

MINUTES of an EXTRAORDINARY MEETING of CHIEF PLEAS

Held in The Island Hall, Sark on **14th November 2012** at 7.00pm.

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

26 Conseillers were present at the roll call (see attached list and named voting record). Apologies were received from Conseillers Dunks and Guy;

0¹ Opening Comments

0.1 [Sark Electricity](#) – Conseiller Bache read the following statement –

I have been asked by the General Purposes & Advisory Committee (GP&A) to make the following statement about Mr David Gordon -Brown's letter to customers. This accompanied October bills from the Sark Electricity Company. The letter, which was misleading in a number of respects, contained an attack on the GP&A Committee and by extension on Chief Pleas. It suggested that GP&A has attempted to take control of the Company, yet as Chief Pleas knows this has never been the case or the intention. Chief Pleas, through GP&A, is seeking a fair price for electricity.

Strong evidence received in recent years has shown that the price has been unreasonably high, to the disadvantage of all private and commercial users. Legislation is therefore being brought forward to allow for some form of regulation, though GP&A has always sought a more informal arrangement which might be reached through a cooperation agreement with the Company. To date this has been consistently rebuffed.

GP&A has laid no additional costs on the Company; any additional company costs, apparently £50 per customer, have been self-induced and have not been substantiated. Meanwhile, it would seem premature, at a time when oil prices have been falling, for the company to post a price increase in January when at best it will take several months for a Projet de Loi, with whatever powers it may contain, to receive the Royal Assent.

0.2 [Refurbishment of the Assembly Room](#) – Conseiller E. Baker made a statement about the rebuilding work in the Assembly Room and its adjacent offices. In spite of appalling weather the work has progressed at an astonishing rate. There have been many positive comments concerning the exterior of the new building and particularly the stone work.

The stage of the project is fast approaching where consideration needs to be given to the seating arrangements and sound system. To that end, two local craftsmen, who are able to build, in pine, top quality bench type seating with combined tables have been approached. This will be very attractive and hopefully give present Conseillers a sense of pride in a refurbished Assembly Room and a legacy for future Members of Chief Pleas. The cost for this work will be around £9,500.

0.3 The sound system is primarily for the Seneschal's Court where recording cases is a necessity and required for forwarding recordings to the Courts in Guernsey which has a compatible system. The sound system was accepted by Chief Pleas some years ago and will have two positive advantages; one to record Chief Pleas and two to enable all the public to hear the debate. The estimated cost would be £7,500. A total cost of £17,000. A full report will be presented to the Christmas meeting of Chief Pleas.

0.4 [Seneschal's Statement](#) – the Seneschal made a brief statement to confirm that it was not his intention to put himself forward as a candidate for the new Seneschal's role.

0.5 [Tonight's arrangements in The Island Hall](#) – the Seneschal thanked Kevin and Simon Adams for setting up the sound system at tonight's meeting which took them some one and a half hours. It is something of a trial run for the Christmas meeting and they would appreciate feedback from anyone present so that its effectiveness can be judged before installing for the longer meeting in January 2013.

1 Minutes of the Michaelmas Meeting on 3rd October 2012

1.1 [MoU between Chief Pleas & IoSS \(Ref: 14.3\)](#) – Conseiller Gomoll asked for additional words to be inserted in the phrase - "F&CC is the Committee that will, **whenever requested by Shipping Committee but not otherwise**, act on matters relating to Chief Pleas' shareholding in the Company; these arrangements are specified in the F&CC mandate".

- 1.2 [Road Traffic Legislation \(Ref: 21.6\)](#) – Conseiller Cook in the absence of Conseiller Guy asked that the first sentence should be changed to reflect the opposite meaning – “***Did not support the greater use of electric bicycles***”.
- 1.3 The minutes were **APPROVED** with those two changes made.

2 Matters Arising

- 2.1 [The Regulation of Production of Alcoholic Products \(Sark\) Law, 2012 \(Item 8\)](#) Conseiller E. Baker reported that the Law had been forwarded to the Ministry of Justice (MoJ) with the support of the Crown Officers.
- 2.2 [Appointment of Deputy Treasurer \(Item 13\)](#) Conseiller E. Baker informed the Assembly that interviews have taken place for the position. Subject to references being taken up, it is intended to bring a report to the Christmas meeting for Chief Pleas to appoint the person recommended.
- 2.3 [Civil Weddings in Sark \(Item 15\)](#) Conseiller E. Baker confirmed that the Law Officers were in the process of drafting a Projet de Loi to amend the 1919 Marriage Law as it relates to Sark.
- 2.4 [Road Traffic Legislation \(Item 21\)](#) Conseiller Hunt reminded the Assembly that a public meeting had been arranged for Thursday 15th November at 5.30pm in the Island Hall to give those who wished to comment on the draft legislation the opportunity to speak to the Committee.

3 Questions not related to the Business of the Day

None

4 General Purposes & Advisory Committee

The Appointment of the (new) Seneschal

- 4.1 Cook The Committee found preparing this report, ‘though short, far from easy. It has considered what it believes to be in the best interests of Sark, its inhabitants and their future wishes. The Committee considered what it believes most people on Sark value and would wish to see continue - attributes such as our strong community spirit, our ethos of voluntary service and our desire for self-sufficiency; such attributes allow this small island community with its relatively small resources to remain independent and self-governing within an ever more complicated and demanding world.
- 4.2 Chief Pleas has already accepted that the dual role will be split and has agreed the timetable for the split.
- 4.3 The Reform Law dictates that a Committee is appointed by the Seigneur – *an ‘Appointments Committee’* for the purpose of appointing the Seneschal and Deputy Seneschal. That Committee shall comprise two members in addition to the Seigneur who shall be its Chairman.
The Reform Law also dictates that the payment of remuneration out of public funds shall be determined by the Chief Pleas upon the recommendation of the GP&A Committee in consultation with the Finance & Commerce Committee.
- 4.4 The purpose of this report is to enable that *Appointments Committee* to appoint the Seneschal – the **new** purely Judicial Seneschal - with enough time to ensure that he or she can be sworn in at the Royal Court and be ready to take office at the appointed time.
- 4.5 Melling Had considered the two propositions very carefully and was not happy that the level of remuneration is correct. He considered that the position of Seneschal is 24/7 in that the person in that position must at all times be above reproach. The position carries a huge responsibility and the pressure on the appointed person can be high. No other position in our Government carries the same burden and the salary of this person should not be considered against the salary of any other person employed by Chief Pleas.
- 4.6 Sark needs to attract persons of high quality to this job and to do so one must offer a good remuneration. He would like to understand how the proposed salary fits in with the payments to be made to a Lt. Seneschal; he was sure the salary for him would be higher. The proposed salary for our Seneschal could be embarrassing if it is compared and how would our Seneschal feel if another person was being paid a good deal more for the same job.

- 4.7 Melling continued: He did not believe it was correct to split the salary received now for both President and Seneschal 50/50; in his mind the positions hold vastly different responsibilities and he would like to see more on offer for the new Seneschal and therefore he would be voting against Proposition 1.
- 4.8 To drop the present 10% of the main salary for a person in a Deputy position seems a bit odd; the present system works so why change it. He would also therefore be voting against that proposal.
He asked why Chief Pleas does not have a proposition this evening regarding the position of Chief Pleas President.
- 4.9 **He requested a named vote.**
- 4.10 E. Dewe Was very concerned that Chief Pleas would go over budget with the splitting of the dual role of the current Seneschal. She also thought it wrong for the new Seneschal's Deputy to have 16.66% of the salary when every other Deputy Official only gets 10%.
- 4.11 She was hoping that, at the next sitting of Chief Pleas, it was not going to be asked for more funding for the President of Chief Pleas from unforeseen expenditure. She didn't know how much salary would be required for the new role of President as she couldn't even get a rough guide from the GP&A Committee. This is not an unforeseen situation; GP&A have known for many years that the splitting would take place. It should have had all those salaries sorted out well before now and it would have been helpful if these had been declared before the 2013 budget was set and approved.
She did not know how the Finance & Commerce Committee can be expected to put a budget together if it is not given the full information at the pre-budget setting stage.
- 4.12 As a Member of the F&CC, she was not best pleased that the funding for the Temporary Chief Secretary was taken out of reserves; this is not meant to be used for day to day running of Chief Pleas and should only be used for the outlay of capital expenditure. She hoped it would not happen again.
- 4.13 She would not be voting in favour of this proposition as she felt Chief Pleas needed to have more information; it has been kept in the dark. Chief Pleas needs to know what both salaries will be and more detail as to how these figures were calculated. What is the ration split between the current dual role of the Seneschal?
- 4.14 R. Dewe Understood that the split of the workload that had been identified some long while ago was 80/20 in favour of the President.
- 4.15 Seneschal Confirmed that to be the case.
- 4.16 Cook GP&A raised the Deputy's reimbursement £2,500 rather than 10% as it thought £1,500 was insufficient for the Deputy position.
- 4.17 GP&A is still working on the reimbursement level for the President and will be bringing a report to Christmas Chief Pleas.
- 4.18 **Proposition 1 – CARRIED on a named vote - 16 Pour, 10 Contre**
That Chief Pleas approves a salary of £15,000 for the role of the (new) Seneschal.
- 4.19 **Proposition 2 – CARRIED**
That Chief Pleas approves a salary of £2,500 for the role of the (new) Deputy Seneschal.

02 Closing Comments

- 0.6 **Extraordinary (Special) Chief Pleas Meeting** – The Seneschal talked about the arrangements for the meeting to be held on Friday 11th January 2013 at 10.00 am.
The arrangements will be similar to those of the Special Meeting held in January 2011 whereby 14 Conseillers had selected and applied for those Committees on which they wished to serve.
On this occasion Chief Pleas will again be looking at placing the 14 Conseillers elected to fill vacancies left by the previous 14 Members who stand down having completed their four-year term of office (including the four Conseillers elected at the By-Election).
Once it is known who the Conseillers Elect are, the Seneschal will circulate to them a *Nomination to Committees Form* which needs to be returned to him by 3.00pm on Thursday 10th January 2013, a day ahead of that Special Meeting.
- 0.7 The format of elections will follow that of the two previous Special Meetings held in January 2009 and 2011 whereby the vacant positions on GP&A will be contested first. Thereafter Committee elections will happen in alphabetical order.
Attached to the Minutes of this Meeting will be a sheet listing the number of vacancies on each Committee and for the information of the Assembly he read them out. That sheet will also be provided to the Conseillers Elect with their Nomination to Committees Form.

- 0.8 The Special Meeting will have a single item Agenda dealing with elections to Committees and for the avoidance of doubt those remaining Members of this Assembly will retain their current Committee Membership and this of course gives that very important continuity, which was one of the reasons for the two-yearly elections of half the Assembly.
- 0.9 Between the Special Meeting and the Christmas Meeting there are only a few days and in that time all Committees will need to meet to elect and/or confirm their Chairmen and Deputy Chairman. It might be as well, due to the shortness of time, for all 28 Conseillers to meet immediately after the Special Meeting closes so that each Committee in turn elect their Chairmen and Deputy Chairmen until such time as all Committees have met. Whichever way you decide to do it I need to be informed by 3 pm on Tuesday 15th January 2013 as to who are the Chairman and Deputy Chairman of each Committee.
- 0.10 At 9.45 am, 15 minutes prior to the Special Meeting, on the 11th January 2013 the Seneschal's Court will sit to administer the Oath or Affirmation of Allegiance and the Oath or Affirmation of a Conseiller of Chief Pleas.
- 0.11 [Nominations for general election candidates](#) – the Seneschal reminded those assembled that the opportunity for nominations to be submitted starts on Friday 16th November and continue until Noon on 26th November. Nomination forms are available from either the Greffier or the Seneschal.

Forthcoming meetings for Chief Pleas Members

CHRISTMAS MEETING – [Wednesday 16th JANUARY 2013 at 10.00am](#)

Agenda closes -

[Monday 10th December 2012 at 3.00pm](#)

Papers distributed to Members not later than Wednesday 19th December 2012.

This meeting closed at 7.30pm

Brian Garrard MCILT (Sark Committee Secretary) 15th November 2012

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

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 16th November 2012](#)

MEMBERS OF CHIEF PLEAS

Extraordinary Chief Pleas Meeting – 14th November 2012

		Attending	Item 4 Prop. 1							
Seigneur – Sieur J.M. Beaumont		/								
The Seneschal – Lt. Col. R. Guille		/								
CONSEILLERS										
2	Mrs. H.C. Magell	/	P							
2	Mr. A. Dunks	A	-							
2	Mr. A.C. Prevel	/	C							
2	Mrs. S. Williams	/	C							
2	Ms. E.M. Dewe	/	C							
2	Mr. P.J. Williams	/	C							
2	Mr. R.J. Dewe	/	P							
2	Mr. P.M. Armorgie	/	P							
2	Mr. C.N.D. Maitland	/	P							
2	Mrs. C.D. Audrain	/	P							
4	Mr. D.T. Cocksedge	/	P							
4	Mrs. H.M. Plummer	/	C							
4	Mr. D.W. Melling	/	C							
4	Mr. C.R. Nightingale	/	P							
4	Mr. A.P.F. Bache	/	P							
4	Mr. E. Baker	/	P							
4	Mr. C.H. Bateson	/	P							
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	/	P							
4	Ms. J.M. Guy	A	-							
4	Mr. J.E. Hunt	/	C							
2	Mrs. H.D Fry	/	P							
2	Mr. S.T. Taylor	/	P							
2	Mrs. R.E. Byrne	/	C							
2	Mr. S.F. Higgins	/	C							

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

A / Apologies Present

C – Contre
P – Pour

Brian Garrard, Committee Secretary, 15th November 2012

Election of Conseillers to Chief Pleas Committees
Friday 11th January 2013

General Purposes and Advisory

6 Members (2 vacancies)

Agriculture

5 Members (3 vacancies)

Development Control

5 Members (3 vacancies)

Douzaine

12 Members (6 vacancies)

Education

5 Members (4 vacancies)

Emergency Services

5 Members (3 vacancies)

Finance and Commerce

5 Members (4 vacancies)

Firearms

3 Members (1 vacancy)

Harbours and Pilotage

5 Members (1 vacancy)

Medical

5 Members (2 vacancies)

Public Health

5 Members (3 vacancies)

Road Traffic

5 Members (2 vacancies)

Sea Fisheries

5 Members (1 vacancy)

Shipping

5 Members (3 vacancies)

Tourism

5 Members (3 vacancies)