ability of the Commission to be involved in, and to help fund, such bodies as the GTA.

14.2 Maitland In 2008, the Financial Services Commission (Amendment)(Bailiwick of Guernsey) Law came into effect which removed the provisions inserted in 2002 relating to the establishment and on-going support of bodies and organisations whose functions included the development of the finance sector and improvement of the infrastructure serving the finance sector. As a result there was some uncertainty over the Commission's ability to support the GTA University Centre, both in its governance (as protector) and as part funder.

14.3 In order to put the matter beyond doubt, on 23<sup>rd</sup> November 2010 the States of Deliberation resolved that the general functions of the Guernsey Financial Services Commission ("Commission") shall include, as from the date of such resolution –

*"to take such steps as the Commission considers necessary or expedient for participating in the ownership and governance of the GTA University Centre, including (without limitation) to act as protector of the charitable trust declared on 6 June 1996 by which the Finance Training Agency Trust was constituted, and to fund and support the GTA University Training Centre."*

This Projet de Loi, approved by the States of Deliberation on 30<sup>th</sup> May 2012, gives effect to the above resolution. It now comes to Chief Pleas for approval.

14.4 **Proposition – CARRIED**

That Chief Pleas approves The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2012.

## 15 Medical Committee

### **Purchase of Medical Centre Equipment**

15.1 D. Baker The Committee gave notice of this request at the Easter meeting of Chief Pleas. She apologised for confusing items which were on the list supplied by Dr Counsell; Chief Pleas Members have all received the complete list which is also posted up in the surgery for all to see. Itemised on this list are:-

- equipment bought with money donated to the surgery fund
- equipment upgraded from older/worn out versions by Dr Counsell
- new additions to the surgery by Dr Counsell.

15.2 As can be seen, Dr Counsell has spent over £7,000 on equipment and this is what the Committee would like to buy and keep as part of the Medical Centre to remain for any new doctor to use when starting out.

Dr Counsell has asked for £3,381 as payment and the Committee consider this to be money well spent by Chief Pleas and asks you to support the proposition.

15.3 S. Williams Was concerned that the computer being left presumably contained personal Medical Records and she wanted assurance that this information could not be accessed by Members of the Medical Committee

15.4 D. Baker The computer remains in the surgery and is only for use by the Doctor.

15.5 **Proposition – CARRIED**

That Chief Pleas approve the purchase of equipment for the Medical Centre from Doctor Counsell at a cost of £3,381.

15.6 D. Baker The following half of the Committee's report does not have a proposition but we would like to hear from you on the subject of helping people to give up smoking. The Medical Committee has been approached because it was felt we had banned smoking in public places and not offered any help to those who may wish to give up the habit.

15.7 She had spoken to those in Guernsey involved with health education to see what help they offered their residents and to find out if this could be expanded or have application to people living on Sark. As always this would involve a cost from Guernsey and we already know that doesn't come cheap. The Medical Committee discussed the idea and felt it could probably run its own programme here on Sark but felt it should not be open ended and perhaps limited to a six month scheme. This could involve supplying nicotine patches, a nurse to offer respiratory assessment and weekly counselling; Conseiller Baker understood that counselling plays a very large part in helping with this addiction.

- 15.8 D. Baker What costs are involved we have no idea at this time, nor do we know if anyone would sign up to such a scheme but, if Chief Pleas feels it would like to offer this help, our first step would be to ask anyone interested to sign up at the surgery. Then the cost of a nurse, the patches and a counsellor would need to be ascertained. The Committee could come back to Chief Pleas in October with a report on the likely costs; however, this does mean a lot of work and if Chief Pleas feels it has no wish to pay for such a programme it would be helpful to know now.
- 15.9 As for the funding, in 2011 the Treasury received impôt totalling £166,428 on tobacco and tobacco products, would this not be a good way to pay for such a programme. Two really good pieces of news are that there is a respiratory nurse on the Island who would very much like to be involved and a spirometer at the surgery which measures lung capacity; these make a good start for developing our own programme.
- 15.10 Can the Committee have feedback today as to whether it is worth the Committee's time to proceed to develop such a scheme and come back with the costs or is the Assembly totally against funding such a programme?
- 15.11 S. Williams **Declared an interest as a smoker.** She thought this a nice idea but money saved by the individual on cigarettes could be used instead to buy the patches. She did however support the idea of counselling
- 15.12 Cocksedge Did not see the need to use taxpayers' money on an education programme to quit smoking. There are plenty of advertisements in the media spelling out the dangers of smoking and the different methods to help people quit. Many islanders are already using the electronic cigarettes from Healthspan; even our Greffier has started using them. Other patches and even hypnosis can be obtained although the latter did not work for his own wife who fell asleep in the introduction to the dvd. Money saved by the individual by not buying their cigarettes would pay for their own kits. No taxpayers' money should be used to fund this idea.
- 15.14 Guy Asked how long the Guernsey programme had been running and whether anything was known of its success rate.
- 15.15 D. Baker Did not yet know but understood the cost was about £120 per person.
- 15.16 Maitland A combination of payment and support was feasible. The Sark impôt is much lower on cigarettes than Guernsey and a small increase would be sufficient to pay for it.
- 15.17 Cook The individual will save more than £120 by giving up smoking.
- 15.18 Melling It should be for residents only if applied and not for visitors or seasonal staff.
- 15.19 Fry As an ex-smoker, one has to be determined to stop smoking. She did not support the funding of such a scheme.
- 15.20 D. Baker If the individual paid for their own patches, the Island could pay for a nurse.
- 15.21 Seneschal Suggested a show of hands for those for or against funding the scheme and this indicated the majority were against.

## 0<sup>2</sup> Closing Remarks

- 0.17 [Royal Visit](#) – the Seneschal gave a broad outline of the programme which will take place on the morning of Friday 20<sup>th</sup> July. For security reasons details have yet to be released but the visit will be in the morning and last for one hour and fifteen minutes with the Royal Helicopter landing on and taking off from the Millennium Field. The Programme will include a presentation of flowers and Sark chocolates by the school children, an inspection of the Sark Branch of the Royal British Legion, the unveiling of a plaque by Their Royal Highnesses, a chance to talk with Conseillers and also a group of invited Sark guests all of this in front of the Island Hall, weather permitting; this will be followed by a carriage tour to La Seigneurie House and gardens before returning to the helicopter to move onto Alderney. There will be a support Sea-King helicopter and this will land and take off from the field due south of and across the road from the Millennium Field.
- 0.18 [Dates for General Election](#) – the principal dates were announced and a full programme is included with the minutes of this meeting.

## Forthcoming meetings for Chief Pleas Members

**MICHAELMAS MEETING – [Wednesday 3<sup>rd</sup> OCTOBER 2012 at 10.00am](#)**

Agenda closes -

**[Wednesday 5<sup>th</sup> September 2012 at 3.00pm](#)**

Papers distributed to Members not later than Wednesday 12<sup>th</sup> September 2012.

**This meeting closed at 12.20pm**

Brian Garrard MILT (Sark Committee Secretary) 6<sup>th</sup>, 9<sup>th</sup> & 10<sup>th</sup> July 2012

## MEMBERS OF CHIEF PLEAS

### Midsummer Chief Pleas Meeting – 4<sup>th</sup> July 2012

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

### CONSEILLERS

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

2 – Term of office ends in January 2013	A	Apologies	
4 – Term of office ends in January 2015	/	Present	

Brian Garrard, Committee Secretary, 4<sup>th</sup> July 2012

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.

Seneschal and President of Chief Pleas

Greffier

Signed on 12<sup>th</sup> July 2012

## **Timetable for General Election of 14 Conseillers – 12 December 2012**

- 16 Nov 12                      Nominations open. Notice in Gazette Officielle and Island Boxes of forthcoming election.  
Notice gives date and time when final nominations are to be received etc.
- Nomination forms will be available for collection from the Greffe or Seneschal's offices, prior to nominations opening. When completed, but not before 16 Nov, the forms are to be delivered by one of the persons named on the form to the Seneschal (Returning Officer) during his office hours. In any absence of the Returning Officer forms may be returned to the Greffier (Deputy Returning Officer).
- A daily list of nominations received will be posted in the Seneschal's Court Notice Box, less Saturdays & Sundays; nominations will be listed in the order received.
- 26 Nov 12                      Nominations to close at 12 noon. Thereafter the Seneschal will post Official Notices asking for volunteers from Island Residents to man the Polling Station and to conduct the Count after the poll closes; application for these functions to close at 3pm on Wed 5 Dec.
- 27 Nov 12                      Notice in Island Boxes of Nominations with Proposers and Seconders.
- 30 Nov 12                      Notice in Gazette Officielle of Nominations with Proposers and Seconders.
- 12 Dec 12                      General Election polling from 10am until 6.00pm – Polling Station in Toplis Room, Island Hall – Count in Main Hall Room. (The Count is to begin as soon after polls close as possible.)
- 13 Dec 12                      Notice in Island Boxes of Result.
- 14 Dec 12                      Notice in Gazette Officielle of Result.

In the event of a 'tie' between two candidates, when the addition of one more vote would have caused a person to be elected, a second election is to be held. (New Voting Papers are to be produced for the tied candidates and Notices of the second election are to be published in the Gazette Officielle and Island Notice Boxes; venues as for 12 Dec.)

- 09 Jan 13                      General Election re-run, only for candidates tied at 12 Dec.  
(No other nominations allowed.)
- 10 Jan 13                      Notice in Island Boxes of second election Result.
- At midnight on the 10<sup>th</sup> Jan the term of office of the Conseillers, who have completed their current 4-year term, will cease.
- 11 Jan 13                      Notice in Gazette Officielle of Result.
- A Court will be held at 10.00 am to administer the Oath of Office and Oath of Allegiance to the newly elected Conseillers.  
The Court will immediately be followed by an Extraordinary (Special) Meeting of Chief Pleas to elect new or returning Members to Committees.
- 16 Jan 13                      Christmas Meeting of Chief Pleas at 10.00 am.

**Read by The Seneschal at Midsummer Chief Pleas 4<sup>th</sup> July 2012**



Open letter to the Chief Pleas of Sark  
La Chasse Marquette  
Sark

3 July 2012

*Dear Colleagues,*

### **SUPPORT FOR REFORM IN SARK**

I would like to thank you for your kindness to me and my team during our visit to Sark on 7 June. Despite the weather and a rather choppy crossing, I thoroughly enjoyed my visit and I would like to thank all those who helped with the arrangements.

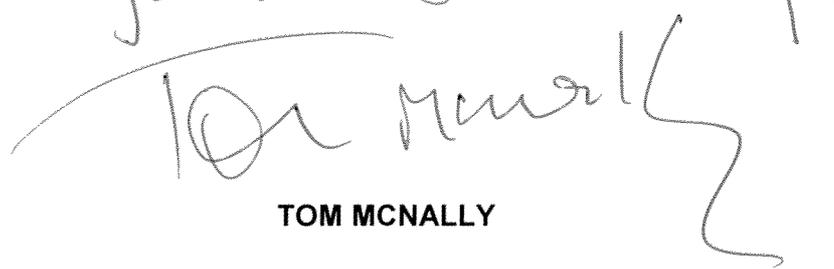
During my visit, I was encouraged to hear about the work the Sark Government is undertaking to improve its administrative and executive support arrangements and to identify and consider how to tackle the range of challenges that lie ahead to secure Sark's long term future. In my view, Sark needs to adapt and change to preserve those qualities that make it such a special and unique community; I know this is also one of the recommendations in the independent report published in May.

We agreed during our discussions that it is for the people of Sark to decide what the priorities for the future are and how to address them. The UK Government, along with other "friends of Sark" (including Guernsey, Alderney, Jersey and the Isle of Man), stands ready to provide practical support where you would wish to draw on this. Areas where we may be able to share best practice with you and identify expertise could include:

- facilitating workshops for members of the Chief Pleas on strategic planning;
- identifying an independent expert to work with the Chief Pleas to create a 'quality of life survey' to help identify the priorities of those living on the Island;
- sharing recruitment/employment material to help identify the interim civil service support recommended in the independent report to take forward this important change agenda; and
- identifying sources of independent advice on key policy issues, which may include land reform, energy, economic diversification, the environment, community engagement and corporate governance.

I fully understand and respect how Sark values its independence and its right to self-determination. However, I hope I have also demonstrated my own commitment to helping Sark determine its own future. As I made clear on my recent visit, I genuinely believe that the independent report offers a way forward around which all on Sark can unite.

For its part, the UK Government stands ready to help in that process. Sark is at an important point in its history. I would encourage all those who have an interest in Sark and its future to work together to ensure it adapts effectively to the challenges it faces.

Yours Sincerely,  


**TOM MCNALLY**

