

MINUTES of the MICHAELMAS MEETING of CHIEF PLEAS

Held in The Assembly Room, Sark on 1st October, 2014 at 10.00am

Present: Sieur J.M. Beaumont OBE, Seigneur; Lt. Col. R.J. Guille MBE, President; J. Godwin, Deputy Prévôt; T.J. Hamon, Greffier; W. Kiernan FCA, Treasurer; L. Belfield, Constable and, G. Williams, Vingtenier.
His Excellency the Lieutenant Governor, Air Marshal Peter Walker, CB, CBE, also attended.

24 Conseillers were present (see attached list).

01 Opening Statements

- 0.1 [Apologies](#) - The President had received apologies from Conseillers E. Dewe, Melling and Prevel.
- 0.2 [Welcome](#) - The President welcomed the Lt. Governor to this meeting of Chief Pleas.
- 0.3 [Visitor from Jersey](#) - Conseiller Bache reported that Sir Philip Bailhache, Jersey's Minister for External Relations, accompanied by Mr. T. Walker, paid a short visit to Sark on 29th July. During the visit he met the Seigneur and had talks with the General Purposes and Advisory Committee. This was a positive meeting which has already led on to new contacts and possible further co-operation.
- 0.4 [Taxation Appeals Tribunal](#) - Conseiller Cottle confirmed that this concerns the membership of the Taxation Appeals Tribunal; under the Direct Taxes (Sark) Law, 2002, the consent of His Excellency, the Lieutenant Governor has to be sought to extend the term of office of a Member of the Tax Tribunal. Mr. William Raymond, currently President of the Sark Tax Appeals Tribunal, has filled that normal term having reached the age of 72 but is prepared to continue in this role. The Finance & Commerce Committee (F&CC) has written to His Excellency requesting that he approves this extension of service. We have received that approval from the Lt. Governor for which we thank him and confirm that Mr. Raymond can continue in his President's role until his 75th birthday at which date his retirement is compulsory. We would like to place on record our thanks to William for his continued service and note that while the Tribunal has never been called into action his continued availability is greatly appreciated.
- 0.5 [UNESCO World Heritage](#) - Conseiller Fry had previously made a statement at Midsummer Chief Pleas airing the possibility of Sark becoming a UNESCO World Heritage Island; she gave a short update on how this has been progressing. There has been much encouragement from both within Sark and from further afield. The Seigneur wrote to Her Majesty the Queen, seeking her approval and he has given me permission to share with you the reply he received from Sir Christopher Geidt –

Dear Michael,

The Queen has asked me to thank you for your letter of 25th August in which you kindly informed her of your proposal to apply for Sark to be accorded the status of a UNESCO World Heritage Island. The Queen was very interested to learn of the proposal, and of the intention that it should form part of the 450th anniversary next year of the grant of the Island to the First Seigneur of Sark. I am pleased to report that Her Majesty would have no objection to your proposition and, further, hopes that it will prosper.

This letter comes to you with The Queen's renewed good wishes, to which I am very glad to add my own.

Yours ever, (Signed by Sir Christopher Geidt, Private Secretary to The Queen)

- 0.6 [Agenda Edits](#) - The President, with apologies, made three edits to the agenda –
- o Item 6 should refer to **Mrs. B. Dunks not Mrs B. Adams;**
 - o Item 19 is an **information** report;
 - o Item 22 should be titled Declaring **an** Interest.
- 0.7 [Rules of Procedure](#) - The President in accordance with Rules of Procedure 13a named Conseillers Gomoll, Melling and Prevel who have not yet completed a *Declaration of Interests*' form as is required by that Rule. He pointed out that they are still required to declare interests during the meeting, if applicable, in accordance with Rule 13. Conseillers Melling & Prevel were unable to attend the meeting today.
- 0.8 [Powerboat Champion](#) - Conseiller Paul Williams took the opportunity to officially congratulate a young Sark man, John Guille, on winning the 2014 U.I.M. World Offshore Powerboat Class 3A championships in Guernsey last month. John was the driver of the boat and Tom William-Hawkes from Topsham in Devon his navigator. The boat named *Tetue* is a recognised hull design with enhancements added and built in by John.

- 0.9 There are some photos on the internet of the boat in action, and it was very pleasing to see the Sark flag emblazoned on the side.
Credit must also go to John who is proud enough of his Island to use his home flag whenever he can; he is travelling to Lake Coniston very soon for more racing. This overnight success has taken many years of dedication and hard work of which we hear little.
To acknowledge and honour this, Conseiller Williams asked Chief Pleas to consider putting something in place as a record of the achievement. We already have a gold post-box in honour of Olympic Horseman Carl Hester.
Something close to the sea would seem appropriate and it was suggested having one of the bollards on Maseline Jetty painted gold with a small plaque of explanation on the railings nearby.

1 Minutes of the Extraordinary Meeting on 13th August 2013

- 1.1 There were no factual corrections to the minutes which were **APPROVED**.

2 Matters Arising

- 2.1 Nothing from the Extraordinary Meeting
- 2.2 President Gave permission to raise a matter from the Midsummer Chief Pleas Minutes.
- 2.3 Dunks **Amending the Development Control Law (Item 13)** - the proposition that was approved reads as follows -
That Chief Pleas directs the Development Control Committee to request the Law Officers of the Crown to draft an amending Projet de Loi to The Development Control (Sark) Law, 1991 to permit an authorised person to enter and inspect development which has been approved by the Committee.
- 2.4 The first draft of the Projet provided by the Law Officers arrived in the last week. The Committee has yet to consider the draft and the advice that accompanied it. The advice included –
...the draft is fairly comprehensive to ensure that all main, potential human rights points are covered in the event of litigation and that as the power goes further than the Midsummer resolution and also substitutes the current section 13 this would need to be brought to the attention of the Chief Pleas when the Projet goes to them for approval.
- 2.5 This declaration forms the first part of alerting Chief Pleas that the final draft will probably differ from the Midsummer proposition.
If any Member of Chief Pleas, or member of the public, has any concerns over these powers they should get in touch with Conseiller Dunks directly and he will endeavour to allay such concerns.
Should the Committee accept the Projet as drafted it plans to bring a final version to the Christmas Chief Pleas along with a fuller explanation of what is entailed.

3 Questions not related to the Business of the Day

- 3.1 None.

4 The Douzaine To elect a Constable

- 4.1 The retiring Constable, Ms. Lucy Belfield, gave a verbal introduction to her written report -
It has certainly been an interesting two years and I have had calls to report everything from a lost i-phone to an earthquake, but I can't pretend that I won't be greatly relieved to be rid of the Constables' mobile phone and hand over the responsibility.
- 4.2 *Unfortunately drunken behaviour, especially by people over for the day on Saturdays, during the season, has taken up a lot of our time and I do think it sad that the public, especially children, often have to witness this. I know this is an issue that all past Constables have had to deal with but I don't believe that makes it any more acceptable.*
- 4.3 *In contrast, the Sark Folk Festival was sold out again this year and was a great success despite Bob Dylan not being able to make it. Events like these must be a good way to encourage more people to visit and enjoy Sark and there never seems to be any trouble despite huge numbers attending.*
- 4.4 *Now for the most important part, the "thank yous" - I was privileged to have chaired the World War 1 Anniversary Committee and all the members of the Committee put in huge amounts of work to organise the events in August and I am deeply grateful to them all.*

- 4.5 *I would like to thank everyone at the Seigneurie Gardens for allowing me to be so flexible and the gardeners there who cleared up after me when I had to leave work unexpectedly for call outs.*
- 4.6 *I am indebted to Guernsey Police for all their help and assistance. Sark Constables frequently ask them about issues, and their advice and guidance is vital to us, even if there was sometimes a stunned silence in response to some of my more bizarre queries. The Law Officers also have always taken a lot of time to give us detailed advice on legal matters for which we are very grateful.*
- 4.7 *I feel I have spent more time than I would like to in the doctor's surgery while he attends to drunks but I think Sark is very fortunate to have such a good doctor and I would like to thank him for all his help.*
- 4.8 *Enormous thanks is due to all the Assistant and Special Constables and Sea Fisheries Constables who turn out at all hours to assist. They are essential to the policing of the island and deserve everyone's gratitude. I would like to thank Paul Williams for standing in as Vingtenier when the original Vingtenier resigned last November. The Constables Office only functions due to the expertise and patience of Fiona and I really don't know how we would manage without her and I want also to thank Kath, Caroline, Wendy and Brian in the offices who have had to listen to my whinges but have always given me support and encouragement.*
- 4.9 *I am so grateful to Glyn and Assistant Constable Adrian Guille for taking over when my mother was taken ill and may I also use this opportunity to thank everyone for the cards and kind words after she died. It seems her great love of Sark was reciprocated. I know I was very lucky to have been Vingtenier when Adrian was Constable as he gave me the best possible training for the job. I was equally fortunate when Glyn agreed to be Vingtenier. His knowledge of how things work on Sark and his ability to see the funny side of things at times made my life so much easier. I wish him and the new Vingtenier the very best of luck.*
- 4.10 *Lastly I want to thank the community of Sark for trusting me with the role of Constable and for the enormous amount of help and support I have had from so many people.
(At the conclusion, those present gave a spontaneous round of applause)*
- 4.11 E. Baker Gave his personal thanks to Lucy Belfield; she volunteered at a time when things were going to be very difficult for the Island and the problems encountered with her first Vingtenier resigning and being unable to fulfil his duties. She managed to sail through all these problems and she has served the Island well. The Douzaine nominated the present Vingtenier, Mr. Glynn Williams, to the position of Constable. **CARRIED**
- 4.12 President Congratulated Mr. Williams.

5 The Douzaine To elect a Vingtenier

- 5.1 E. Baker The Douzaine nominated Mr. Peter Sam La Trobe-Bateman to the position of Vingtenier. **CARRIED**
- 5.2 President Thanked Mr. Peter Sam La Trobe-Bateman for stepping forward to fill this important role within the Island.

6 The Douzaine To elect a Procureur des Pauvres

- 6.1 E. Baker The Douzaine is breaking with tradition this year for very good reasons. He asked firstly that a vote of thanks be recorded for the time-consuming and emotionally draining work the Procureurs have been involved in over the last two years.
- 6.2 The process of appointing a Deputy Procureur has developed over a number of years. It has become custom for any retiring Deputy Procureur to ask any potential candidate to be a running-mate and then that name is passed to the Douzaine for approval. This year has been particularly difficult for Mrs. Higgins as Deputy Procureur to find time to process any applicants when so much of her time was taken up with her husband's terminal illness.

- 6.3 E. Baker It does show a dedication to the office of Procureur and to Mrs. Dunks who held the fort over those very sad months. The two ladies have approached the Douzaine and asked if they can stay on as Procureurs for another term with Mrs. Dunks taking up the role of deputy to Mrs. Higgins. Other reasons given was that they work well together as a team and some people in their long-term care have become accustomed to their regular visits and support. The Douzaine has considered this and has taken into account the traditional changes within the Chief Pleas. He proposed that Mrs Higgins be appointed Head Procureur. **CARRIED**

7 The Douzaine To elect a Deputy Procureur des Pauvres

- 7.1 E. Baker This is where the arrangement is clarified and the Douzaine propose Mrs. Belinda Dunks, to the position of Deputy Procureur.
- 7.2 Dunks **He had no pecuniary interest in the matter but confirmed he would not be voting.**
- 7.3 **CARRIED**
- 7.4 Gomoll Has all confidence that Sam La Trobe-Bateman will be a very good Vingtenier but he wondered whether guidance or advice has been offered by the Crown Officers as to whether there is any conflict as the Seneschal is a family member. That could have an impact on occasions and he hoped that advice has been sought and that some guidance would be drawn up in that regard.
- 7.5 E. Baker The Douzaine will approach the Crown Officers to ascertain a view.

8 Finance & Commerce Committee Establishment of an Office of the Financial Services Ombudsman

- 8.1 Cottle The note in red at the top of the page indicates that this report will only be brought to Chief Pleas if the Projet has received approval by the States of Deliberation. The Committee received confirmation on the 24th from the Bailiff's Chambers that the States of Deliberation approved The Financial Ombudsman (Bailiwick of Guernsey) Law, 2014 without amendment. It was also noted that it was approved without debate. The objectives of establishing the Financial Services Ombudsman Office are set out in the report and he requested that Chief Pleas approves the proposition following any comment or questions.
- 8.2 President Confirmed the State of Guernsey approved the Projet de Loi on 24th September.
- 8.3 **Proposition – CARRIED**
That Chief Pleas approves the attached Projet de Loi entitled “The Financial Services Ombudsman (Bailiwick of Guernsey) Law, 2014”.

9 The Douzaine Proposed Amendment to The Housing (Control of Occupation) (Sark) Law, 2011

- 9.1 E. Baker The report is quite clear; he thanked the Law firm of Mourant Ozannes which drew this lacuna to our attention. He proposed an addition to the proposition “...on the 1st October, at which the policy and Projet is approved”; this will make it clear that it is of this date and that it has been approved assuming that it is, of course.
- 9.2 President Having clarified the wording, he pointed out that the copy of the Projet circulated had a header at the top with the name of the Law and in the introduction statement “The CHIEF PLEAS OF SARK, in pursuance of their Resolution of the *, 2014...”. That has now been changed to remove that header and the 1st October, 2014 is inserted instead of the asterisk. He has a copy of the Projet with the amendments and it is a copy of that which will be sent for Royal Assent.
- 9.3 Dunks Asked for an explanation as to why the proposition was being changed.
- 9.4 E. Baker In the haste to finalise the Projet and, following discussion with the Crown Officers, the second draft of the Projet was used to circulate with the Chief Pleas papers; this is why the date is missing and the heading remained.
- 9.5 Adams Apologised but, although she wanted to support the proposition, she wasn't sure that it was grammatically correct. She would find it hard to vote for it if she didn't understand the proposition. She asked that the amended version be read out again.

- 9.6 President The proposition now reads - *That Chief Pleas approves The Housing (Control of Occupation) (Sark) (Amendment) Law, 2014 on the 1st October, at which the policy and Projet is approved.*
He didn't feel the extra wording added anything because if you are approving the Projet that is all you are required to do; by approving the Projet you are approving the policy behind it. If the Douzaine wishes to retain the extra wording that is the amended proposition on which Chief Pleas will vote.
- 9.7 E. Baker Thought that the extra wording was an attempt by the Douzaine to assure Chief Pleas of the date as it wasn't mentioned in the Projet.
- 9.8 President Has explained that the Projet that will go for Royal Assent will have the date of the Projet in it and he has a copy of that in front of him with the header removed.
- 9.9 E. Baker In which case the additional words can be deleted.

9.2 **Proposition – CARRIED**
That Chief Pleas approves The Housing (Control of Occupation) (Sark) (Amendment) Law, 2014.

10 Tourism Committee The Tourism Law Amendment

- 10.1 S. Williams Tourism Committee would like to record a vote of thanks to Conseiller Melling for managing to fulfil this obligation which he took up at the Midsummer meeting of Chief Pleas and that is much appreciated at a time when he is very poorly.
Conseiller Melling approached the Law Officers after the Midsummer meeting and arranged for the drafting of an amendment to the Tourism Law as approved by Chief Pleas. The status of a dwelling will now have to be taken into account before a property can be allocated an accommodation permit. This ensures that property built for local market occupation is not used by visitors to the exclusion of local residents. It also requires a water-test to be carried out at properties to be used for self-catering before the granting of an accommodation permit.
This simple amendment gives added protection to the Island's visitors making sure the services provided are to an appropriate standard and provided within the laws of Sark.
- 10.2 Adams **Following Conseiller Dunks' lead, as an ex-officio Member of the Tourism Committee, she would not vote on this proposition.**
- 10.3 Guy Congratulated the Tourism Committee and Conseiller Melling in particular for getting this drafted so quickly; it must be a record - well done Tourism.
- 10.4 Gomoll Are there currently any empty local market dwellings and also, if there are any in future, will the Committee take that into consideration as well; so in case we have a dozen empty local market dwellings in the future sometimes it is better to use a property rather than it stay empty.
- 10.5 S. Williams Will discuss that possibility with the Committee.
- 10.6 President You don't know of any empty local market dwellings at present?
- 10.7 S. Williams She was sure there are some but no applications have been received to turn them into self-catering.

10.8 **Proposition – CARRIED**
That Chief Pleas approves The Tourism (Sark) (Amendment) Law, 2014

11 General Purposes & Advisory Committee The Reform (Sark) Law 2008 Amendments

- 11.1 Bache As Conseillers will be aware we are gradually tidying up the Reform Law to make it fully democratic and so that it can stand for good governance.
The Committee's Report indicates that there is one area, the control of the Budget and Expenditure, which requires change if the Law is to be fully democratic. Currently the Lt. Governor has control and therefore a potential veto in these important areas. Over many years these powers have not been used. However, they do not sit easily in the Reform Law since they mean that a decision of Chief Pleas, itself elected, could be overturned by an external body not answerable to the Sark electorate. It is difficult to justify this in terms of democratic principles.

- 11.2 Bache As the Report makes clear, the Committee has been in touch with both the Lt. Governor and the Ministry of Justice (MoJ) about these matters. In particular they have constantly sought from the MoJ its precise view of the Lt. Governor's role but only in the last days have they received not an answer but a number of questions about the course being proposed. These will now need to be considered and discussed with the MoJ before any amendment to the Reform Law can be drafted. However, the stated objective of the Report remains in place so the Committee considers that a new proposition should replace the original one and it seeks the approval of Chief Pleas for this revised version; he read out the new version.
- 11.3 President Pointed out a slight difference in wording from the one he had been given and he sought clarification as to which was the correct version. This was resolved.
- 11.4 Gomoll If approval is singular it should say **rests** with.....
- 11.5 Bache He would be content with that rests.
- 11.6 Guy Thanked GP&A for doing this because it can't have been an easy one. For her the last sentence on the first page of the report sums up the issue in a nutshell –
These powers leave the Sark Government technically in an undemocratic position where a decision of Chief Pleas, made with due regard for democratic and good governance principles, could be overturned by an authority not answerable to the Sark electorate.
- 11.7 She thought Conseiller Bache has made it quite clear that this is one of several anomalies which remain in the Reform (Sark) Law, 2008; it's an anomaly that was a necessity for the previous undemocratic Chief Pleas. When we had the majority of our Government who were not elected, it was desirable to have outside eyes not only looking in but to be able to approve or not our budget as well as other items of budgetary expenditure. To her mind that control is no longer appropriate.
- 11.8 **Proposition – CARRIED as rewritten and amended**
That Chief Pleas resolves that the Reform (Sark) Law, 2008 be amended to provide that the final approval of the budget and any non-budgeted expenditure rests with the democratically elected Chief Pleas with due regard to the principles of good governance and the Island's obligations to the Crown.

12 Finance & Commerce Committee 2015 Budget & Taxation

- 12.1 Cottle This is the last budget that will be presented by the current Finance and Commerce Committee before the role is taken over by the new Finance and Resources Committee next year.
He has sat on this Committee for two years during which time he believes it has attempted to take on board some constructive criticism that has been aimed its way and produced a budget in as open and fair away as possible under the constraints of income and resources placed upon the Committee.
The biggest change in the budgeting process this year has been the requirement for committees to get their spending requests in early, which has given all Conseillers the opportunity to question any area of spending with the appropriate committee.
Little modification to requests has come about as a result of this; it is hoped that Conseillers will have put any concerns to the relevant committees and are therefore satisfied that spending is only on necessary costs.
F&CC does not have the mandate to rule on other committee's expenditure, but has asked questions where needed, for explanation or to clarify - and has received cooperation from Chairmen on points raised.
- 12.2 The Committee compiles this budget together with the Treasurer based on the information it has available and presents it to Chief Pleas for all Conseillers to consider, with an F&CC recommendation for it to be approved. As Conseiller Elizabeth Dewe pointed out last year, when she presented the budget report, the propositions are made together as a complete package which cannot be selectively picked for approval, without the need to re-calculate all the figures.
He proposed that Propositions 1 to 6 are taken together as one single proposition and all stand or fall together. If Chief Pleas chooses to reject 1-6, then the Committee would request guidance as to the changes required and it would come back when ready with a modified proposition for consideration again. That may not be today and may require another meeting if significant changes are needed.
If Propositions 1-6 are passed then they will be followed by 7 then 8.

- 12.3 Cottle [Calculating the budget](#) - at first glance it isn't obvious why a 1.8% increase in the expenditure budget leads to an 11% increase in Direct Tax and a 15% increase in Impôt. The reason behind this is that the Committee has forecast a further reduction in Direct Tax payers, of around 10 persons, together with a continued trend of reduced alcohol and tobacco consumption and a continued reduced level of income from other sources, crane receipts and Property Transfer Tax (PTT) mainly. Related to the alcohol receipts, it has been brought to the Committee's attention again recently, that Sark could possibly not be receiving all the duty due on imports of alcohol from Guernsey when personal purchases are made and this is currently being pursued with Guernsey Customs. This may be a more significant amount than previously thought and F&CC intend to make sure that the duty paid is received here, for all alcohol consumed here.
- 12.4 Returning to the figures, the combined effect of increased expenditure of £24,000 and reduced income of £32,000 gives a total of an extra £56,000 to be raised by the currently available methods of Direct Tax and Impôt. With the numbers forecast for next year, calculations give the Committee 11% on Direct Tax and 15% on Impôt proposed and the effects of these rises are set out in [Appendix 6](#) and [Appendix 8](#).
- 12.5 [As an example:](#) for a couple both at minimum personal capital tax living in a small dwelling the increase will be approx. £2 per week in total. Alcoholic drinks will increase in price by 3 to 4 pence per measure and cigarettes by around 43 pence per pack of 20. The duty remains below Guernsey rates on all of these. These increases are being proposed because they are necessary to balance the budget, we currently have no other options for tax raising, so reluctantly ask that they be accepted.
- 12.6 Last year the Committee was requested to consider modifying how taxes are collected to give some relief early in the year and it produced a scheme for that purpose. After it implemented the scheme the Tax Assessor pointed out that there were difficulties likely to arise. In the event no one took up the scheme and the Committee was told that a discount or tax break was what was really wanted. By law that couldn't be offered and there is no intention to change that currently.
- 12.7 The *Securing Sark's Future* update included on the agenda today (at Item 17) refers to a consultation on revenue generation and fairer taxation, examining whether the current tax situation should be updated to be the best and fairest method of raising revenue. It had been hoped to circulate this consultation in September but that deadline has been missed and the consultation will now be sent out during October for feedback from the public. Responses to that paper will be taken into account when making proposals for updating tax raising methods, to be implemented in time for the 2016 budget.
- 12.8 [Capital Expenditure Requests](#) - to clarify any confusion, these requests, at the bottom of the expenditure list are not to be funded from next year's taxation. They will be taken from reserves if approved. Their inclusion has not caused taxes to rise. When large amounts of capital expenditure are requested it is expected that the committee involved will bring a report to Chief Pleas making a case for that expenditure, such as the Island Trustees are doing today (at Item 24) for the Medical Centre Kitchen. The £115,000 request for the Incinerator has not had such a report brought yet. So inclusion here is not approval by Chief Pleas of that sum to be spent and he requested that the Public Works Sub-Committee submit a case so that Chief Pleas can understand why it is needed, how it is costed and how the outlay will be recovered. He offered to work on that with them, together with the Treasurer, to allow approval of what they consider is an essential upgrade. Similarly the request for £18,000 for tractors seems to be included every year yet he was not aware that one has been purchased recently other than a much cheaper second hand one. That no doubt saved money and Public Works are very good at that, but it would be better if when we move to the new committee arrangements, that Public Works worked more closely with Finance and Resources, to develop a three year rolling plan of equipment maintenance and replacement with more accurate costings.

- 12.9 Cottle [Summing up](#) - this isn't a budget that everyone is going to be happy with. Tax rises aren't popular and will cause difficulty for some. Most of the expenditure is justified and necessary; some is outside Chief Pleas' control or is payable externally for services bought in from outside. Some like Retail Price Index (RPI) pay increases need addressing but cannot be done until next year and will be better scrutinised under the mandate of the Finance and Resources Committee.
The current level of economic activity is also having an impact on receipts and the work currently being done to *Secure Sark's Future* must continue. Land Reform will be a key to stimulating spending and job creation and the complicated work and resolution of difficulties must be addressed.
Tourism is Sark's major industry and while numbers have held up well this year, helped by good weather, the trend is towards day visitors who spend less, but maybe greater bed availability would help that situation.
There aren't any easy answers or quick fixes and Sark has to balance its books and maintain its infrastructure.
The Committee requests that Chief Pleas pass the following propositions, but he invited any debate, questions and any alternative suggestions.
- 12.10 President Reinforced what Conseiller Cottle had said; when it comes to the voting, proposition 1 to 6 will be taken on a single vote and, if that is carried, we will vote on proposition 7 and proposition 8.
- 12.11 Bache Welcomed the remarks of the F&CC Chairman, they do help to clarify things quite a lot and they fill in points which should be in the background before considering future budgets.
He has made a number of suggestions over the past four years designed to strengthen the role of the Finance and Commerce Committee and to bolster the budgetary process. Some of these have been taken up and he hoped that others may be in the pipeline. In the 21st century, if Sark is to survive, it will be essential that the government has a very firm hold on its finances.
- 12.12 He wanted to focus on the fairness of the proposed Budget. He did not expect future budgets to be properly fair and equitable until they embrace all elements of the community. For instance, those who set up businesses in Sark, to make profits and prosper from Sark's jurisdiction and its light taxation policy, currently make no contribution to Sark's upkeep.
Is this right? In terms of the taxpayer it is certainly not equitable.
Current legislation curtails the scope which F&CC has for extending the taxation base. This therefore needs to be changed. He asked whether such changes can be introduced for the 2016 Budget.
- 12.13 On the expenditure side the Committee has discovered that expenditure will not be covered without a considerable increase in tax income. Has it therefore reviewed expenditure as a whole to see whether any parts of it should be held back?
Is this something which should and will be done in the future?
Those paying taxes would like to see this in operation; meanwhile the requests for capital expenditure will need careful scrutiny. He welcomed the Chairman's clarification on this last point.
- 12.14 On the income side an increase of 11% in direct taxes strikes many as insensitive in a year when there will be continuing hardship and when we already know that electricity prices are to be increased to 59 pence per unit.
One alternative would be to reduce direct taxes and increase impôt further perhaps by 5%, or more, to 20%. This would still leave the rate at 10% below Guernsey's rate until November, with the possibility that this differential might increase thereafter. He would like to hear the Chairman's views as to whether an aim of this sort would help reduce the hardship a little could be looked at; this need only be seen as a temporary measure if by next year the revenue base has been extended.
- 12.15 One final point, made consistently in the past, concerns the background to the budget. Yet again we have been given no information on the economy.
This matters – why - because if Chief Pleas is to begin to reach an informed view on the soundness of the proposed budget it needs more information about the likely future of the economy. For instance, what view has the Committee taken on the size of population in 2015? We should never rely on what has happen this year to inform us for next year. History never repeats itself.

- 12.16 Bache Chief Pleas needs to be told how figures have been reached. A start has been made today but he thought the committee could go further in the future. These considerations which we should have been given as background so that we can debate to ensure that the budget is soundly based and will not lead to future financial difficulties. We do not have sufficient information at present to do this rigorously.
- 12.17 He did not like the idea of taking Propositions 1 – 6 together. Chief Pleas needs the latitude to examine individual areas and, if necessary, vote on them.
- 12.18 Nightingale Felt that Sark desperately needs to save money and look for income. A pound saved is better than a pound collected from tax because it does not put up prices which makes it worse for our hard-pressed inhabitants and our precious tourists. For large capital expenses like the incinerator could we not pay for that over a number of years, a sort of pay as you burn?
- 12.19 Adams As our minds these days are focussed on declaring interests, she wasn't sure whether it was appropriate for ex-officio, salaried, members of spending committees, such as herself, to vote on the proposed budget because it could be perceived that we are voting for our own wages. She suggested that this issue is discussed by Conseillers in the near future and this will most definitely be a "hot topic". In the meantime she wished to err on the side of caution and choose not to vote on the budget proposals for this year.
- 12.20 Cottle In summing up he dealt with the questions raised; he agreed with Conseiller Nightingale about the funding of large-scale projects which are being funded from capital do need to be properly costed out to plan how we cover the cost of the investment so before we go down the route of purchasing the equipment we will have to go through that process; it will probably have to be recovered from the amount people pay for their waste disposal and pay as you burn is an appropriate reference to it.
- 12.21 As to Conseiller Bache's questions and comments and his phrase that history doesn't repeat itself, this feels like history repeating itself because it seems very similar to what he had been hearing at both Easter and Midsummer Chief Pleas but he will answer the questions again.
Putting off expenditure – he thought some expenditure has been put off already; the incinerator is likely to be delayed until we get proper approval for it. He hoped that in future we would have some joined-up planning before it is brought to Chief Pleas on Budget Day so that we have everything in place so that things can be put through smoothly when everyone is agreed that is what we want to do.
- 12.22 Conseiller Bache's first point was on business and the contribution they make to Chief Pleas and the finances of the Island. It is something the Committee can look at and will be included in the consultation that is coming out shortly. People will have the opportunity to put their comments in on that and help to form a workable system if that is the way people want to go down.
- 12.23 The other suggestion that 11% personal and capital tax is too high and could be covered by raising impôt by a greater amount, is a possibility and if anybody wants to go that way the Committee would have to recalculate the budget as currently proposed. He said that the income from impôt is less reliable than direct tax income. It is pretty accurate how we calculate direct tax and changes in population can be forecasted and in the past two years the income collected from direct tax has been very close to estimates. Income from impôt continues to show a reducing trend but we are looking at the reasons for that and ensuring we are getting all the duty we should be getting. It might be diminishing returns if we increase impôt more and more; it will make it less attractive to visitors who may wish to come here for the day to drink, something which the Constable has referred to as not being desirable.
- 12.24 He didn't know how we can forecast better than we do already; we take the information we have and make our best estimates given the size of the government and the resources we have available. If Conseiller Bache would like to write a paper on forecasting, the Committee would receive it. He agreed with Conseiller Bache that improvements are always welcome and any suggestions for improvements the Committee would take on board.

- 12.25 E. Baker Following the remarks from the Chairman of F&CC, the capital expenditure on a new incinerator, there is a public meeting proposed and that will be fully discussed and a report will be submitted. He was sure the Chairman of the Public Works Sub-Committee would agree with him that all the bits and pieces relating to the incinerator need to be fully explained.
What the Douzaine and Public Works have discussed over many years is the horrible idea that we return to open burning all around the Island when in the evenings you had no-go areas in The Avenue because people were burning food waste etc. We have achieved what he considered was the cheapest option by having a central burning area at the Harbour Quarry and he thought the incinerator is the way forward.
- 12.26 On a slightly different subject relating to tax; he believed the Property Transfer Tax (PTT) has been cynically avoided in some instances; legal avoidance no doubt but done in a cynical way. He would be selling a property soon and would be paying the full amount of PTT.
- 12.27 S. Williams Supported Conseiller Cottle on all that he had said today. People are quick to judge suggesting that F&CC sit around a table, look at the sums and say what everyone is going to pay this year. No member of the Committee is happy about what has to be done with the budget but, unfortunately, we have been given a job to do and the Committee has done it to the best of its ability.
- 12.28 Audrain Thanked F&CC for all the work it has done; the way it has been done this year has been much better and she felt more happy with it. She would echo what Conseiller Bache said about the propositions; she felt that if there are six propositions here she felt it right that we should vote on each one.
- 12.29 President Pointed out that two people have requested the first six propositions are taken separately; the Committee has indicated it would like to take them as a block because any one of them falling would require a recalculation of the budget.
He asked if the Committee was prepared to change its proposal that propositions 1-6 be taken as a block and voted on individually instead and offered a recess for the Committee to discuss the option.
- 12.30 Cottle The numbers are all linked to each other and he could not see the difficulty in taking all six together. If somebody wants to introduce a new proposition beforehand that the Committee changes its recommendation it would be necessary to go away and recalculate a new proposal; the Committee would do that if that was what was wanted. He could not see how the proposal would survive if any one of propositions 1-6 failed.
- 12.31 President It's your report and this is the way you have asked to present it; he would take votes on propositions 1-6 if that is the way you and your committee wish to proceed.
- 12.32 Cottle If a Conseiller is unhappy about any one proposition then he suggested they vote against the whole lot.
- 12.33 Audrain She took that on board but she thought it would have been better to phrase the propositions in such a way that they were all together.
- 12.34 Cottle Apologised for not doing that earlier. He had realised this when he was writing his notes for today and would have prepared a revision. It was handled that way last year when Conseiller Dewe was Chairman.
- 12.35 Cook Supported taking all six together.
- 12.36 President If you can recall last Michaelmas, we took the first six propositions together; they were exactly the same apart from the amounts.
- 12.37 **Proposition 1 – CARRIED**
That the rate of Property Tax be increased to £9.38 per quarter for the year 2015.
- 12.38 **Proposition 2 – CARRIED**
That the minimum rate of Personal Capital Tax be raised to £320.00 for the year 2015.
- 12.39 **Proposition 3 – CARRIED**
That the maximum rate of Personal Capital Tax be raised to £6,400.00 for the year 2015.
- 12.40 **Proposition 4 – CARRIED**
That the net asset fraction for the calculation of Personal Capital Tax be increased to 0.60% for the year 2015.

12.41 **Proposition 5 – CARRIED**
That the forfeit factor for the calculation of Personal Capital Tax remains at 4 for the year 2015.

12.42 **Proposition 6 – CARRIED**
That the Impôt Rates be increased as listed in Appendix 8 for the year 2015.

12.43 **Proposition 7 – CARRIED**
The Chief Pleas approves the Ordinance entitled The Direct Taxes for 2015 (Sark) Ordinance, 2014. (Ref.Code: XIII/2014)

12.44 **Proposition 8 – CARRIED**
That the budget of Income and Expenditure for the year 2015 be accepted.

13 General Purposes & Advisory Committee **The Reform (General Election) (Sark) Ordinance, 2014**

13.1 E. Baker This is the usual General Election Sark Ordinance and we have one every time we have an election and just makes the election legal.
He urged Chief Pleas to approve the Ordinance.

13.2 **Proposition – CARRIED**
That Chief Pleas approves The Reform (General Election) (Sark) Ordinance, 2014 (Ref.Code: XIV/2014)

14 Finance & Commerce Committee **Amendments to the Sark Charities and NPOs Legislation**

14.1 **DEFERRED**

15 Road Traffic Committee **Road Traffic Legislation & Draft Regulations**

15.1 Ventress Thanked all the Conseillers, both past and present, who have worked very hard on this Committee which some have described as a 'poisoned chalice'.
A new version of the Road Traffic (Constitution of Tribunal)(Sark) Ordinance, 2014 had been circulated to all Members of Chief Pleas this morning and he asked for the original version which was issued with the rest of the Chief Pleas papers to be discarded. The change made is on page 2, paragraph 2.3 where the age restriction of 72 has been removed.

15.2 The Committee has also to make a correction to "The Motor Vehicles (Sark) Regulations, 2014. There is an error on Page 21, roman numeral (i).

Delete 'Sark Road Traffic Committee' and insert 'The Inhabitants of Sark.'
15.3 During the summer various comments were made to the Tourism Committee about road traffic which can be best summarised from a long letter received -

- is the volume of tractors
- there are too many tractors
- they drive too fast
- they appear to have no regard for the enjoyment or safety of visitors

This Committee hopes that with the co-operation of all involved and with the usual Sark common sense we can continue to have a Sark which visitors will continue to enjoy and recommend as has been mentioned in the report so that it will not be a necessity for the Constables to vigorously enforce this legislation.

15.4 Due to congestion at the harbours, especially Maseline at cargo and passenger ferry arrival and departure times, it is essential to restrict those who need to access the quays and surround.

15.5 Regarding electrically assisted cycles this saga goes way back to 2006 when Chief Pleas, not the then Road Traffic Committee, decided with a unanimous vote that electric cycles, if required, would be incorporated under the invalid carriages legislation. About that time there had been a public survey carried out with regard to traffic matters and one of the results was that the majority of those responding did not want electric cycles to be allowed.

15.6 At the 2013 Easter Chief Pleas, this policy was endorsed, the legislation approved before receiving the Privy Council's endorsement. This Committee has since give the manager of one of the Cycle Shops permission to road test any Electric Cycles which have been brought to him by license holders for repair.

- 15.7 Ventress The Committee will consider any application for a Cycle Hire Shop to keep Electric Cycles for hire to visitors who qualify for one in the same manner as invalid carriages are available for hire with the appropriate paperwork through the Visitor Centre.
- 15.8 Dunks Asked for confirmation of a point raised by the Motor Vehicle (Sark) Regulations, 2014, on page 16 - Temporary Invalid Carriage Driving Licence Application Form (including Electric Cycles).
Will this application form allow a visiting tourist, with appropriate doctor's certificate, to hire an electric cycle for their visit to Sark?
- 15.9 Ventress Yes it does.
- 15.10 Plummer Good idea for a visitor to be able to hire an electric bicycle; we must keep our options open to assist those people with disabilities.
- 15.11 Perrée Has already explained to the other Members of the Road Traffic Committee that she has an objection to the part that bans the cycling down Harbour Hill. Sometimes she has to do it and she needed to declare an interest. It is unfair to take that freedom away; it should be an individual's choice so she would not be voting on this.
- 15.12 President Is that just not voting on proposition 1 or are you not voting on any of the propositions?
- 15.13 Perrée Any of the propositions.
- 15.14 Gomoll This is the first he heard of it but he didn't think this is a conflict of interests. We have a direct pecuniary interest if this Conseiller likes to cycle down and she wants to vote against it she can do so; he didn't think this was a conflict of interest.
- 15.15 President Considered that as she was not going to vote on any of the propositions and he did not think it was to do with any pecuniary interest.
- 15.16 Ventress The Committee discussed this matter quite extensively and there was a majority vote to accept this change. It has been considered for a long time that cycling down Harbour Hill is dangerous and there have in the past been one or two accidents.
The same similarly applies to La Coupée.
- 15.17 E. Baker To clarify the situation, if Conseiller Perrée felt so strongly and was in conflict with the rest of the Committee, she was entitled to bring a minority report to Chief Pleas and it may be something she would like to consider in the future.
- 15.18 Audrain As a Member of the Committee, and we are talking about Harbour Hill, she hoped that everyone noted that one is allowed to cycle up the hill but not down.
- 15.19 Dunks That answered the question he was about to ask.
- 15.20 Guy There is a socking great notice on the Power Station which refers to Harbour Hill being very busy and suggesting it is dangerous to cycle down it. This has been put there by the Constables and has been there for many years. Up to this point there has been no legislation so all the poor Constable can do when she sees someone careering down to the harbour on a bike just at boat time when tractors are coming up, is to say naughty, naughty don't do it. She supported the legislation.
- 15.21 President He recalled that it was brought in quite a number of years ago but it was decided that it was people's human right to kill themselves riding down and why the ban on it was removed and only a precautionary warning was given; but that is history.
- 15.22 **Proposition 1 - CARRIED**
That Chief Pleas approves "The Motor Vehicles (Sark) Law (Commencement) Ordinance, 2014".
(Ref.Code:XV/2014)
- 15.23 **Proposition 2 – CARRIED**
That Chief Pleas approves "The Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) Law, 2013 (Commencement) Ordinance, 2014".
(Ref.Code:XVI/2014)
- 15.24 **Proposition 3 – CARRIED**
That Chief Pleas approves "The Road Traffic (Constitution of Tribunal) Ordinance, 2014".
(Ref.Code:XVII/2014)
- 15.25 **Proposition 4 – CARRIED**
That Chief Pleas notes the Sark Statutory Instrument 2014 No.1 "The Motor Vehicles (Sark) Regulations, 2014" and the Sark Statutory Instrument 2014 No.2 "The Road Traffic Offences (Motor Vehicles and Bicycles)(Sark) Regulations, 2014".

A five minute recess was called between 11.35 and 11.40am

16 Road Traffic Committee

Election of persons to the Panel of the newly constituted Road Traffic Tribunal

- 16.1 Ventress As Chairman of Road Traffic he thanked all those who had put their names forward especially the younger ones. He felt it would be inappropriate for him to vote for any of the candidates but he did think that all or some of the existing Members of the Tribunal should be elected to help the new Members. He was not voting because he could at some future time be in conflict with the Tribunal and he did not wish to show any favouritism or have anyone say that he had tried to elect a Tribunal to favour the Committee.
- 16.2 William Raymond has decided not to continue and he thanked him for all his work previously. Nine nominations have been circulated for the seven places available. He read out the full names pointing out that the Steve Cole nominated was the builder and not the proprietor of Avenue Cycles.
- 16.3 President Voting will be done in the traditional style by a hand count and seven Members may be elected.
- 16.4 Audrain As a Member of the Committee she too would refrain from voting but she pointed out that the first four names on the circulated list are those who have previously served on the Tribunal and we are grateful for the work they have done so far.
- 16.5 President Conducted the election with the following results –
Mr. B. Perrée (21); Mr. D. Curtis (20); Ms. S. Guille (18); Mr. G. McGuire (18);
Mr. S. Cole (16); Mr. Glen Williams (16); Mr. K. Guille (13); Mr. D. Brunning (13);
Mr. S. Couldridge (5).
- 16.6 As there was an identical number of votes for the seventh and eighth candidates a second vote was held - Mr. K. Guille (11); Mr. D. Brunning (9).
- 16.7 The following were elected - Mr. David Curtis; Ms. Steph. Guille;
Mr. Graham McGuire; Mr. Steve Cole; Mr. Glen Williams; Mr. Keith Guille.
- 16.8 The following were not elected – Mr. David Brunning and Mr. Simon Couldridge.
- 16.9 Thanked those who had put themselves forward for the Tribunal and wished those elected every success in their new judicial role on road traffic matters.

17 Cross Committee Report

Securing Sark's Future - update

- 17.1 Cook As usual he was presenting this on behalf of us all as this is a cross-committee report with the remit that the GP&A Committee is co-ordinating it; so this is the latest report of the *Securing Sark's Future* policy announced in January this year. We are making progress; faster would be desirable but a lot of time and effort has been put in by all Conseillers, particularly in bringing forward the new governmental arrangements and transition plan of which more in the next agenda item.
- 17.2 We were hoping to bring you more information about a sustainable energy supply for the Island at the Christmas meeting. We have been working hard on this and progress is being made.
- 17.3 As you heard from Conseiller Cottle in his budget statements we had hoped to have had a consultation document on fairer taxation distributed; as he said it is imminent and we look forward to seeing it soon.
- 17.4 Land Reform as we know is very complex but an important issue, again touched on in the budget statements. It involves us all in one way or another. We are actively working to put together a more independent panel of scrutinising experts to assist and make progress on this issue.
- 17.5 The consultation of the defining of a resident suggests that there are some flaws in the proposal; we are working to refine the definition taking into account the concerns raised and will circulate a refined proposal to the public for further comment.
- 17.6 The Children's Law continues to be seen as a priority and work on this continues as fast as possible.
- 17.7 Dunks The edits required to produce a working copy of the 'field boundary layer' of the Digi-map upon which the Committee is intending to base the Land Use Map has taken longer than anticipated.
While a hard copy of the 'field boundary layer' is just days from being delivered to the Committee it will not be possible to meet the deadline for the first public meeting as indicated in the enclosed report.

- 17.8 Dunks The new deadline date should be 'as soon as it practically possible' certainly before the end of the year.
- 17.9 **Proposition - CARRIED**
Chief Pleas takes note of the contents of this progress report
- 18 Cross Committee Report**
New Committee Arrangements – Transition Plan
- 18.1 Cook Started by making a correction and a change to a proposition.
 In Appendix 6, the correction in the first line needs to be "...before the 16th January", not "...between 16th and 20th January 2015".
- 18.2 It is felt that proposition 2 should be changed to give more meat to it; it should now read – "***That Chief Pleas approves the Populating of Committees as described in Appendix 6***"
- 18.3 President That is accepted as the Committee has changed it.
- 18.4 Cook Restructuring the way the Government operates has been a central feature in the *Securing Sark's Future 2014* policy. The volume of this report indicates the amount of work put into the report in achieving this and explains in detail how the new system will function and how we will get there.
 GP&A Committee agreed at Easter Chief Pleas in 2013 that it found it difficult to function as a committee within the existing structure and would not have a Chairman whilst the new structure of government was being evolved.
- 18.5 That new structure is now sorted out but don't forget changes can and no doubt will be made by resolution of Chief Pleas as the new practises bed in.
 GP&A Committee will be no more; Policy and Policy Prioritisation i.e., the issues the Government will work on will be decided by all Conseillers in the Policy Development Group. A new Committee – Policy and Performance – will co-ordinate this work, be responsible for making sure it is done with due process i.e., with suitable consultation etc., and be responsible for communication on all aspects of this work both within the Island and externally. This Committee will also deal with external relations and have a specific remit for economic development.
 The Members of this Committee must expect to carry the responsibility of representing policy and external affairs on behalf of all Conseillers.
- 18.6 The Finance & Resources Committee will have an overarching view of the Island's financial position and advise on the financial implications of all of all policy making and general spending; that is it will know at any given time the state of the Island's finances and will be in a position to advise on the predicted income and expenditure looking forward. Conseiller Cottle has already indicated that the way forward will be looked at very carefully.
- 18.7 Other Committees remain much as they are but separating out policy making which will be done by all Conseillers in the new Policy Development Group and administration. So change certainly but not a huge change. As was said at the Extraordinary meeting in August 2014, this is a system to suit Sark in the 21st Century. He welcomed comments.
- 18.8 Dunks Drew attention to Appendix 6. There appears to be a typographic error in bullet point 9. It should read – "*Any gaps remaining will be filled at the Chief Pleas meeting*". He apologised as it was his drafting.
 Also this is for the first meeting of the Policy Development Group and will not be a standing event but just a one-off.
- 18.9 Bache Suggested a small amendment to Appendix 2 at (a)ii. He would like to see "...including contact with local businesses and commercial people" added to the provision.
- 18.10 President Sought clarification as to whether he was doing this as an individual Conseiller.
- 18.11 Bache Yes. It was just to make it clear where that contact should be.
- 18.12 President Called on Conseiller Cook, as spokesperson for the report, asking him whether the suggested amendment to the Mandate of the Policy and Performance Committee was acceptable.
- 18.13 Cook He did not have the authority to do that and it would have to be done at another time but the comment can be noted and considered in the future.
- 18.14 Gomoll Asked if Conseiller Cook intends to deal with issues that have been raised by Chief Pleas or the public. In particular, could he clarify if PDG will in future take any decisions or be perceived to take any decisions which are currently take by Chief Pleas.

- 18.15 Cook This could be answered by anyone here but he would respond first. PDG will consider policies; a policy will be brought to the PDG and it will decide on the priority and the benefit of it against the *Vision for Sark* and whether it is going to achieve what we want. It won't be taking any decisions that need to be taken in Chief Pleas; PDG will be simply bringing the policies forward for consideration and then it will work through due process before the policies are brought to Chief Pleas for approval. It doesn't undermine Chief Pleas, it strengthens the process and is the most democratic way of evolving policy.
- 18.16 President His reading of that part of the report is that the Policy Development Group develops policy which is then further developed in the Policy and Performance Committee and in the Finance & Resources Committee; the two executive committees.
- 18.17 Cook Agreed, the Policy Development Group develops and decides on that policy and a policy development team can be joined to the Policy & Performance Group to take that policy all the way through but it will be co-ordinated by the Policy & Performance Group so there will always be a wide base of decision making to start with to decide what we want and that can be streamlined to the top so that it can be prioritised and taken through properly and efficiently to Chief Pleas so that it can be turned into an active policy.
- 18.18 D. Baker She will probably vote for these propositions; they do make sense and she could not argue against them but she has made her point clear to all Conseillers. We have moved too fast; another three months would allow time for people like herself to get her mind around this change. She admitted having struggled to understand and to come to terms with parts of this process.
- 18.19 Guy She appreciated Conseiller Baker's concerns; we have moved very steadily on this but equally she felt that now that people entering Government by standing for election, will be much better able to know what they are letting themselves in for because they will know they are letting themselves into this particular structure. She thought it would be helpful to future members of Chief Pleas.
- 18.20 Gomoll He wanted everybody, including the public who are here today, to be aware that the PDG will not only talk about policies. The first example we have is that all committee members have always been elected here, publically, openly and with the public being present. The first thing we are trying to change is that this will not be the case in January 2015. These issues have been raised; it says there is only policy, there is only brainstorming but important decisions will be made. Even if it isn't the case in future it will be perceived that there are secret Chief Pleas' meetings because 28 Conseillers are meeting once a month to discuss matters and that will take away from the openness and the debate at Chief Pleas' meetings. He thought it needed to be addressed and that these were the issues about which possibly Conseiller Baker and others have expressed concern. If we are moving forward we need to be more transparent and more open but the risk is that this is the intention but something else will be achieved. He believed that issues raised should be debated here rather than say we have already debated this in meetings which were workshops and not official meetings. He has raised his concerns in the last two workshops but he still felt it needs to be debated here because the public has not been consulted on this and we need to raise the issues and not make some mistakes which could have been rectified within the next three months.
- 18.21 Cook We are missing a point here; the idea of the new system working is to make it much more open with more public involvement from an early stage so that when a policy is identified part of the process in going from identifying that policy until bringing it to Chief Pleas is to make sure the policy is fit for the purpose for which it has been identified, it fits the *Vision for Sark* and it has every opportunity for the people of Sark to make the comments they wish to make about it or at least all those people who might be effected by it. So long before it gets to Chief Pleas the process will have gone through very rigorous and very carefully thought out process that involves everybody. It is intended to be far more open, far more in touch with the people of Sark, far more focussed and it will be so much easier to present, much easier to know what progress is being made, much easier to hold the Government to account about what it said it was going to do; that is the intention.

- 18.22 Gomoll That may be the intention but the actions are that there has been no public consultation on these changes for example. We need to see how the electorate is perceiving this and, with elections coming up now we need to be more transparent and to have meetings to which the public are not allowed, twelve times a year with all 28 Conseillers, could be seen as secret meetings of Chief Pleas which are being rubber stamped at the time when Chief Pleas meets officially with the public being allowed to be in attendance.
- 18.23 These are important issues and the election of Committee members is important and has always been done in public and he thought it should be continued to be done in public. If it said that no decisions are being taken in these meetings, decisions have been taken in the workshops and this is confirmed in recent letters sent to the President by Conseiller Cook; that is the very wording that was used.
- 18.24 Cook PDG will have a mandate to make decisions and those decisions will be what policies are taken forward for that process to develop the future of Sark which fits into the *Vision for Sark* and it will be taken forward with the people of Sark and only the people of Sark.
- 18.25 When it comes to the election of Conseillers onto Committees, that has always been a very difficult subject to get right. He didn't believe it had ever been done right in the past; there have been lots of 'phonecalls, chats behind the scenes, drinks in the bar and trying to get the best people for your Committee as you can. The system we are proposing is that everybody will work out amongst themselves who is the best person for each Committee and then that will come to Chief Pleas and anyone totally aggrieved by that decision, believing they have been sidelined will be able to nominate themselves from the floor, in public, and have that decision overturned or upheld.
- 18.26 Guy Has listened to what Conseiller Cook has just said and has already done some thinking on this subject of populating committees; there is every good reason why it should be done in a situation that will be less rigid than Chief Pleas and should result more in the best qualified (and she did not mean paper qualifications) getting into the roles to which they are best suited and, more importantly, will best benefit the Island. Provision is also there for those half way through a four year term to remain on committees if they wish and if they feel that is where they have most to offer to the Island. There is also the situation where this will ultimately come to Chief Pleas so anyone who is very much aggrieved can talk about it in Chief Pleas and it will be open within Chief Pleas. She didn't think the two things are mutually exclusive; she didn't think the conversation that happens before, rules out further discussion in Chief Pleas. These names would simply come forward as a recommendation from the PDG and remember that PDG is all Conseillers.
- 18.27 Governments do not choose who will hold which post in public. Cabinet reshuffles are not done in a public forum and changes of political positions in Guernsey are not debated in public. It has been done in Sark because up until this point there has been no other option and we hadn't thought about it. Fact is that politicians choose which politicians will fill which roles and the first time we, the general public hear about it is when we read a newspaper or, in my case, hear it on Radio 4.
- 18.28 E. Baker The most crucial thing here is to get the most suitable people onto the committees; we need to emphasise that point. In the past there has been a lot of horse trading behind the scenes beforehand and it has been very difficult and very messy at times. This will make it a lot easier.
- 18.29 Adams Agreed with everything that Conseiller Baker has just said. Being a fairly new Conseiller she remembered what it was like in Chief Pleas with the formal election to committees and she would feel much more comfortable being elected to committees in the forum with a face to face discussion with her fellow Conseillers in a less formal setting where we can be frank and open with each other. It seemed to her a much more sensible way of populating committees as the results of those discussions will come to Chief Pleas for further discussions if necessary.
- 18.30 With regard to Conseiller Gomoll's point about consultation with the public about these new arrangements, the whole thing has come about from public consultation which led to the *Vision for Sark* document. These papers have been in the public domain for about three weeks so members of the public have had the opportunity to come to individual Conseillers between the publication of the papers and now to raise concerns and have explanations given. She felt there had been adequate consultation and opportunity for the public.

- 18.31 Guy Agreed with everything that Conseillers Baker and Adams have said and would like to add that by working in this way will mitigate against waste
There have been situations in the past which have resulted in some Conseiller working on no committees at all. This is a waste and increases the workload on those who maybe have too many committees and this is another factor.
- 18.32 Gomoll Did he hear correctly that publishing an agenda and accompanying papers for Chief Pleas is considered, by those Conseillers who spoke like that, as public consultation? Is it being suggested that a member of the public has three weeks to comment on something that has been written in black and white and unlikely to be changed – is that public consultation?
- 18.33 E. Baker Wished to answer that point. The *Vision for Sark* has been there for many months now. The *Securing Sark's Future 2014* documents have been there for a long time. The information has been there for the public and they have had every opportunity to make their comments known. What we have found has become custom now; we receive a barrage of emails and newsletters at the very last minutes which confuses everybody even more.
- 18.34 Cook We are getting tangled again if we are not careful; the concept of consultation when a policy is put forward for the benefit of the people of Sark and works towards the *Vision of Sark*, that policy has to be properly consulted on with all the people of Sark in the proper way. What we are talking about here is the constitution of the Government, is to make sure that the Government can do that as effectively and efficiently as possible and to do that is reorganising itself so it benefits the people of Sark in that way. If the result is that the people of Sark do not get the proper consultation then it hasn't been done properly and will have to be reconsidered.
The idea, the intention and the purpose and the whole thrust of changing the way the Government is working is to make sure that governance is properly performed and that policy is separated from administration and secondly to make sure that policy is brought forward to Chief Pleas in a manner that has gone through the proper processes of public approval, public scrutiny and given everybody who has any concerns or is connected to that policy, the opportunity to have their say and to be considered. Then the majority view will obviously prevail.
- 18.35 Dunks Understood the call for delay and for decision to be put off until sometime in the future. This has been debated by Conseillers for the better part of a year. We are in the position of having the information but not necessarily the will to do it.
We have to make the decision now; to delay will mean new Members coming into Chief Pleas in the near future who have no idea of what has been going on and expecting them to make this sort of decision would be very unfair on them. We have all the information and, like it or not, we should be making the decision now.
- 18.36 Cook Felt he had already summed up enough; he would only say that anybody who wants to know more only has to ask.
- 18.37 **Proposition 1 - CARRIED**
Chief Pleas adopts this transition plan including all new and revised mandates (see Appendices 1, 2, 3, 4 and 5), the revised Constitution and Operation of Chief Pleas Committees (see Appendix 7), and the revised Rules of Procedure (see Appendix 8).
- 18.38 Audrain Called for a named vote
- 18.39 **Proposition 2 – CARRIED as amended** with a named vote of 20 pour, 4 contre.
Chief Pleas approves the Populating of Committees as described in Appendix 6.
- 18.40 **Proposition 3 - CARRIED**
Chief Pleas agrees to receive further reports setting out later phases of transition to fully implement the new committee arrangements.
- 19 Public Health Committee**
Commencement of The Catering Law Amendment
- 19.1 P. Williams There is nothing to add to the information report.

20 Medical Committee Responsible Officer

- 20.1 D. Baker The Committee has put as much information into its report as possible, available at the time of writing Dr Norwich and Dr Stevenson along with advisors in Guernsey have gone out of their way to make sure the Sark Medical Committee is fully aware of the risk involved in not taking part with the responsible officer legislation. To be able to practice a doctor must be registered and licensed. They then complete an appraisal process each year in order to keep their license which is renewed every five years (revalidation).
- 20.2 A new problem is that as from now a doctor practising solely in Sark cannot go back into the UK and practice without a three year supervised position, so any doctor who wanted to work on Sark and then be able to return would have to spend at least three weeks each year working in Guernsey or the UK . One might be tempted to think we will have a more senior doctor who may want to retire after spending some years on Sark, but this would significantly reduce future applicants. In any case the Hospital services and Medical Specialist Group would definitely not work with a doctor who was not up to date with his revalidation. The Medical Committee feel it is not an option for Sark to ignore this legislation.
- 20.3 When Dr. Peter Counsel left Sark he was unable to take up any position in England as he had not been revalidated; he did manage to find a position in Wales but only because he worked under supervision for six months. This option is no longer available, it is three years, a long time for a medical professional to have to work in a supervised position, this placement might not be easy to find, and would probably mean a considerable drop in salary for that length of time.
- 20.4 We need to put in place a system which allows any doctor practising on Sark to have the option of working in a medical practice in the UK for three weeks each year. We hope to find a suitable practice to work with but don't know what costs may come with this; maybe we could be lucky enough to find someone who would accept an exchange of doctors but more likely we would have to find a locum for the Sark Surgery for this period of time. There are lots of questions on our way forward and the answers are unsure at this time. However we do need to accept this legislation or Sark will find it impossible to recruit a doctor in the future.
- 20.5 The Committee would like to have the amount of £15,000 in the budget. This it feels will cover any costs involved, it is what we might expect to pay for a locum for three weeks at the full UK commercial locum rate of pay that we might need to fulfil the position. It is hoped that the costs will not come anywhere near that amount but it isn't known at this stage and it is felt this needs to be in place as soon as possible.
- 20.6 Dr Stevenson is happy with his position on Sark and has no intention of retiring any time soon but if he were to be taken ill and we needed to advertise the position of medical practitioner we would have to offer any doctor considering living and practising here this system already set up. When the Medical Committee wrote to F&CC concerning our budget requirements it was then £500 to be a part of the Guernsey system. Conseiller Cottle asked if this cost should be borne by the island or the doctor and suggested that the Medical Committee may be asked to justify this cost; it is now saying this legislation will cost Sark considerably more and can it justify this cost? The Committee believes it can because without taking on board this legislation, without setting up a system for any future doctor, it we will leave itself totally vulnerable to not being able to recruit another Medical Officer for Sark.
- 20.7 She understood this request has come late in the year but the Committee cannot report on matters before they come to its attention. Is it necessary to go on this year's budget; the Committee doesn't think so or rather it hopes not. If Chief Pleas accepts this can go in the budget for 2016, should anything unforeseen happen in 2015 it would have to come out of the unforeseen budget; it is hoped it will only be needed if and when we are advertising for a replacement doctor as Dr. Stevenson has very recently had his revalidation which will last five years by which time he may well be happy to retire. However in the interim, circumstances could arise which might force our doctor to undertake the annual three week periods; therefore it should be identified in the budget. As this information has come to the Committee's attention so recently, it feels it ought to allow Chief Pleas time to consider this report and the Committee will come back to Christmas Chief Pleas with a proposition to budget £15,000 for this purpose.

- 20.8 D. Baker Going back to who should bear the costs for the doctor and the Island's medical care, Chief Pleas should be aware that the Doctor already pays in excess of £8,000 in medical insurance just to be able to practice. He is required by Sark to take out insurance for locum cover should he become ill; the years premium for this would normally be £3,000 but because Dr. Stevenson will cover the first month's payment to any locum in this situation his premium comes down to £600 but that month will cost him personally should he ever need this cover. The insurance he needs for professional practice (should he find himself in difficulties with a patient) now costs £6,100 but very recently in Jersey this has gone up to over £11,000.
Dr. Stevenson does a great service to Sark by keeping many costs down; private practice elsewhere as you will be aware is considerably higher in costs than our visits to the surgery. If you expect the doctor to pay for all that he needs just to be able to continue to practice then the patient will have to pay. The Committee is asking Chief Pleas to approve the continuing discussions concerning legislation and will come back to you in January 2015 so that the costs involved can be covered by Chief Pleas if approved.
- 20.9 Cottle The Medical Committee has contacted F&CC requesting that additional funds be made available in next year's budget for two additional items.
£500 for an annual drugs audit fee and the £500 required for the fee for Sark to join the Guernsey Responsible Officer system. This has been done and the resulting £1,000 appears under the Health Services heading in the expenditure budget: listed as 'other expenses'.
- 20.10 The Medical Committee has further contacted F&CC recently, updating on the future anticipated need to budget for Sark's Medical Officer to participate in this scheme. Medical Committee has suggested that £15,000 per year will be required to enable the Doctor to participate in the necessary revalidation process and be covered by a locum while away for the three weeks duration.
For next year, 2015, it is not proposed that our current Doctor will take part in this, so F&CC has not added provision for this in the 2015 Budget but for subsequent years this will be required. He accepted that should circumstances occur which required this expenditure in 2015 it would have to come from unforeseen expenditure and there is provision there if necessary.
- 20.11 Guy She too thanked the Medical Committee for such a comprehensive report; also the professionals who have had an input into the report and Conseiller Baker for her very clear explanation. She also thought that the plan to call on unexpected funds should it be needed in 2015 is correct and that a budget plan should go forward for 2016. Speaking as a former professional, who has worked for many years in Sark, keeping up to date and ensuring one is fully conversant with new developments is difficult. She welcomed the ideas behind this report and she supported it wholeheartedly, both for the professional concerned and for the people of Sark who deserve the best possible healthcare.
- 20.12 She hoped the idea of exploring whether someone from the bigger practice coming for three weeks while Sark's Doctor was being revalidated could be explored. Sark is quite a nice place to be and a doctor coming from a big busy practice might welcome spending three weeks in Sark and she thought that option was worth exploring.
- 20.13 It also occurred to her that, as we had approved the Regulation of Healthcare Professionals at the Midsummer Meeting, she was sure that Chief Pleas would have the responsibility to ensure that any GP practising in Brecqhou would also need to be included in anything decided about the Sark Doctor.
- 20.14 D. Baker The Medical Committee does try to save money and, although it has £500 in the budget for a drugs audit, it has managed to have it done free of charge by a professional.
- 20.15 **Proposition – CARRIED**
That Chief Pleas approve the Medical Committee continuing to liaise with HSSD in Guernsey and that the Committee discuss any legislation concerning a Responsible Officer with Guernsey with a view to Sark being a part of the Bailiwick legislation.

21 General Purposes & Advisory Committee Election Observer

- 21.1 Fry At the 2012 Election the GP&A Committee was advised, indeed instructed, by Lord McNally that Sark was to have an Election Observer. Chief Pleas will probably remember that Sir Norman Browse came and observed every detail of the election. His report afterwards was extremely positive, his final comment being that "*the whole process was open and transparent.*"
- 21.2 As the 2014 Election is on 10th December it has been discussed that Sark itself should make the decision to appoint an Observer on this occasion. The Committee is seeking Chief Pleas' agreement to pursue this and there are several suitably qualified people who have expressed an interest in assisting in this matter. The only cost to the Island would be travel and accommodation expenses; a report will be received at the conclusion of the work. The Committee believes that having such an observer would further enhance Sark's reputation as a truly democratic and open jurisdiction.
- 21.3 Adams We on Sark know full well that our elections are first class and carried out in a most professional manner but we also need to demonstrate this to the outside world. She thought that is why we need to approved the proposition to select an election observer.
- 21.4 Audrain Conseiller Adams has read her mind as she too supported the proposition.

21.5 **Proposition – CARRIED**

That Chief Pleas instructs the General Purposes & Advisory Committee to select a suitable person to observe the December 2014 Election.

22 Conseillers Guy and Dunks Declaring an Interest

- 22.1 Guy Before commencing this introduction we would like to correct one date in the proposition. In the first paragraph the second line should read **10th** of January 2014 (not 1st of January 2014) as that was the date agreed by Michaelmas Chief Pleas 2013 for the submission of declaration forms. We should perhaps also clarify that the [Appendices](#) are simply there to enable Conseillers to easily see what is in place now.
- 22.2 The proposers believe that submitting a declaration of interest form should be a condition of being a Conseiller to fulfil several of the principles of public life. From choice, the proposers would have brought forward a report making the submission of such a form a prerequisite of being a Conseiller. However, we are advised by The Crown Officers that Rules of Procedure apply only to meetings of Chief Pleas. To make submitting a form a condition of being a Conseiller it would be necessary to have a Code of Conduct for Conseillers. There was insufficient time to developing this before papers had to be submitted for this meeting and anyway we believe that such a code should be developed by all Conseillers, possibly with consultation with others. This could be a task for the Policy Development Group (PDG) and would, we believe, be in line with the *Vision for Sark*, the governing Sark section, specifically the final bullet point which states:
- Review the manner in which information is made available to the public to ensure that the principles of openness and transparency are maintained and enhanced whenever possible.
- Such a code of conduct would also formalise the declaring of interests in committees, which as we identified at the last Michaelmas meeting, is currently lacking.
- 22.3 However, we are where we are and it is necessary, we believe, to ensure that all Conseillers, be they existing or newly elected, come to the Christmas (January) Chief Pleas with both their peers and the general public able to access their declared interests. The propositions before you, which have been reviewed by the Crown Officers, ensure that any Conseiller who has failed to submit a form, in addition to being named, can take no part in discussion in Chief Pleas and may not vote and this ensures that all Conseillers are acting under the same rules. At this point, she would like to refer to some very sensible queries that Conseiller Melling has made to all Conseillers and the President through email.

- 22.4 Guy He is not able to be here today for reasons we all know but she would like to make response to his queries with the President's permission. (This was given).
Conseiller Melling has expressed concern that someone who has been legally elected might not be able to speak or vote in meetings of Chief Pleas. That could be the case, but the latter part of the proposition makes it clear that, should you approve the proposition, would only be the case until a declaration form is submitted. In other words, on entering the Chamber he or she would be required to observe this rule of procedure in the same way as he or she is required to observe any other rule.
- 22.4 Conseiller Melling has also suggested that perhaps would-be or returning Conseillers should submit a declaration of interest form when they *stand* for election. On the surface, this is a very attractive idea and certainly it would be helpful to the electorate. However, it would require a change in legislation and she very, very much doubt if we would ever be able to make legally binding the concept that someone should submit a declaration form **before** they become a Conseiller.
She couldn't imagine us being able to do that, nice though it might be.
- 22.5 She returned to her own introduction; some of you may feel that this proposition is yet more red tape. It is not. It is simply part of our responsibility to be open with those who have elected us to serve them.
If you feel inclined to vote against it we would ask you to reflect back to the 2008 election when 57 people stood several of whom regular residents of Sark could only ask the question 'Who?'
So the argument that we all know each other well enough does not hold water.
The 2008 situation could happen again in December 2014.
If you feel inclined to vote against it we would ask you to inform the House why you feel that some Conseillers should avoid being open about their interests yet expect to debate and vote in meetings of Chief Pleas, or even why you personally should behave in this way.
- 22.6 This is not change for change sake. It is vital that the existing rule 13a is improved before the election so that those standing should be aware of what we believe to be any Conseillers responsibilities.
Should the proposition fall, the existing Rule of Procedure 13a in [Appendix 1](#) will remain in place. It will still be a requirement to submit the same form as shown in [Appendix 2](#) (and remember from the report and verbal record of Michaelmas Chief Pleas, 2013 this was as 'light a touch' as possible). It is only the action taken for those who fail to submit a form that it is proposed should become stronger and, we believe, more logical. Why should someone whose interests in the people of Sark, including Conseillers, know nothing about be allowed to debate and vote on concepts that will affect the lives and well-being of all?
We urge you to support this very necessary amendment to the Rules of Procedure.
- 22.7 Dunks When The Reform (Sark) Law, 2008 was commenced and elections held in December 2008 Sark effectively joined the world wide "club" of democracies.
In becoming a democracy things changed. In particular the way we were expected to carry out, and be seen to carry out, our political business, both as a government but also as its representatives. The adoption of the seven principles of public life, as detailed within this report, is one such responsibility.
- 22.8 The submission of a declaration of interest form is one part of fulfilling these principles. This is not about yet more rules, more red tape or making things harder for Conseillers. This is something we should be doing. It is something we should do, not because we are being forced or coerced, but something we want to do because it is the right thing to do as part of serving within a democracy.
- 22.9 Gomoll He wasn't sure whether he needed to declare a conflict of interests because he was one of them but he didn't think it was a pecuniary conflict.
He much appreciated the introduction that Conseiller Guy has given because what she has said, and rightly so, is that it requires legislation to do so; that is the advice she has received from the Law Officers. There should be a Code of Conduct and that is exactly what he had written to her at the very beginning.

- 22.10 Gomoll He quoted, from an email he had sent to her dated July 2013 – *May I suggest that a Code of Conduct in respect of conflicts of interests is drawn up and approved by Chief Pleas, that as an alternative to having a public register, (a) each Conseiller countersigns a code of conduct which is made part of the oath and (b) he or she notifies the President, within five days of receiving the agenda, any item which constitutes a conflict, leaving enough time to clear by the Chief Pleas meeting with the Conseiller as to whether he/she can participate in the debate and/or vote.* So she has had this since July 2013 and unfortunately the situation is that more and more matters are not aimed at bringing the best possible solutions forward but to simply say, we had some meetings and we know we are going to get a majority for this - therefore; yes we can and therefore; yes we do it - but not in the proper way. If the advice is to do it in the proper way with draft legislation that is the way it should be done.
- 22.11 He had written to the Conseillers at the time as he had also written to the President of Chief Pleas; he was willing to declare any conflict of interests in writing before the meeting but the situation is that, unlike a committee, these suggestions were not taken forward. Afterwards, he was told he should have made a counter proposal to Chief Pleas. The fact is that Rules of Procedure, Codes of Conduct they are are very, very, important but this is one of the reason why they need to be taken forward by a committee and not by one or two Conseillers who are not willing to wait until it is done properly and who are basically looking for a back-door way of doing it. The advice of the Crown Officers is to say it requires legislation to ensure it is human rights compliant; this is what we should be doing.
- 22.12 He has been supportive of the contents although not the procedure since the very beginning. He was disappointed that these things have not been taken into account, no progress has been made with the Crown Officers on the matter because any new legislation would need to be checked against other legislation which, for example, requires him as a practising Advocate to keep matters confidential. That is why the Crown Officers are there, to make these changes and to put forward written legislation which is sensible and achieves exactly what it is required to achieve in a human rights compliant way. Therefore this should be high on the agenda for the new committees for next year but it should be withdrawn, although he assumed a majority was in favour of it because as Conseiller Melling has said, Conseillers have been elected and therefore are expected to speak, expected to speak their mind, and expected to vote on matters.
- 22.13 Audrain She had filled out a declaration of interests; it is with the Greffier and it's not very interesting and doesn't say very much and, in fact, when she did she realised what an insignificant person she was; there is practically nothing on it. Going back to when we first discussed this matter, she was unhappy with the original proposition although she could not see a logical reason to vote against it. She was more unhappy with this proposition because she was not happy about the actual punishment. Obviously, if you have something like this there has to be some kind of penalty but she had been approached by a member of the electorate who said they were unhappy that they could elect somebody who might be stopped from speaking in the Assembly. She was inclined to agree with that. She thought the idea of a Code of Conduct was the way forward and this should be taken up. She would be voting against the proposition.
- 22.14 Cook Thought we should widen this slightly; an interest is not only in Chief Pleas; an interest that somebody might have runs right through all the influence they might have in policy making right from its beginning and right to the end. So only to declare an interest in Chief Pleas for a specific thing rather misses the point. What the public need to know is that the people working on the policy they are bringing forward are not doing so with any personal interest involved. This would make sure that happens.
- 22.15 Bache Agreed; he thought that what we were looking for is trust by the community in the Members of Chief Pleas; that is what democracy is also looking for but it does take time to get things through in Sark, we all know that. Legislation takes a long time. We could put off everything and wait for a Code of Conduct to be fully implemented or taken up to the various stages but it would take a long time. We have an election coming up and we need to show that we are moving on democracy and he thought the proposal being put forward allows us to do that; it fills the gap until something else is brought forward later.

- 22.16 Gomoll What this will do is to disenfranchise the voters because the voters have voted for certain people to represent them in Chief Pleas and to speak. They can hope that somebody will speak and speaks their mind.
As far as timing is concerned this is totally self-induced because his emails suggesting a Code of Conduct is dated 19th July 2013; so to say it needs to be rushed now with draconian measures, which many of us do not feel comfortable about, he felt was utterly wrong.
- 22.17 Guy She agreed this was second best but it is something that can be in place for December and should be. She would also like to correct one or two things.
The Law Officers haven't suggested any change of legislation; it was to Conseiller Melling's point that she had suggested that there would need to be a change of legislation were his suggestion to be adopted about somebody having to declare before they stood for election.
- 22.18 She absolutely agreed with a Code of Conduct but there wasn't time to get it through. It is something that a future House needs to develop and it will get around this problem of declaring interest in committees as there is very, very, little written about those procedures at all.
When people vote in people they expect them to speak and vote but they also expect them to maintain Rules of Procedure in the House just the same as all the other kinds of procedure and we have to realise that doing this through Rules of Procedure was the only way we had of doing it at the time
She hoped that everyone had taken on board what her colleague, Conseiller Dunks, has said – this is something we need to do and we need to do it now.
There may be better ways to do it in the future but she hoped that Chief Pleas will feel able to adopt this and vote for it at this present time.
- 22.19 Ventress Called for a named vote.

22.20 **Proposition – CARRIED as amended with a named vote of 20 pour, 4 contre.**
That section 13a of the Rules of Procedure of the Chief Pleas of Sark is amended to read –

Conseillers shall submit a declaration of interests form to the Greffier on or before the 10th January 2014 and any person being elected as Conseiller after that date shall submit a declaration of interest form on or before, or within two days of being sworn in to the office of Conseiller. These will be updated by the Greffier requesting changes/updates annually during December. Forms can be examined at the Greffe Office but will not be placed on the Government Website. A further copy of the declarations shall be held by The President of Chief Pleas.

Observation of this rule of procedure, as with all other rules of procedure, shall be a requirement of taking part in meetings of Chief Pleas.

Conseillers failing to submit a form, or to provide updated information when requested, shall be named at each meeting and shall not speak or vote until a written declaration form, or any updated information, is submitted.

A recess for lunch was called between 1.07 and 2.15pm

23 Shipping and Finance & Commerce Committees

Isle of Sark Shipping Matters

- 23.1 Cook This report is set out in four sections; he will introduce the first section followed by debate and proposition and he will include section four in this opening as it has no proposition and is just for information only. Conseiller Cottle will deal with the second section followed by debate and proposition and then likewise section three.
- 23.2 Started by updating with the latest information available from the Company; the financial year runs from the 1st October 2013 until 30th September 2014 so the figures today cover the whole year and can be compared to the previous year.
As you know last year the freight dropped dramatically to 3,871 tonnes; this year the freight dropped a little more but has almost stabilised at 3,759 tonnes. Let us hope that the tonnage going forward has bottomed out and a new norm is establishing.
Passenger numbers have shown an increase – 50,521 against 48,655 last year – an increase of 1,866. While this increase is welcome it must be seen in light of a very good summer and we shouldn't be complacent.

- 23.3 Cook The boats continue to be maintained in excellent condition and have an excellence reliability record for the year. All in all the Company has performed its function for the inhabitants of Sark admirably and we must thank all the crews, staff and Directors for working so hard for the benefit of us all.
- 23.4 While the Company's financial year only ended yesterday, the Directors have given us an early indication that the Company accounts for the year are expected to show a small profit. Very good news indeed and we hoped it materialises into at least a small profit; we will have to wait and see.
- 23.5 In the report before you, Mrs. Julie Mann is changing from Executive Director to that of a non-Executive Director after six years in the role, the first two of which, he reminded the House, she did on a voluntary basis; as indeed did Colin Smith who will remain as an Executive Director. He for one fully appreciate all of Julie's hard work as I am sure do many others. The report goes on to show how Julie's decision has precipitated the actions described, an ideal opportunity to take stock, assess where we are and make sure the Company continues to serve the Island into the future. We hope you agree this is the correct course of action and we can look forward to the future with renewed confidence.
- 23.6 Section 4 of the report contains an explanation regarding the return of skips from Public Works and that explanation is that events have rather overtaken this issue which will unfold as the new Government arrangements come into being and the process described in the report progresses. So there will be no action yet until that review process has been completed.
- 23.7 **Proposition 1 - CARRIED**
That Chief Pleas approve the appointment of Mr Yan Milner for the purpose of, and under the terms described in Appendix 3 attached to this report.
- 23.8 Cottle The short-term loan - as flagged up earlier in the year, Sark Shipping has requested that the loan facility they received last winter of £200,000 is repeated for next winter. The loan would be available from January 1st 2015, drawing the first amount on January 2nd and further amounts as required up to £200,000 total by the end of April and repaying in full by 31st August 2015, with interest at the same rate as this year. We ask that you approve Proposition 2.
- 23.9 When this was brought to Christmas Chief Pleas, with £50,000 already released and up to £150,000 further requested there was understandable questioning of the Company's ability to repay but with little choice the loan was approved. Questions were asked about the predictions being made about their ability to repay on time and the accuracy of their cash flow forecasts. The Company had made available their management accounts, to our Treasurer, who reported on these to F&CC with any variations from forecast. We were kept up to date with monthly figures and cash flow updates including loan withdrawals and repayments as they were made. The Directors together with all employees worked very hard this year to achieve the result that Conseiller Cook has just given preliminary information on, of an expected small profit. The repayment schedule that the Directors set themselves was very tight and with some late receipt of invoices, not every repayment was made in full on time but they kept pretty close to the schedule and were able to make the final payment slightly ahead of the due date.
- 23.10 It is against that background that we can recommend the approval of a repeat loan for this winter, they now have a track record of repayment and we have been receiving their monthly reports via the Treasurer throughout that period and will continue to do so. F&CC has received the cash flow forecast for the period of the loan. By the end of December 2014 they expect to be reaching the limit of their Bank overdraft of £150,000 and will need the up to £200,000 for cash flow to get them to the profitable months from May onwards. It will be tight again and will need careful management of expenditure to achieve this. The appointment of Mr Milner is intended in part to allow a new pair of experienced eyes to look at the operation and identify any savings that will reduce outgoings particularly through the winter without reducing the Company's capacity through the tourist months. Regular meetings will be held to keep the Shipping and F&C Committees informed of developments in the review process.

- 23.11 Cottle Another in-year loan request will be made for the following winter of 2015 going into 2016. However, the requirement for cash-flow loans will reduce as the two Lombard Loans are completed; these are highlighted in the report and the savings that will be made in not having to pay back to Lombard any longer will reduce the winter overdraft.
The proposition is not as specific on interim dates of drawing and repaying the loan as it was this year. They will be made when needed and at regular intervals, though the final repayment date is fixed.
- 23.12 Perrée It would be a waste of her time to stand here and say do not give any more loans to Sark Shipping as it is our lifeline and we need it; and she would be out-voted.
All the time she hears about Sark's lifeline; she agrees lifeline's are very important and she would know that as she has a son who is a commercial diver but they do get kinks and wear out and various things do go wrong. You may be aware that the people of Sark will struggle this winter, feeding families and keeping homes over their heads and a warm house. They will try to scrape a living in the rough elements that effect the Island in the winter and with the taxes and everything else going up.
- 23.13 What do Sark Shipping do for the people of Sark? Do they give the taxpayers a thought as they sit in their heated offices working on their expensive computer systems waiting for yet another pay rise and looking forward to the staff party at Christmas?
- 23.14 Every committee has looked at ways of saving money except Sark Shipping. If we can save £50,000 by dropping one cargo boat in the winter how much would we save by cutting crew or people working in the office?
She believed there were four full-time crews which is a lot to sustain especially with the decline of tourists we have had this year.
Do they need such a big office? How much income does the Company make from booking Condors, handling Manche îles, cruise liners, booking of carriages and hire bikes, working for Channel Seaways, running coastal trips? Is it worth paying for so many staff to work in the office and having to cover their pensions and health insurance that goes with the bundle of working for Sark Shipping?
- 23.15 Can Sark taxpayers afford two Directors? How much more is it going to cost having one sitting on the back bench and two working at the front?
Will the staff have to have another pay rise this year? Why do the skippers earn between £3 and £7 more than other shipping operators in Guernsey?
- 23.16 Many Sark youngsters who have come up with business initiatives have asked for concessions on the Sark-Guernsey run which takes empties and other bits and pieces. One Sark lad wanted to export furniture but the cost of getting it shipped did not make it viable to compete if he wanted to earn anything at all.
Do you know how much it is to ship a live goat or sheep to Guernsey? Five years ago a local farmer was quoted £65 per animal. That is too much when you are trying to sell your meat off-Island. The price for a dead lamb has gone up from £9.40 to £16.25 and that is just this year.
If you ship a horsebox, you are talking about £539.
So what does Sark Shipping do for the taxpayers and people of the Island?
- 23.17 The boat is certainly not laden with tourists. If there were cutbacks we would all flourish and, if the offices were here perhaps, Sark residents could fill some of the cushy jobs that are available all year round.
It is time for the Shipping Company to change to benefit the Island and its taxpayers. I have been requested by many people to stand up and say this in Chief Pleas today.
- 23.18 Guy Trusted that Conseiller Perrée will take advantage of taking all these points to the review which may be able to ascertain how much there is in fact or otherwise in it.
- 23.19 Cook Pointed out that Julie Mann is going to be a non-Executive Director and she takes no payment for that whatsoever.
- 23.20 **Proposition 2 - CARRIED**
That Chief Pleas approves a short term in-year loan of up to £200,000 to be made available from 1st January 2015 with repayment made by 31st August 2015 on terms agreed with F&CC.
- 23.21 Cottle The origins of the [existing outstanding long term loan](#) had to be dug out by the Directors and explained to F&CC, as it had been built up under previous managements and had grown to reach £840,000 before 2008.

- 23.22 Cottle As explained in the report, it stands at £254,788 and this facility has been renewed every two years with an agreement by Chief Pleas not to recall it. Currently Sark Shipping does not have the funds to repay this and the agreement to not request repayment is up for renewal again in January 2015.
Under these circumstances both Committees recommend that this agreement is renewed again and that what is ultimately done regarding the loan is a decision to be made as a result of the Review being undertaken. At the appropriate point within the review a recommendation will be brought to Chief Pleas on the matter.
- 23.23 E. Baker Can the Chairman of Shipping explain whether this is anything to do with the tariff equalisation scheme that was in place when the Drakes ran the Company?
- 23.24 Cook Thought this might have to be referred to the historians to be able to answer that.
- 23.25 President Requested that a written answer be provided for Conseiller Baker.
- 23.26 Gomoll Wondered if the review progresses more quickly than two years and something is being brought back then should we say unless there is a recommendation of the Company or of the Committee some saving position at the end of proposition 3.
Because if we are having a comprehensive review and it said this will prompt the future deliberations of Chief Pleas and that should be in there somewhere.
- 23.27 Cottle Thought something could be done with the loan before the end of the two years even if they are aggrieved that we do. At the moment we are agreed not to call-in the loan during the next two years; if we reach a point in that two years and we had a proposition to bring it to Chief Pleas that would overrule what we have agreed in the meantime; he didn't think it was necessary to bring anything to the existing proposition for that purpose.
- 23.28 **Proposition 3 – CARRIED**
That Chief Pleas agrees that the current long term loan of £254,788 to the Isle of Sark Shipping Company will not be recalled within a further two year period commencing January 2015 and that the future treatment of this loan will become part of the review process.

24 Finance & Commerce Committee

Medical Centre Capital Expenditure

- 24.1 Cottle The Island Trustees have submitted this request for funds from the Capital Reserve, up to the sum of £13,750 for the replacement of the Kitchen at the Medical Centre.
The kitchen is now twenty-five years old and the Trustees recommend that due to its condition it be replaced, so that the property is kept in an acceptable condition with appropriate facilities for the occupants.
The requested amount is to cover the complete work including units and materials together with installation labour, making good and redecorating. If approved the work will be put out to tender, with a specification of the works entailed.
- 24.2 It should be noted that should this request be approved, the funds to carry out this work will be drawn from reserves as this will make a material improvement to the property, reflected in its recorded valuation.
The money will not be raised among the taxes in the Budget that has been presented today and it has not been included in the rates calculated for next year.
- 24.3 Burgess For the record, many people had approached him feeling unsure about £13,750 for a kitchen. He looked into it and consulted the Trustees and various people and has gone back to those who approached him and explained to them that it is not just for a kitchen. Some were still not happy so he asked if Chief Pleas could have a breakdown as to what the money was going towards so that it puts peoples' minds at rest.
- 24.4 Seigneur The estimate is based on the Ivy Cottage replacement kitchen and also on the boiler; the boiler had to be replaced; it was failing, and, as a result, we decided to use a boiler external to the kitchen itself and it has left the kitchen itself in serious need of upgrading.
We have to remember that the building is 25 years old, it has four doctors using the kitchen and very many locums as well and it has reached a stage quite frankly where the kitchen is a disgrace and in serious need of upgrading.
- 24.5 D. Baker She agreed with the Seigneur; she had the job of showing Dr. Stevenson and his wife around the kitchen when they came for the position and it was not very pleasant at all; it had served its purpose but was looking very, very, rough and she was delighted that we are looking to replace it.

24.6 Guy It is quite reasonable that Conseiller Burgess should express the comments that residents have expressed to him. She guessed it would be possible to refer them to the tendering exercise that would go out and anyone who wishes to know more can look at the tender which will be fairly specific, if there is that real curiosity.

24.7 **Proposition – CARRIED**
That Chief Pleas approves capital expenditure of up to £13,750 for the renovation of the kitchen at the Medical Centre.

25 Finance & Commerce Committee

La Ville Roussel Trust Housing Loans

25.1 Cottle From next week, on Monday 6th October, Sark born residents who meet the criteria in this report, will be able to apply to the Trustees of La Ville Roussel for a loan of up to £15,000 to help with the cost of purchasing a new build home.
The details are set out in the report with a specimen loan agreement and if anyone is interested in applying for or finding out more about the terms of a loan, then they should contact the Trustees for more information.
This Committee isn't able to answer questions on the availability or terms of these loans, but is announcing that they are available on behalf of La Ville Roussel Trustees.

25.2 Bache Information on who to contact will be posted shortly on the Government Website.
Sought clarification on what is said about the loan and the position of the Bank of England rate - it says "...for the time being in force". Does that mean the Bank of England base rate is going to be the rate or are we taking that to mean the Bank of England rate for the time being in force will be the rate?

25.3 Treasurer The Bank of England base rate, as it fluctuates will change the rate of interest on these loans.

25.4 President They will remain 1% above whatever the fluctuating rate is at any given time.

25.5 Guy She is assuming that the qualifications of the people who can apply for this that both one and two apply. There are three qualifications actually (on the first page attached to the report), but she is assuming that both one and two apply. The applicant should be born in Sark or a young person who has lived in Sark for fifteen years so both need to be in place.

25.6 President Also asked how young is young?

25.7 P. Williams Sorry, you don't count! (laughter).

25.8 President Being in the situation once himself, in qualification one "...the applicant shall be a person born in Sark albeit delivered in Guernsey...", that's fine but he was born in England and came here when he was nine months old and he didn't know anywhere else; this was and is his home and this would not apply to him.

25.9 Plummer Qualification two would apply ("a young person who has lived in Sark for fifteen years..."). It is a catch-all; but you are too old as well. (more laughter)

25.10 Seigneur When considering a young person, is absence from Sark to attend school elsewhere at none or eleven does that count in the fifteen years.

25.11 Gomoll Confirmed that it did.

25.11 Gomoll Was going to ask the same question as the previous speaker.

25.11 Gomoll Conseiller Guy asked if qualifications one or two were alternatives or they are cumulative requirements. The way you have now answered suggests they are alternatives – Sark born (albeit delivered in Guernsey) or having lived in Sark for fifteen years.

25.12 President That is the intention of the Trustees.

25.13 Guy So it is an either/or not a both.

25.14 President People could be both but it is an either/or.

25.15 Guy So somebody who is born in Sark can apply; somebody who is not born in Sark but who has been here for fifteen years can apply.

25.15 Guy Somebody who was born on Sark but hasn't been here for fifteen years wouldn't have the qualification anyway would they?

25.15 Guy As far as the sample that Conseiller Williams gave there is anyway the third catch-all condition that the Trustees could have discretion to widen the requirements in exceptional circumstances.

25.16 President The Trustees did try to think of all the possibilities but probably missed one which is why the catch-all giving a wide discretionary power is included.

26 Education Committee

Annual Report on Sark School

- 26.1 Audrain This is the usual report that the Committee put in an tries to cover all the things that have been happening in the school throughout the year and as can be seen it has been another busy year. It also shows how the School is developing.
The school has just celebrated being in the new building for ten years. It is planned to have a school inspection going forward into 2015 and this time we are engaging with the Guernsey Education Authority which is going to work with us on an inspection process which will help the future development of the School.
The cost of that is included in the Committee's budget request.
- 26.2 Fry A few people have asked her over recent months as to the possibility of French being taught in the School. It seems that as we are so near to France; obviously it will need someone to teach it.
- 26.3 Audrain There have been problems with teaching French in the School mainly with finding the staff also because our classes contain such a wide age-range and delivering a subject like that where much of it is aural means one has to guard against children covering the same ground over and over again.
So it isn't a difficulty but it is something we are trying to resolve.
- 26.4 P. Williams Asked the Committee if it was looking at staffing levels as he understood there was great concern on the Island with the number of teachers and assistants; a lot of people think it is very unacceptable in these financial times.
- 26.5 Audrain The Committee has looked at staffing very carefully. As you will have seen from reading the budget report we did look at the budget in particular regarding non-teaching assistants and we have manage to make a cut in that area.
We have discussed it in depth and we still feel that we cannot deliver a 21st century curriculum on less staff than we have at the moment.
- 26.6 Guy In support of what the Chairman has just said, when you look at it blankly like that the pupil to staff ratio does look extremely good. However, education now is very, very different from what education was twelve years ago when she was teaching in the school. Specifically, secondary children are now offered a wide range of GCSEs and this came as a request from parents really; parents wanted their children to stay in Sark School. Some of these are done through the NISAI Institute and IT systems although this is expensive for parents and a result our Headteacher is doing a number of taught courses which is quite stressful as you are working very much on individual learning here. We are now offering a good crop of GCSEs now which has never happened in the School before. As long as parents continue to have that aspiration for their children we need to keep with a teacher ratio although, as Conseiller Audrain has said we have cut down slightly on the teaching assistants.
- 26.7 She was sorry that so many Members of Chief Pleas missed the opportunity to go into School last week as that would have been an opportunity to see the type of very high class education our children are having. She urged Conseillers to take any future opportunity to go into School and see out children at work and she had little doubt that the Headteacher should you wish to have a look in next week, she would accommodate you.
- 26.8 Gomoll He asked if, in future, a paragraph could be added to the report about the children of Sark residents who are educated outside the Island, maybe in Guernsey or in the UK. So we get a full overview, for example, whether Sark children have achieved A-levels so that we have a full view of Sark children even if they are not educated in the Sark School.
- 26.9 Audrain Agreed that was a valid point and was sure that we could get most of that information together and would be pleased to present that to Chief Pleas in our next year's report.

02 General Purposes & Advisory Committee

Ordinances made by the Committee and Laid Before Chief Pleas

- 0.10 The Sudan (Restrictive Measures) (Sark) Ordinance, 2014 (Ref.Code: XVIII/2014)
The South Sudan (Restrictive Measures) (Sark) (Amendment) Ordinance, 2014 (Ref.Code: XIX/2014)
The Crimea and Sevastopol (Restrictive Measures) (Sark) Ordinance, 2014 (Ref.Code: XX/2014)
The Ukraine (Restrictive Measures) (Sark) (Amendment) Ordinance, 2014 (Ref.Code: XXI/2014)
The Central African Republic (Restrictive Measures) (Sark) (Amendment) Ordinance, 2014 (Ref.Code: XXII/2014)
The Territorial Integrity etc. of Ukraine (Restrictive Measures) (Sark) (Amendment) Ordinance, 2014 (Ref.Code: XXIII/2014)
The Russian Federation (Restrictive Measures) (Sark) Ordinance, 2014 (Ref.Code: XXIV/2014)
The Afghanistan (Restrictive Measures) (Sark) (Amendment) Ordinance, 2014 (Ref.Code: XXV/2014)
- 0.11 President He had received no motions to annul these Ordinances so they remain extant and as approved by the GP&A Committee.
- 0.12 E. Baker He has voiced his opinion countless times in GP&A Committee about these restrictive measures Ordinances; he believed they should be Bailiwick-wide and it would be far easier to implement them.
It also worth noting that the reason for these Ordinances goes back to the 1990s when it was found that these restrictive measures did not apply to the Crown Dependencies and that had to be rectified and we have been able to implement them straight away when asked to do so by the Ministry of Justice.
It is also worth noting, today is the twentieth anniversary of the Rwandan Genocide and that in itself, because Crown Dependencies were involved, led to these Ordinance being enacted.

Closing Remarks

- 0.13 The President read out the arrangements for the General Election and By-Election on 10th December 2014 giving details of dates and the procedures to be followed.
These will be attached to the minutes.
- 0.14 The President gave notice of a presentation to be given on Monday 13th October in the Island Hall Toplis Room when John Schofield, Chief Executive Officer of Today Sure (incinerators) will speak about Waste Disposal.

Next scheduled meeting of Chief Pleas Members

CHRISTMAS MEETING – Wednesday 21st JANUARY 2015 at 10.00am
Agenda closes - Friday 12th December 2014 at 3.00pm
Papers distributed to Members before Friday 19th December 2014.

This meeting closed at 3.05pm

Brian Garrard CMILT (Sark Committee Secretary) 1st – 10th October 2014

President of Chief Pleas

The Greffier

Finalised on 14th October 2014

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.

MEMBERS OF CHIEF PLEAS

Michaelmas Chief Pleas Meeting – 1st October 2014

| | Attending | Item 18 (Prop.2) | Item 22 | | | | | | | |
|----------------------------------------|-----------|------------------|---------|--|--|--|--|--|--|--|
| Seigneur – Sieur J.M. Beaumont OBE | / | | | | | | | | | |
| The President – Lt. Col. R. Guille MBE | / | | | | | | | | | |

CONSEILLERS

| | | | | | | | | | | |
|---|----------------------|---|---|---|--|--|--|--|--|--|
| 2 | Mr. D.T. Cocksedge | / | P | P | | | | | | |
| 2 | Mrs. H.M. Plummer | / | C | P | | | | | | |
| 2 | Mr. D.W. Melling | A | - | - | | | | | | |
| 2 | Mr. C.R. Nightingale | / | P | P | | | | | | |
| 2 | Mr. A.P.F. Bache CMG | / | P | P | | | | | | |
| 2 | Mr. E. Baker | / | P | P | | | | | | |
| 2 | Mr. S.B. Gomoll | / | C | C | | | | | | |
| 2 | Mrs. D. Baker | / | P | P | | | | | | |
| 2 | Mr. A.G. Ventress | / | P | C | | | | | | |
| 2 | Mr. A.J. Cook | / | P | P | | | | | | |
| 2 | Ms. M.A. Perrée | / | C | C | | | | | | |
| 2 | Ms. J. Guy | / | P | P | | | | | | |
| 4 | Mrs. S. Williams | / | C | P | | | | | | |
| 4 | Mrs. H. D. Fry | / | P | P | | | | | | |
| 4 | Mrs. K. Adams | / | P | P | | | | | | |
| 4 | Mr. R.J. Dewe | / | P | P | | | | | | |
| 4 | Ms. E.M. Dewe | A | - | - | | | | | | |
| 4 | Mr. A. Dunks | / | P | P | | | | | | |
| 4 | Mr. A.C. Prevel | A | - | - | | | | | | |
| 4 | Mr. P.J. Williams | / | P | P | | | | | | |
| 4 | Mrs. R.E. Byrne | / | P | P | | | | | | |
| 4 | Ms. C.D. Audrain | / | P | C | | | | | | |
| 4 | Mr. R.W. Cottle | / | P | P | | | | | | |
| 4 | Mr. A. Blythe | / | P | P | | | | | | |
| 4 | Mr. M. Joyner | / | P | P | | | | | | |
| 2 | Mr. P. Byrne | / | P | P | | | | | | |
| 2 | Mr. P. Burgess | / | P | P | | | | | | |
| 4 | Vacancy | - | - | - | | | | | | |

2 – Term of office ends in January 2015
4 – Term of office ends in January 2017

A / Apologies Present

C Contre
P Pour

Brian Garrard, Committee Secretary CMILT, 2nd October 2014

Timetable for General Election of 14 Conseillers and a By-Election of 2 Conseillers – 10th December 2014

| | |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 14 Nov 14 | <p>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 President's offices, prior to nominations opening. When completed, but not before 17 Nov, the forms are to be delivered by one of the persons named on the form to the President of Chief Pleas (Returning Officer) between 1 pm and 3 pm, Mon 17 Nov to Thur 20 Nov and Fri 21 Nov between 9 am and 12 noon. In any absence of the Returning Officer forms may be returned to the Greffier (Deputy Returning Officer).</p> <p>Elector Register closes and remains closed until election process are complete.</p> |
| 17 Nov 14 | <p>Nominations open.</p> <p>A daily list of nominations received will be posted in the Seneschal's Court Notice Box; nominations will be listed in the order received.</p> |
| 21 Nov 14 | <p>Nominations to close at 12 noon. Thereafter the Returning Officer 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 3 Dec.</p> |
| 21 Nov 14 | <p>Notice in Island Boxes of Nominations with Proposers and Seconders.</p> |
| 25 Nov 14 | <p>Notice in Gazette Officielle of Nominations with Proposers and Seconders.</p> |
| 10 Dec 14 | <p>General and By-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.)</p> |
| 11 Dec 14 | <p>Notice in Island Boxes of Result.</p> |
| 12 Dec 14 | <p>Notice in Gazette Officielle of Result.</p> |

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 10 Dec.)

| | |
|-----------|----------------------------------------------------------------------------------------------------------------------------|
| 14 Jan 15 | General and/or By-Election re-run, only for candidates tied at 10 Dec. (No other nominations allowed.) |
| 15 Jan 15 | Notice in Island Boxes of second election Result. |
| 16 Jan 15 | Notice in Gazette Officielle of second election Result. |
| 16 Jan 15 | A Court will be held at 10.00 am to administer the Oath of Allegiance and Oath of Office to the newly elected Conseillers. |

Notes:

- a. Persons elected at the General Election will hold office until the 10th Jan 2019.
- b. Conseillers Elect (14 Conseillers elected at the General Election on 10th Dec 14) will be sworn into office on Friday 16th Jan 15 at 10 am – this will be followed by an Extraordinary (Special) Meeting of Chief Pleas to elect Conseillers to Committees.
- d. Conseillers elected at the By-Election on the 10th Dec 14 will be sworn into office as soon after the election as can be arranged with the Court.
- e. Any other casual vacancies for the 10th Dec 14 By-Election must be notified to the President by way of a letter of resignation as a Conseiller not later than 14th November 2014.

Information announced on 1st October 2014