



OFFICIAL REPORT

OF THE

CHRISTMAS MEETING

OF CHIEF PLEAS

OF THE

ISLAND OF SARK

HANSARD

Assembly Room, Sark, Wednesday, 21st January 2015

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Present:

Seigneur

J M Beaumont Esq OBE

President of Chief Pleas

Lt Col. R J Guille MBE

Deputy Prévôt

Mrs J Godwin

Greffier

Mr T J Hamon

Treasurer

Mrs W Kiernan FCA

Constable

Mr G Williams

Vingtenier

Mr P S La Trobe-Bateman

Conseillers:

Sandra Williams
Hazel Fry
Karen Adams
Richard Dewe
Elizabeth Dewe
Antony Dunks
Paul Williams
Rosanne Byrne
Christine Audrain
Robert Cottle
Alan Blythe
Matthew Joyner
Diane Baker
Edric Baker

Paul Burgess
Peter Byrne
Elsie Courtney
Colin Golds
Charles Maitland
Nicholas Maloney
Elizabeth Norwich
Roger Norwich
Helen Plummer
William Raymond
Arthur Rolfe
Stephen Taylor
Christopher Nightingale
Anthony Ventress

Business transacted

Tribute to Lawrence de Carteret and condolences.....	5
Resignation of William Raymond from Taxation Tribunal –	
Statement by Conseiller Robert Cottle	6
Seafarers’ employment agencies – Statement by Conseiller Robert Cottle	6
Road Traffic Tribunal Panel – Statement by the President.....	7
Douzaine members – Statement by Conseiller Edric Baker.....	7
Tribute to Conseiller David Melling –	
Statement by Conseiller Sandra Williams on behalf of the Tourism Committee	8
Tribute to Conseiller David Melling –	
Statement by Conseiller Helen Plummer on behalf of the emergency services	8
Library photos	9
Procedural	9
Order of the Day	9
1. Minutes of Michaelmas Meeting, 1st October 2014 – Approved as amended	9
2. Minutes of Michaelmas Meeting, 1st October 2014 – Matters arising	10
3. Minutes of Extraordinary (Special) Meeting, 16th January 2015 – Approved.....	10
4. Minutes of Extraordinary (Special) Meeting, 16th January 2015 – Matters arising	11
5. Questions not related to the Business of the Day – None.....	11
6. Amendments to the Road Traffic Law –	
Road Traffic Committee Report considered – The Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment) Law, 2015 approved	11
7. Transfer of Functions – Cross-committee report considered –	
Sark General Purposes and Advisory and Finance and Commerce Committees (Transfer of Functions) Ordinance, 2015 approved.....	12
8. Tobacco Licensing – Medical Committee report considered –	
The Sale and Supply of Tobacco Products (Sark) Ordinance, 2015 approved	13
9. Rules of Chief Pleas –	
General Purposes and Advisory Committee report considered – Propositions carried	15
10. Securing Sark’s Future – Progress Report noted.....	16
11. Renewal of the Service Level Agreement –	
St James’ Chambers – Joint report considered –	
The Service Level Agreement – Legal Services – Document approved –	
Proposition carried.....	19

CHRISTMAS MEETING OF CHIEF PLEAS, WEDNESDAY, 21st JANUARY 2015

12. Amending Mandate – Harbour and Pilotage Committee report considered – Propositions carried.....	20
13. Co-opting a non-Chief Pleas member for a specific project – Harbour and Pilotage Committee report considered – Proposition carried.....	21
14. Review of the Isle of Sark Shipping Company – Shipping Committee First Progress Report noted.....	22
15. Tractor Licensing for 2015 Licences – Road Traffic Committee report considered – Proposition carried.....	24
16. Committee elections – To elect non-Chief Pleas members onto Committees as required – Propositions carried – .	25
17. The Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991 – General Purposes and Advisory Committee Information Report noted.....	26
18. Annual Report on Development Control – Development Control Committee Information Report noted	27
19. Annual Report of the Sea Fisheries Committee – Information Report noted.....	28
Closing remarks	28
<i>Chief Pleas adjourned at 11.28 a.m.</i>	<i>28</i>

Christmas Meeting of Chief Pleas

Chief Pleas met at 10.00 a.m.

[THE PRESIDENT *in the Chair*]

PRAYER

The Greffier

ROLL CALL

The Greffier

The Greffier: There are 28 Conseillers, the Seigneur and the President of Chief Pleas present.

The President: His Excellency is unable to attend today's meeting, but on your behalf I would wish His Excellency and Mrs Linda Walker a happy and successful 2015.

Tribute to Lawrence de Carteret and condolences

5 **The President:** Many of you will know that the late Seneschal of this Island, Mr Lawrence de Carteret, died yesterday. He was a Deputy, a Tenant and Seneschal.

Lawrence was born on 27th January 1935 and was one of a dwindling band of Sarkees who remembered the Occupation years of 1940-45. Lawrence went to school in Sark and also to Elizabeth College, returning to Sark to work in the power station under Malcolm Robson, remaining there all his working life. It is said that Tim Gordon Brown would not let him retire –
10 Lawrence was now the manager – until he gave up the power station.

He stood as a Deputy of the People, first taking his seat in July 1964. During his time as a Deputy, he was appointed Deputy Seneschal, being sworn into office on 16th November 1985 and being appointed Seneschal soon after that. He was also Constable during his time as a
15 Deputy in the years 1973-76.

He first took Chief Pleas as Seneschal at Easter 1985. He had been sworn in as Deputy Seneschal just a few months before that, and when he was asked by the current Seneschal, Hilary Carré, to take over he said, 'I'll be there for a while' – and then promptly disappeared about three months later, retiring. Tales are told of him and the Greffier, John Hamon MBE,
20 occasionally breaking into patois during courts, much to the bemusement of those appearing before the Court – but it did save them having to go out to confer! (*Laughter*)

Lawrence inherited the Beauregard Tenement in early 1997 on the death of his cousin, Stan Falle, remaining Seneschal and holding the tenement vote and also the casting vote as ex-officio President until he retired after the Christmas meeting in January 2000. Lawrence was
25 always available to me in my early years as Seneschal after his retirement when I came across issues, both as the judge and presiding officer, that I needed his advice upon.

His public service to the Island spanned 36 years and I thank him for that service, both to Sark and to Chief Pleas, and offer our condolences to his daughter, Louise, and his family.

30 May I also give our condolences to the Deputy Prévôt on the death of her father-in-law, John Godwin.

Would you please rise for a silence.

Members stood in silence.

35 **The President:** Thank you.

I hope that is the last eulogy we will have for some little while.

OPENING STATEMENTS

Resignation of William Raymond from Taxation Tribunal – Statement by Conseiller Robert Cottle

The President: Conseiller Cottle, you wish to make two Statements, please.

Conseiller Cottle: Thank you.

40 The first one is a short one. It is a Statement on the resignation of William Raymond from the Taxation Tribunal.

Upon the appointment of Mr William Raymond as Conseiller last Friday, he was deemed to have resigned from his role as President of the Taxation Tribunal. Mrs Jo Birch, currently the Vice-President, will stand in as Acting President until a permanent appointment has been made, subject to the approval of his Excellency the Lieutenant Governor. A replacement member will also be appointed to bring the Tribunal back to full strength.

I would like to thank William, on behalf of Chief Pleas, for the contribution that he has made in filling this role.

Seafarers' employment agencies – Statement by Conseiller Robert Cottle

Conseiller Cottle: The second Statement is on the seafarers' employment agencies.

50 A week from today, on 28th January, a proposition will be put the States of Deliberation of Guernsey that an Ordinance be made in Guernsey to extend the Seafarer Recruitment and Placement Services (Maritime Labour Convention) 2006 to Sark. It is not usual for this method to be used to produce a commencement Ordinance for Sark, so some explanation is required.

55 This is to do with the Maritime Labour Convention coming into force internationally and the Bailiwick needed to be compliant with one aspect of this to prevent seafarer employment agencies losing business. A Bailiwick-wide enabling law specific to this circumstance was used to produce the relevant legislation; Sark was consulted and Chief Pleas approved that law in 2012. Sark has no such seafarer employment agencies and, for reasons of timing, the Ordinance commencing that law was only a Guernsey and Alderney Ordinance so that agencies were not disadvantaged.

60 However, to ensure Bailiwick-wide compliance for international reputation, it was felt that Sark should be in step and, should a business wish to set up on Sark, there would be no disadvantage. Consequently, Chief Pleas passed a commencement Ordinance at Michaelmas 2013, bringing the enabling law into effect so that legislation could be made to regulate employment agencies.

70 In this particular case, any Ordinance made under the enabling law would be made by Guernsey, and Chief Pleas consented to this. It was stipulated that any Ordinance having effect in Sark would be done after consultation with Chief Pleas through Finance and Commerce Committee. During 2014, the law officers consulted with F&C about producing an Ordinance to bring Sark into line with the one aspect of the Maritime Labour Convention that Guernsey legislated for. As the Ordinance will have no negative impact in Sark, F&C replied that it had no objection to this Ordinance being made. Hence this is now being brought to the States, where the Members will be asked to approved that an Ordinance under the Employment Agencies (Enabling Provisions) (Bailiwick of Guernsey) Law 2012 be made, having effect in Sark, to give domestic effect to the requirements of regulation 1.4 of the Maritime Labour Convention 2006 in that island.

75 This was a complicated sequence of events and not the usual method by which an Ordinance affecting Sark is made. However, it was deemed appropriate by Chief Pleas on this occasion specifically.

80 If there are any questions about this matter, then after Chief Pleas I will attempt to answer them or obtain further explanation from the Law Officers.

Thank you.

The President: Thank you very much.

**Road Traffic Tribunal Panel –
Statement by the President**

85 **The President:** I would inform you that the newly constituted Road Traffic Tribunal Panel has met and elected Mr David Curtis as their Chairman and Mr Stephen Cole as Deputy Chairman, with Miss Stephanie Guille becoming the Secretary and also a member.

**Douzaine members –
Statement by Conseiller Edric Baker**

The President: Conseiller Baker, you wish to make a statement, please.

90 **Conseiller Baker:** Yes, thank you, sir.

With the new committee structures, I would like to speak on people that have been working on the Douzaine for a number of years.

95 Starting with Andrew Prevel, he became a member of the Douzaine in January 2009 and served until last year. Andrew was a very hardworking and useful Douzenier. He worked and led on many reports for Chief Pleas, several surveys of La Coupée, survey and site visits of the land slide at Grand Grève, and was involved in other islands that benefitted from his expertise. The Committee is very grateful for his time on the Douzaine.

100 Secondly, Mrs Hazel Fry served on the Douzaine from October 2011 until now. Hazel was a conscientious Douzenier, fitting in several roles: arbitrator, mediator, carer, and above all someone who would listen to all the residents of the Island and speak in committee with regard to their views. A huge thank you from the Committee.

David Cocksedge was elected to the Douzaine in 1998 and served continually since then, which is 16 years. David felt strongly about many subjects that concern the Douzaine, was forthright in voicing his opinion and was always there to help with public works and Douzaine

105 issues. We are very grateful for all those years and his personality at meetings will be missed by all.

Thank you, sir.

The President: Thank you.

**Tribute to Conseiller David Melling –
Statement by Conseiller Sandra Williams
on behalf of the Tourism Committee**

110 **The President:** A Statement by Conseiller Sandra Williams, please.

Conseiller Sandra Williams: I would just like to make a Statement on behalf of the Tourism Committee about Conseiller Dave Melling.

115 Dave was a very conscientious and hardworking member on the Tourism Committee. He always had an opinion, even though he served on a Committee with four women! (*Laughter*) He did lots of practical things on our behalf while going about his daily job, always readily available to do jobs – ‘Melling, we need trestles at the markets! Melling, we need trestles tables here! Melling, we need trestle tables there!’ – and he always got them where they needed to be. His knowledge about catering permits and water testing were always very useful during a debate and his joined-up thinking, wearing both hats, always got us where we needed to be.

120 Not a day goes by where something comes up and we say, ‘Melling used to do that.’ He has left a gaping hole in our small community and in many people’s lives. He had a big heart, a great sense of humour and very big shoes, which I think will take a lot of filling.

125 God bless, Mel. He was a true friend of Sark and the people. Wherever he is, I hope someone is supplying him with his daily bacon butties and KitKats.

**Tribute to Conseiller David Melling –
Statement by Conseiller Helen Plummer
on behalf of the emergency services**

The President: Statement by Conseiller Plummer, please.

130 **Conseiller Plummer:** On behalf of the Sark Emergency Services I would like to pay tribute to the late David Melling for his outstanding contributions in everything he undertook for the health and wellbeing of this Island, especially his tireless and unstinting work with the Sark Ambulance Service. It was never too much trouble, and his cheerfulness and sense of humour helped distressed patients enormously.

135 At first, he was not too keen to take on the job of the ambulance, but then he became addicted to the job. Dave would always say to the Fire Service crew that the ambulance was busier than the Fire Service, so they must be the first emergency service. The Fire Chief’s reply to that was, ‘We help you out, so we must be the premier service.’ As Chairman of this Committee, I can remember on many occasions this banter happening with fond affection.

We will all miss him very much. Our condolences go out to his wife, Sue.

140 **The President:** Thank you.

Library photos

The President: I am just going to allow a short pause now for some library pictures by the Guernsey Press to be taken of the new Assembly.

Members assembled for photographs to be taken.

145

The President: That is rather appropriate after my plea in the last meeting that it was time some of the library pictures were updated. *(Laughter)*

150

We will have to get you back again when the Lieutenant Governor is on the Bench, so that you have a library picture of the Bench with the Lieutenant Governor here. Hopefully, he will be here at the Easter meeting, if you want to make an appointment then.

Procedural

The President: Would mobile phones, recorders and cameras be switched off now, please.

155

I would inform new Conseillers that when they stand to speak they must switch on the microphone before them and switch it off again when retaking their seats. We can tell whether you have switched it on or not by the a little red light that appears just underneath the top of the microphone; and as I said to an earlier meeting, I have the power here to switch you all off *(Laughter)* if you start getting a little bit on the noisy side.

Conseiller Paul Williams: A pity it does not work the other way. *(Laughter)*

160

The President: That was built in! *(Laughter)*

Business of the Day

1. Minutes of Michaelmas Meeting, 1st October 2014 – Approved as amended

To approve the minutes of the Michaelmas Meeting held on 1st October 2014.

The President: We will move on to the Business of the Day.

The first Item is Agenda Item 1: To approve the minutes of the Michaelmas Meeting held on 1st October 2014.

165

The President: Before I take a vote on the approval of those minutes, does any Member have any factual corrections to make? Conseiller Audrain.

Conseiller Audrain: I wish to take over the role of my esteemed colleague, ex-Conseiller Jan Guy and point you towards –

170

The President: For this meeting only, *(Laughter)* because after this meeting there is a *Hansard*, which will be correct. There will be no corrections; there will be no minutes arising. So make the most of this opportunity.

Conseiller Audrain: I am aware of that; that is why I am doing it, really.

175 In 26.3 we were talking about French in school and the school teacher in me cannot let the word 'aural' go by when what I meant was 'oral'; in other words, spoken not heard. You do both when teaching French, but I think the word should have been 'oral'. Sorry to nit-pick.

The President: Thank you.

180 Anybody else – for the last time?

Can I have a proposer and seconder that the minutes of the Michaelmas Meeting be approved? Conseiller Audrain. Conseiller Peter Byrne.

Those in favour; those against. **Carried as amended.**

2. Minutes of Michaelmas Meeting, 1st October 2014 – Matters arising

Matters arising from the minutes of the Michaelmas Meeting.

The President: Agenda Item 2: Matters arising from the minutes of the Michaelmas Meeting.

185 Are there any matters arising? Conseiller Audrain. Anybody else? Conseiller Baker.

Conseiller Audrain.

Conseiller Audrain: Yes, I just wish to mention that, on that item about teaching French in school, I am glad to say that we can now report that French is being taught throughout the school. The staff of the school went to the Education Show last year and found some good materials to be able to teach French throughout the school.

190

Thank you.

The President: Thank you very much.

195

Conseiller Edric Baker.

Conseiller Edric Baker: Yes, sir. Item 18 of the minutes: The new committee arrangements. There were several of us Conseillers who felt that these are going to be very difficult times and a transitional period, and it has proved so during the election to committees. The only way we have got through that is by several Conseillers being on four and five committees, which is really too much. I think the next period of the transitional plan will be essential so that we can reduce the number of committees or amalgamate committees.

200

Thank you, sir.

The President: Thank you.

205

Anybody else? No.

3. Minutes of Extraordinary (Special) Meeting, 16th January 2015 – Approved

To approve the minutes of the Extraordinary (Special) Meeting held on 16th January 2015.

The President: We move to Agenda Item 3: To approve the minutes of the Extraordinary (Special) Meeting held on 16th January 2015.

210 Before I take a vote on the approval of those minutes, does any Member have any factual corrections to make? No.

Can I have a proposer and seconder that the minutes of the Extraordinary (Special) Meeting be approved? Thank you, Conseiller Ventress and Conseiller Jane Norwich.

Those in favour; those against. **Carried.**

4. Minutes of Extraordinary (Special) Meeting, 16th January 2015 – Matters arising

Matters arising from the minutes of the Extraordinary (Special) Meeting held on 16th January 2015.

215 **The President:** Agenda Item 4: Matters arising from the minutes of the Extraordinary (Special) Meeting held on 16th January 2015.

Any comments, please? No.

5. Questions not related to the Business of the Day – None

Questions not related to the Business of the Day.

220 **The President:** We will move on to Agenda Item 5: Questions not related to the Business of the Day.

There are none.

6. Amendments to the Road Traffic Law – Road Traffic Committee Report considered – The Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment) Law, 2015 approved

To consider a Report from the Road Traffic Committee entitled 'Amendment to Road Traffic Law' and to approve the Projet de Loi entitled 'The Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment) Law, 2015'.

Proposition

That Chief Pleas approve The Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment) Law, 2015.

The President: We move on to Agenda Item 6: To consider a Report from the Road Traffic Committee entitled 'Amendment to Road Traffic Offences Law' and to approve the Projet de Loi entitled The Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment) Law, 2015.

225 I would ask the Chairman of the Committee, Conseiller Ventress, to introduce the report. Conseiller Ventress.

Conseiller Ventress: The Road Traffic Committee wishes to express its thanks to both Michelle Perrée and Christine Audrain for their services to the Committee.

230 Michelle Perrée has been a member of the Committee since 2012 until her retirement from politics. Her input has always been of use, interesting and useful.

Christine Audrain very nobly stepped up to fill one of the two vacancies and was elected at Michaelmas Chief Pleas Meeting, October 2013, intending to stay only until after the by-election. She was persuaded to stay on while the road traffic legislation took its laborious course through legal process. Her input was always very welcome, especially in tidying up drafts.

235 We are pleased to welcome back Elizabeth Dewe, who has already put a deal of time into commencing, in conjunction with the Sark Veterinary Officer and others, the horse welfare proposals.

I had felt that it was not necessary to comment on this amendment, other than to say that it spoke for itself. However, in view of comments in a certain publication, we must point out that this just endorses some of the regulations which have been put in place over many years. These are mainly due to congestion at Collenette between carriages departing and tractors parked, often on both sides of the road, by the bank. This does not infringe on unloading or loading.

245 I propose that this be accepted.

The President: Thank you.

Can I have any questions from the floor. Do I have any questions from the floor? No.

250 In that case, we will go to the Proposition contained in the report: That Chief Pleas approve the Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment) Law, 2015. Those in favour; those against. **Carried.**

**7. Transfer of Functions –
Cross-committee report considered –
Sark General Purposes and Advisory and Finance and Commerce Committees
(Transfer of Functions) Ordinance, 2015 approved**

To consider a Cross Committee Report entitled ‘Transfer of Functions’ and to approve the Ordinance entitled ‘Sark General Purposes and Advisory and Finance and Commerce Committees (Transfer of Functions) Ordinance, 2015’.

Proposition

That Chief Pleas approve the Sark General Purposes and Advisory and Finance and Commerce Committees (Transfer of Functions) Ordinance, 2015.

The President: Agenda Item 7: To consider a cross-committee report entitled ‘Transfer of Functions’ and to approve the Ordinance entitled Sark General Purposes and Advisory and Finance and Commerce Committees (Transfer of Functions) Ordinance, 2015’.

255 I would ask Conseiller Taylor to introduce the report, please. I would just point out that the Ordinance was circulated with the Addendum. Conseiller Taylor.

Conseiller Taylor: With permission, Mr President, as I was not involved in the event of this I would ask that Conseiller Cottle report this, as he some background information.

260 **The President:** Well done, that’s your maiden speech over and done with! *(Laughter)*
Conseiller Cottle.

Conseiller Cottle: Thank you. We all need breaking in lightly, so welcome back to Conseiller Taylor.

265 I was involved in this, so I have written something to speak on this just to clear up what this is about.

270 This Ordinance is brought to ensure that during the transition of responsibility from GP&A to Policy and Performance Committee and from Finance and Commerce to Finance and Resources Committee, all functions and responsibilities of the two previous committees are transferred to the new replacement committees. All Laws, Ordinances and other legislation which has reference to GP&A or F&C will from today transfer to the respective new equivalent committee. In effect, in current legal documents, for any reference to 'General Purpose and Advisory Committee' read 'Policy and Performance Committee', and for 'Finance and Commerce Committee' read 'Finance and Resources Committee'. This will come into effect immediately, assuming that this Ordinance is approved. This makes sure that all legislation continues to be assigned to a committee, and clarifies that for avoidance of doubt.

275 The Ordinance is made under the Public Functions (Transfer and Performance) Law, which is coincidentally the subject of Item 17 today.

280 The Proposition is that Chief Pleas approves the Sark General Purposes and Advisory and Finance and Commerce Committees (Transfer of Functions) Ordinance, 2015. I will take any questions before putting that.

The President: You will note from the report that the Proposition has been expanded to include the name of the Ordinance that you are approving.

285 Any questions, please? Any debate? No.

We will then move to the vote on the Proposition: That Chief Pleas approve the Sark General Purposes and Advisory and Finance and Commerce Committees (Transfer of Functions) Ordinance, 2015. Those in favour; those against. **Carried.**

**8. Tobacco Licensing –
Medical Committee report considered –
The Sale and Supply of Tobacco Products (Sark) Ordinance, 2015 approved**

To consider a Report from the Medical Committee entitled 'Tobacco Licensing' and to approve the Ordinance entitled 'The Sale and Supply of Tobacco Products (Sark) Ordinance, 2015'.

Proposition

That Chief Pleas approve The Sale and Supply of Tobacco Products (Sark) Ordinance, 2015.

290 **The President:** Agenda Item 8: To consider a Report from the Medical Committee entitled 'Tobacco Licensing' and to approve the Ordinance entitled 'The Sale and Supply of Tobacco Products (Sark) Ordinance, 2015'.

I would ask the Committee Chairman, Conseiller Diane Baker, to introduce the report. Note that the –

295 **Conseiller Plummer:** May I declare an interest in this report, please?

The President: Yes, just in a minute.

300 I would ask the Committee Chairman, Conseiller Baker, to introduce the report and I would ask you to note that an amended report and a revised Ordinance was circulated with the Addendum.

Conseiller Plummer.

Conseiller Plummer: May I declare an interest in this Item, please?

305 **The President:** Yes. You are declaring an interest.
Conseiller Williams.

Conseiller Sandra Williams: Could I declare an interest, please?

310 **The President:** You are both to retire from the Chief Pleas, unless there is a vote to retain you
in Chief Pleas. Does anybody wish...? If you are retained in Chief Pleas, you are not allowed to
speak or vote on the issue but you may provide technical input only.

Is there any motion for the Conseillers to remain in the Chamber? Conseiller Ventress and
Conseiller Blythe, you are proposing that they remain in the Chamber. A simple majority is
required for the two Conseillers to remain in the Chamber.

315 Those in favour; those against. **Carried.** You will remain in your places.
Conseiller Baker.

Conseiller Diane Baker: I would just like to say a personal thank you to Conseiller Richard
Dewe. Richard was always available for meetings, answered his e-mails promptly and always
320 told me when I had it wrong, and I did appreciate his honesty.

For the benefit of those who are new to Chief Pleas, I would explain the background to this
very briefly. In the Easter Meeting of Chief Pleas 2011 the Medical Committee asked for and
received approval to introduce a smoking ban Ordinance. During that meeting a second
Proposition was tabled and approved that Chief Pleas direct the Medical Committee to request
325 the Law Officers to draft an Ordinance to license the retail sale of tobacco and tobacco products
and ban the sale of tobacco and tobacco products to minors under 18 years old.

We came back to Chief Pleas on 2nd July 2014 when I explained that, after consulting with
the Law Officers, the Medical Committee had decided to take a two-stage approach to
regulation. We requested the Law Officers to draft an Ordinance to license the sale of tobacco
330 and tobacco products, which section 12 of the Reform Law allowed, and we leave the more
complex matters for a Projet in due course. We hope in future to have a Projet which will
encompass the Ordinances needed now, and that is the one we are asking for approval for
today, and possibly extend in the future to cover areas which the Reform Law will not allow us
to do adequately at this time.

335 We discussed this legislation with the Law Officers, which brings into account matters such as
the need for a named responsible person when a corporate body is involved so someone is held
responsible, the display of tobacco products and the involvement of children in the Tobacco Law
and the definition of tobacco products and licences.

340 We consulted with the public by sending out a paper which explained the Tobacco Licensing
Ordinance and sent out a copy of the Ordinance to any business that was selling tobacco
products. We had just 12 responses, all in favour of this legislation.

This is not a contentious Ordinance; it is just one that simply makes sense. So we ask you to
approve the Proposition that Chief Pleas approve The Sale and Supply of Tobacco Products
(Sark) Ordinance, 2015, which has a commencement date on Sark of 1st February 2015.

345 **The President:** Thank you.
Any questions? Any debate? No.

In that case, we will go to the vote on the Proposition: That Chief Pleas approve The Sale and
Supply of Tobacco Products (Sark) Ordinance, 2015, which has a commencement date on Sark of
350 1st February 2015. Those in favour; those against. **Carried.**

**9. Rules of Chief Pleas –
General Purposes and Advisory Committee report considered –
Propositions carried**

To consider a Report from the General Purposes and Advisory Committee entitled 'Rules of Chief Pleas' and to approve the documents entitled 'Chief Pleas of Sark Rules of Procedure' and 'The Constitution and Operation of Chief Pleas Committees'.

Proposition 1

That Chief Pleas approve the Chief Pleas of Sark Rules of Procedure as attached to this report.

Proposition 2

That Chief Pleas approve the Constitution and Operation of Chief Pleas Committees as attached to this report.

The President: Agenda Item 9: To consider a Report from the General Purposes and Advisory Committee entitled 'Rules of Chief Pleas' and to approve the documents entitled 'Chief Pleas of Sark Rules of Procedure' and 'The Constitution and Operation of Chief Pleas Committees'.

355 I would ask Conseiller Rolfe to introduce the report and Conseiller Dunks to comment on the report as necessary.

Conseiller Rolfe, please.

Conseiller Rolfe: Thank you, Mr President.

360 Just to introduce Rules of Chief Pleas, as you rightly say, this is an item which Conseiller Dunks has very kindly agreed to comment on. It was a former GP&A report in the name of Andy Cook. It now falls to Policy and Performance to handle it from now on, but I would invite, through you, Mr Dunks.

365 **The President:** Thank you very much, yes.

Conseiller Rolfe, for the public's information, is the Chairman of the new Policy and Performance Committee, which replaces GP&A.

Conseiller Rolfe.

370 **Conseiller Rolfe:** No, I haven't got that far! *(Laughter)*

The President: You are on the Committee?

Conseiller Rolfe: Yes.

375

The President: My apologies. Yes, you are not the Chairman yet! *(Laughter)*

Conseiller Dunks.

Conseiller Dunks: Thank you.

380 Accompanying this report in appendices 1 and 2 are copies of the Rules of Procedure and the composition of operational committees. These have been amended and updated following the transition to new committee arrangements. These changes include some of what has happened at the Michaelmas Meeting but may not have been brought to the attention of Chief Pleas in what was a busy item. All the main changes to both documents are highlighted in the report.
385 There are, however, two additional points.

Turning to the Rules of Procedure, appendix 1, I draw your attention to 1.3, what is colloquially known as the Private Member's Bill. A question has been asked: what should happen if two such items should come forward to the same Chief Pleas? In this case, the item that was

390 raised first at the Policy Development Group would go to the next Chief Pleas; the second would go to the next following Chief Pleas meeting and so on.

Turning to the Constitution and Operation of Committees appendix 2, I draw your attention to number 4: non-Chief Pleas Committee members. The word 'also', on the second line just after the opening bracket, replaces the word 'not', now making the rule apply to sub-committees.

395 Number 15: human rights compatibility. While this will have been done in 2010 and all new legislation since 2008 should have been written with this in mind, the rule still exists. Committees are reminded that it is an obligation for this year.

Number 16: the presence of officers. This is just a reminder that if an operational committee wishes minutes taking for a meeting they will need to request the presence of the established staff; such a request to go to the senior administrator.

400 Everything else should be self-explanatory. If there are any questions, please feel free.

The President: Are there any questions either on the Rules of Procedure or the Constitution and Operation of Committees, or indeed the report? No.

405 In that case, we will go to Proposition 1: That Chief Pleas approve the Chief Pleas of Sark Rules of Procedure as attached to this report. Those in favour; those against. **Carried.**

Proposition 2: That Chief Pleas approve the Constitution and Operation of Chief Pleas Committees as attached to this report. Those in favour; those against. **Carried.**

410 I would just say to you that the two documents you have just approved will have very minor amendment made to them to reflect the decision you have made at this meeting. I do not intend that you will be recirculated with those very minor changes which will be made to the preamble of the Rules. If you look at appendix 1, where it says, 'accepted by Chief Pleas at its meeting on 2nd October 2013 and further approved by Chief Pleas on 1st October', we will purely add in 'and further approved on 21st January 2015' and the same for the Constitution and Operation of Chief Pleas Committees. So it will be a minor typographical change only.

10. Securing Sark's Future – Progress Report noted

To consider a Cross Committee Report entitled 'Securing Sark's Future – Progress Report'.

Proposition

That Chief Pleas takes note of the contents of this progress report.

415 **The President:** We move to Agenda Item 10: To consider a cross-committee report entitled 'Securing Sark's Future – Progress Report', and I would ask Conseiller Maitland to introduce the report, please – who is the Chairman of Policy and Performance Committee. *(Laughter)*

420 **Conseiller Maitland:** Policy and Performance takes over the lead role in this, although it is a cross-committee report.

425 Only six years ago Sark held its first meeting of the newly democratic Chief Pleas and I was sitting here, as a rather nervous new Conseiller, wondering what I had let myself in for; and only three years ago, at the Christmas Meeting again, GP&A was proposing that we invite Belinda Crowe to review Sark's Government. So a great deal has happened in those last three years: from Belinda Crowe to Colin Kniveton's three months' stay, to Kath Jones's appointment in November 2013.

We have arrived at a point where at last we are beginning to see a reformed government structure that will enable us, as a government, to start being more effective. I believe if you get the structure right then the rest will follow.

430 Thanks are due to those Conseillers who have worked long hours to get these reforms
worked out during this past year, and especially to Kath Jones, who has provided such wise
guidance. The great thing is that the reforms have not been imposed by outside or by anyone
giving us advice, but have evolved in the workshops held in the last year with the help of all
435 those Conseillers. I am sure that Andy Cook will be glad to get back to the sea and his boats, but
no-one should overlook his quiet and effective leadership during this time.

I am glad to say that GP&A has vanished forever and P&P is not a reincarnation. We shall all
have our particular roles, and responsibilities will be shared out between the members of the
Committee. It is very refreshing to see so many new faces on the two lead committees. I think
440 the idea of a Policy Development Group that includes all Conseillers and works out priorities
following the guidelines put out in 'A Vision for Sark' was a masterstroke, as was the fact that
any Conseiller can be on a policy development team to help develop a particular policy in which
they are interested.

After last Friday's Extraordinary Chief Pleas, this group had its inaugural first meeting – that is
the Policy Development Group. The initiatives were agreed then and a report will be brought to
445 Easter Chief Pleas once the Policy Development teams have started work.

In order to bring Chief Pleas up to date with progress on securing Sark's future, I would like to
ask various Conseillers to report on their particular interest, and I ask Conseiller Fry to deal with
sustainable energy.

450 **The President:** Conseiller Fry.

Conseiller Fry: Thank you.

As is stated in this Report, both high-speed broadband and sustainable energy are listed as
key enablers. The now non-existent GP&A Committee and key stakeholders have been
455 negotiating and developing plans to bring this to a satisfactory conclusion.

Now, in accordance with our new system of government, this has been taken over by a Policy
Development team. This team plans to meet with advocates next month to continue to move
this important piece of work forward. Although we cannot say anything further today, we expect
to bring a progress report to Easter Chief Pleas.

460 Thank you.

The President: Thank you.

Conseiller Maitland: Conseiller Cottle will report on revenue generation.

465

The President: Conseiller Cottle.

Conseiller Cottle: I am going to speak specifically about the Fairer Taxation update and the
consultation that went out. We had a consultation, in November going into December. At the
470 closing date 26 responses were received and these replies will be used as part of the process of
examining the current tax arrangements. Some interesting comments and suggestions were
received.

In order that taxation across the community is raised as fairly as possible and sufficient
revenue is raised to carry out the obligations of Government, careful consideration will be given
475 before developing proposals for taxation for 2016. Work on this will continue and the Policy
Development team will have responsibility for carrying this on. Many changes to the Direct
Taxes Law or other legislation will form part of this work and progress on this will be reported as
we go along.

Thank you.

480

The President: Thank you.

Conseiller Maitland: Conseiller Dunks on land reform.

The President: Conseiller Dunks, please.

485

Conseiller Dunks: The two aspects of land reform listed on your document are the land use map, which is still with the DCC and will progress within the committee; and that land use and reform itself has now been transferred from the GP&A to a Policy Development team, which will report in due course.

490

Thank you.

The President: Thank you.

Conseiller Maitland, I believe you are speaking on definitions of 'resident' etc.

495

Conseiller Maitland: I have been given this thorny subject: definition of a resident. There is a Policy Development team, which I am part of, which will be dealing with this and we hope to report to Easter Chief Pleas once we have considered it further.

The President: Thank you. Also, reform law and governance arrangements.

500

Conseiller Maitland: On governance arrangements, the restructuring of the committee system has been accomplished and we should allow that to bed down now.

505

On the reform law, there are various changes that will be made in due course as we see what is necessary to be done. I believe the law officers are working on the Proposition that was carried at Michaelmas Chief Pleas to do with the passing of the financial arrangements and budgets for the Island. I think that is happening at the moment.

The next subject is Children's Law, and I would like to ask Conseiller Audrain to bring us up to speed on that.

510

The President: Conseiller Audrain, please.

Conseiller Audrain: Thank you.

515

Conseillers will recall that the idea we are developing with the Children's Law is to have a two-part approach, and we are working on part 1. A Policy Development team has been formed to continue this work. If you look in the section that mentions progress, we were expecting a full draft from the Law Officers on 19th December. I can report that we did receive this yesterday and that will enable us to move forward in consultation with the Law Officer concerned and try and stay on track with our timetable, which is in the last column.

Thank you.

520

The President: Thank you.

You have had a number of speakers there. Are there any questions on the Report or on what you have heard from the speakers? Conseiller Cottle and Conseiller Edric Baker.

Conseiller Cottle.

525

530

Conseiller Cottle: Can I just clarify something that Conseiller Maitland said upon the Reform Law there? The Resolution that we made at Michaelmas Chief Pleas regarding the responsibility for approval of the budget... Our feeling was that the final responsibility for the budget should rest with the elected representatives of the Island rather than an external body, and that was a resolution we made. At this moment we still need further work doing on that before we ask for the Law Officers to draw up any legislation on that. So that is the position we are in at the moment. We are still consulting on that.

535 **The President:** Thank you.
Conseiller Edric Baker.

Conseiller Edric Baker: Yes, sir, actually Conseiller Cottle has said exactly what I was going to say, but I would add that I thought that the last report was well presented. It makes it very clear to the whole Assembly what is going on.
540 Thank you.

The President: Thank you very much.
No further questions?
Then we will move to the Proposition: That Chief Pleas takes note of the contents of this
545 progress report. Those in favour; those against. **Carried.**

**11. Renewal of the Service Level Agreement – St James’ Chambers – Joint report considered –
The Service Level Agreement – Legal Services – Document approved –
Proposition carried**

To consider a Joint Report from the General Purposes and Advisory Committee and the Finance and Commerce Committee entitled ‘Renewal of the Service Level Agreement – St James’ Chambers’; and to approve the document entitled ‘The Service Level Agreement – Legal Services’.

Proposition

That Chief Pleas approve the proposed Service Level Agreement with St James’ Chambers for 2015 and 2016 and the associated cost and that Conseiller Cottle be authorised to sign it on behalf of Chief Pleas.

The President: We move to Agenda Item 11: To consider a Joint Report from the General Purposes and Advisory Committee and the Finance and Commerce Committee, entitled ‘Renewal of the Service Level Agreement – St James’ Chambers’; and to approve the document entitled ‘The Service Level Agreement – Legal Services’.
550 I would ask Conseiller Cottle to introduce the report, please.

Conseiller Cottle: Thank you, sir.

We are returning with this again because last year’s Service Level Agreement was only for one year while the Guernsey Law Officers looked at the current arrangement so that they could
555 come to us with a proposal.

Last year’s Agreement was for one year only while a review of costs was carried out by the Chambers. We were informed that it was no longer possible to fix Sark’s fee at 1% of Chambers’ costs due to the actual time involved in working on Sark’s behalf. At the same time it was not intended to make it unaffordable for Sark and a realistic figure of £60,000 for the year was
560 proposed, which is an 11.6% rise on last year’s fee of just over £53,000. However, this new Agreement is for two years, with next year’s figure being linked by the increase of inflation – effectively Guernsey’s RPI, which will be the third quarter of this year. We received the further assurance that, when the Agreement is due for renewal in 2017, the arrangement is likely to continue on a RPI basis.

565 In all other respects the Agreement is the same as previously, as can be seen in the attached draft Service Level Agreement. In order that Chief Pleas can continue to use the services of

St James' Chambers, it is proposed that the SLA is approved by Chief Pleas so that it can be signed by both parties for 2015 and 2016.

I will take questions before the Proposition is put.

570

The President: Thank you.

Are there any questions or debate? No.

I will not ask you to sum up. We will go to the Proposition: That Chief Pleas approve the proposed Service Level Agreement with St James' Chambers for 2015 and 2016 and the associated cost and that Conseiller Cottle be authorised to sign it on behalf of Chief Pleas. Those in favour; those against. **Carried.**

575

**12. Amending Mandate –
Harbour and Pilotage Committee report considered –
Propositions carried**

To consider a Report from the Harbour and Pilotage Committee entitled 'Amending Mandate'.

Proposition 1

That the phrase: 'To appoint the Receiver of Wreck for Sark' is included as item (h) on the mandate.

Proposition 2

That the title of 'The Wreck and Salvage (Vessels and Aircraft) (Bailiwick of Guernsey) Law, 1986' is listed under a new section entitled 'Related Laws'.

The President: We move to Agenda Item 12: To consider a Report from the Harbours and Pilotage Committee entitled 'Amending Mandate'.

I ask Conseiller Burgess to introduce the report, please.

580

Conseiller Burgess: Thank you.

The reason why I am bringing these Propositions to Chief Pleas is because John Carré Snr has requested that he wishes to retire, or resign, from Receiver of the Wreck when his current problems are sorted. The Committee have gone through it all and suddenly realised that actually, as he was appointed before 1986, which is the Wreck and Salvage (Vessels and Aircraft) (Bailiwick of Guernsey) Law, 1986, he has to resign to the Seigneur.

585

From now on it is up to the Harbours and Pilotage to actually appoint a Receiver of the Wreck. We have decided, through the Committee, that we will be appointing the Senior Administrator to do the admin side of the work and the Duty Harbourmaster to do the... at the end, on the point of it all. So we would like this added to our mandate, because we did not at the time realise that this law was down to the Harbours and Pilotage. Thank you.

590

The President: Thank you.

Any questions or debate, please?

595

Yes, Conseiller Dunks.

Conseiller Dunks: It is an ever so tiny little typo on the rear of the mandate. You have got 'convention responsibilities, salvage convention plus GP&A'. That will need to be changed.

600

The President: Yes, a typographical change to Policy and Performance. Thank you. Anything else? No. In that case, we will go to the two Propositions in the report.

Proposition 1: That the phrase 'To appoint the receiver of Wreck for Sark' is included as item (h) on the mandate. Those in favour; those against. **Carried.**

605 Proposition 2: That the title of 'The Wreck and Salvage (Vessels and Aircraft) (Bailiwick of Guernsey) Law, 1986' is listed under a new section entitled 'Related Laws'. Those in favour; those against. **Carried.**

**13. Co-opting a non-Chief Pleas member for a specific project –
Harbour and Pilotage Committee report considered –
Proposition carried**

To consider a Report from the Harbour and Pilotage Committee entitled 'Co-opting a non-Chief Pleas member for a specific project'.

Proposition

That Mr John Robinson is co-opted onto the Harbours and Pilotage Committee to assist with the co-ordination of a project to investigate wave and tidal conditions in the Maseline area.

The President: Agenda Item 13: To consider a Report from the Harbours and Pilotage Committee entitled 'Co-opting a non-Chief Pleas member for a specific project'.

I would ask Conseiller Burgess again to introduce the report, please.

610

Conseiller Burgess: Thank you.

Before I start, the new Committee has asked me to thank the old Committee – i.e. Andrew Prevel, Dave Cocksedge, Jan Guy and Andy Cook – for their work over many years on Harbours and Pilotage.

615

The President: Thank you.

Conseiller Burgess: The reason why I am bringing this Proposition that John Robinson joins or co-opts onto the Committee is that over the last year or so he has been doing his own report on Maseline Harbour and the fact that many boats are cancelled. He got to the stage where obviously he needed a bit more help, so he approached David Simmonds of Plymouth University, who is a friend, and spoke to him about whether they could help Sark with this problem, because the boulders down underneath the portacabin keep getting pulled out by the surge of tide.

625 David Simmons proposed that he sends over a team for about three or four days, three or four personnel, and they will survey the seabed and the waves. They are going to do surveys which are topographical and bathometric: 'topographical' is the ground, how high it is, how low it goes; and 'bathometric' is actually the height of water at a certain time. The data will be collected over six months to a year, at which time they will then take the information back to the university, where students who are doing their MCS can use this to make models, inside their big water tanks, of Maseline Harbour and hopefully find out why this problem is happening.

630 There are no implications on budget because the only cost we have will be basically travel and some batteries and that for the equipment they are bringing over.

635 That is really it, to be honest, so I would like to propose that John is co-opted onto the Committee.

The President: Thank you.

Any questions or debate? No.

640 We go to the Proposition: That Mr John Robinson is co-opted onto the Harbours and Pilotage Committee to assist with the co-ordination of a project to investigate wave and tidal conditions in the Maseline area. Those in favour; those against. **Carried.**

14. Review of the Isle of Sark Shipping Company – Shipping Committee First Progress Report noted

To consider a Report from the Shipping Committee entitled 'Review of Isle of Sark Shipping Company – First Progress Report'.

Proposition

That Chief Pleas takes note of the contents of this progress report.

The President: Agenda Item 14: To consider a Report from the Shipping Committee entitled 'Review of Isle of Sark Shipping Company – First Progress Report'.

645 I would ask the Committee Chairman, Conseiller Adams – whom I saw wandering down, wondering what was going on – to introduce the report, please. Conseiller Adams.

Conseiller Adams: Thank you.

650 Can I just start by apologising for having to leave. I do not feel very well, but I really want to make this report.

The President: And then, if you wish to leave any time after that, please do so.

Conseiller Adams: Yes, thank you very much.

655 I would like to start by saying a few words about Andy Cook and Jan Guy who have recently retired from the Shipping Committee and Chief Pleas.

660 Andy Cook joined the Shipping Committee in January 2009. It immediately became apparent to me, when I joined that Committee two years ago, that he was one of those quiet brainy types, able to look at a situation with clear logic combined with in-depth background knowledge. Despite his immense workload with GP&A, he always made time to explain complicated issues – like the amendments to the Shipping Law, interpretation of the Spencer Review or dealing with the licensing process – and all sorts of naive questions from the newest member of the Committee. That willingness to answer questions without making the asker feel silly is one of the best qualities I think a person can have. We have had some tricky situations to manage on Shipping in the last two years and Andy was at all times able to remain calm and reasonable.

665 Jan Guy joined the Shipping Committee in January 2012, but even before I worked with her as a Conseiller I knew from another lifetime ago – in this very room, when we were both teachers here – that she would be someone you would definitely want on your committee: insightful, wise, supportive and meticulous. She will, like Andy, be much missed – by all of us, I think; not just this Committee. The thing which has always staggered me about Jan is her ability to predict likely outcomes and consequences. If I turn out to be even half as articulate as her I will be very satisfied.

670 We learn different things from the people we work with and the situations we find ourselves in with them. I have learned a great deal from both Andy and Jan. I would like to thank them for their invaluable contribution to this Committee.

675 Moving on to the report before you today, there is not a great deal to say about it, as hopefully there are no surprises in there; but I do have some welcome news and that is that for

680 the year ending 30th September 2014 I can confirm that the Isle of Sark Shipping Company was
able to make a profit, albeit a modest one, much in line with the company's forecast at the start
of the year. The audited accounts from the company have now been forwarded to the Finance
and Resources Committee as per the terms of the Memorandum of Understanding between
Chief Pleas and the company. This will enable F&R to advise the shareholders regarding the
approval of the accounts. The accounts need to be approved by the shareholders at their AGM
before the directors of the company hold the annual public meeting with the residents of Sark.
The accounts will be made public as usual for that meeting, which we anticipate will take place
685 before Easter.

I can also tell you that passenger numbers in total were up by 629 journeys during the first
quarter of the financial year – that is October to December last year – especially so in October,
when we had half-term, good weather and Tennerfest promotions. November and December
showed broadly the same carryings as in 2013.

690 For the same quarter, standard freight shipped to and from Sark showed an increase in
metric tonnes shipped. However, this was offset by a reduction in freight charters in October
and December.

Fuel shipments of all types for those months were down in comparison to the previous year,
but this may be related to the milder weather experienced during the period rather than the
695 start of a trend.

So far this winter, our lifeline service to the rest of the world, the Isle of Sark Shipping
Company, has been able to continue for the main part to adhere to the published schedules
despite recent inclement weather, and for this they should be congratulated.

700 You may remember that the amended Shipping Committee mandate was approved by Chief
Pleas last October. This new mandate reflects the change in responsibilities of this now
operational Committee moving forward within our new committee arrangements.

The Finance and Resources Committee will continue to be updated at regular intervals about
the performance of the company and monitor the terms of the MoU. This MoU will also need to
be updated to reflect the change in committee responsibilities. That will be a task for Finance
705 and Resources.

Finally, in line with the separation of policy making from operations tasks, the responsibility
of overseeing the current review of Isle of Sark Shipping Company has been transferred to the
newly tasked Policy Development team.

710 I am aware that Conseiller Cottle also has some words he wishes to share with you, so
hopefully I can now hand over to him.

The President: Conseiller Cottle.

Conseiller Cottle: Thank you for that summary.

715 We now have some financial stability in the company and a sense of what needs doing to
maintain and improve the situation so that Sark Shipping can continue to run its passenger and
cargo services for the benefit of residents and visitors.

720 Stabilising the company has in no small part been due to the work that the retiring Chairman
of the Shipping Committee, Andy Cook, put in, working together with directors Julie Mann and
Colin Smith during a difficult period. They recognised the need to rationalise the service and
keep a tight control on costs, following a sudden reduction in cargo revenue which coincided
with planned expenditure on vessel overhaul and modernisation of office systems.

725 Having to ask Chief Pleas for a short-term loan to see the company through last winter
required that Andy and the directors hold their nerve under pressures from various directions.
Their hard work made sure that the loan was repaid as promised and Sark Shipping was able to
trade though a successful 2014 tourist season and go into this winter in a better position.

They also recognised that longer-term viability required a fundamental look at the company
and all its workings and they instigated the concept of a review to be carried out over a realistic

730 period to shape the future of Sark Shipping. Due to their knowledge, they were able to recruit Mr Yan Milner, suitably experienced to do this job, and he has made a successful start on this task.

Having put this in place, Julie was able to step back into a non-executive role with the company and Andy took the opportunity to give up his large unpaid workload and hopefully replace it with his own boating activities.

735 I would particularly like to thank Andy for his expertise, his patience and his help in understanding the workings of Sark Shipping and a great many other areas of Chief Pleas activities which I have been able to learn from him. I am sure his knowledge will still be drawn on from time to time in the future and I wish him a happy retirement from Chief Pleas.

740 With the changes involved in bringing in the new Chief Pleas arrangements, the system set up for Sark Shipping to report to the appropriate committees is very important. This will maintain our understanding of how things are going and the progress being made in the review. Monthly management accounts will continue to be received by the Treasurer and the monthly cashflow report will be presented to Finance and Resources Committee. This Committee will take over responsibility for the Memorandum of Understanding with IOSS and the MoU will be updated to reflect this.

745 The second short-term loan of up to £200,000 agreed by Chief Pleas at Michaelmas has commenced as planned with the first instalment being drawn by the company on 2nd January. The progress of the loan and its repayment will be monitored by the Treasurer and the Finance and Resources Committee.

750 As Conseiller Adams mentioned, the review of the company will become the responsibility of a Policy Development team and it will continue to receive the monthly reports produced by Mr Milner and they will represent Chief Pleas in any decision-making involved.

This review has started in a very positive way and a further update will be brought to Easter Chief Pleas.

755 We ask that Chief Pleas take note of the content of this report. Thank you.

The President: Thank you.

Any questions on the report or on the statements that the two Conseillers have made? No.

760 We will go to the Proposition in the report: That Chief Pleas takes note of the contents of this progress report. Those in favour; those against. **Carried.**

**15. Tractor Licensing for 2015 Licences –
Road Traffic Committee report considered –
Proposition carried**

To consider a Report from the Road Traffic Committee entitled ‘Tractor Licensing for 2015 Licences’.

Proposition

That Chief Pleas endorses the Road Traffic Committee’s commitment to continue reducing the impact of tractor numbers and movements on Sark.

The President: We move to Agenda Item 15: To consider a Report from the Road Traffic Committee entitled ‘Tractor Licensing for 2015 Licences’.

I would ask the Committee Chairman, Conseiller Ventress, to introduce the report, please.

765 **Conseiller Ventress:** Firstly, we have been asked by the Chairman of the second Road Traffic Tribunal to clarify the reasons for their decision. The tribunal found that the Committee was

operating legally and therefore *intra vires* and sympathised with the Committee's aims, but it had jumped the gun by working to the 2014 Traffic Licence Definition Codes (TLDC) before they had actually come into effect, especially as the Committee had previously announced that the
770 TLDC regime would be postponed – therefore had to find for the applicant.

Just before I go on to the main bit, there is another little bit just to clarify what the Committees have been going through. Twenty-three years ago in March the *Jersey Evening Post* reported on the then Christmas Chief Pleas, saying:

'The Vingtenier resigned, stating he found he could not enforce the traffic laws. Chief Pleas refused to accept his resignation. The Road Traffic Committee then resigned *en bloc*. Chief Pleas re-elected them *en bloc* with instructions to sort out this mess.'

Anyway, there has this year been a reduction of seven tractor registrations and I do not really
775 see that there is much more that I need to say on this, except that I am always welcome to being hauled over the coals about anything on road traffic and I just hope that you will agree to the Proposition.

The President: Thank you.

780 Any questions, please? Any debate? No.

We will go to the Proposition contained in the report: That Chief Pleas endorses the Road Traffic Committee's commitment to continue reducing the impact of tractor numbers and movements on Sark. Those in favour; those against. **Carried.**

**16. Committee elections –
To elect non-Chief Pleas members onto Committees as required –
Propositions carried –**

To elect non-Chief Pleas Members onto Committees, as required.

Proposition 1

That Mr D Cocksedge be elected to the Sea Fisheries Committee.

Proposition 2

That Mrs M Nicolle be elected to the Education Committee as parent representative.

The President: We move to Agenda Item 16: Committee Elections to elect non-Chief Pleas
785 members onto committees as required.

I would ask the Committee Chairmen if they have any nominations to propose. If you have, could you put your hands up, please. Conseiller Plummer and Conseiller Audrain.

Conseiller Plummer.

790 **Conseiller Plummer:** Thank you.

I would like nominate David Cocksedge, please, as a non-Chief Pleas member to sit with the Sea Fisheries Committee.

The President: Thank you.

795 So we have a Proposition from the Sea Fisheries Committee to have Mr David Cocksedge elected as a non-Chief Pleas Member. Those in favour; those against. **Carried.**

I declare that Mr David Cocksedge is elected as a non-Chief Pleas member of the Sea Fisheries Committee.

Conseiller Audrain.

800

805 **Conseiller Audrain:** We usually have a parent representative on the Education Committee and until recently this was Mrs Gemma Knight, who has recently been appointed to the staff of the school. So we went through the usual channels of asking all the parents if they wanted to put their name forward. We actually had only one name on this occasion and it is Mrs Mary Nicolle, so we would ask if she could be our parent representative on the Education Committee.

The President: Thank you very much indeed.

810 The Education Committee are proposing that Mrs Mary Nicolle be elected as a non-Chief Pleas member to the Education Committee. Those in favour; those against. **Carried.**

I therefore declare that Mrs Mary Nicolle is elected as a non-Chief Pleas member of the Education Committee.

Any more? No.

815

17. The Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991 – General Purposes and Advisory Committee Information Report noted

To consider an Information Report from the General Purposes and Advisory Committee entitled 'The Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991'.

The President: We then move to Agenda Item 17: To consider an Information Report from the General Purposes and Advisory Committee entitled 'The Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991'.

820

The President: I would ask Conseiller Fry to introduce the report, please.

Conseiller Fry: Thank you – representing P&P, rather than GP&A.

825

The President: Correct.

830 **Conseiller Fry:** This report is self-explanatory, if somewhat complex, as it is by necessity full of legal detail. It is used to transfer appropriate functions by Ordinance – in our case to Sark Chief Pleas. A great deal of it does not affect us. It must be noted that at this stage we are solely agreeing in principle, as the States of Guernsey has not yet agreed the proposals it contains.

Thank you.

The President: Thank you.

835 Before I open it up to questions, there will be an amending law to the 1991 Law. It will be a Bailiwick of Guernsey Law. It is civil law. Then it will come to Chief Pleas for approval in due course. So you will be required to approve the amendment to that Bailiwick Law.

Any questions from the floor? No.

Then we will move on to the next Item, as there are no Propositions in the report.

**18. Annual Report on Development Control –
Development Control Committee Information Report noted**

To consider an Information Report from the Development Control Committee entitled ‘Annual Report on Development Control’.

840 **The President:** We move to Agenda Item 18: To consider an Information Report from the Development Control Committee entitled ‘Annual Report on Development Control’.

I would ask the Committee Chairman, Conseiller Edric Baker, to introduce the report, please. Conseiller Baker.

845 **Conseiller Edric Baker:** Thank you very much, sir.

I would like pass on to Conseiller Antony Dunks to talk on this report, but before I do I would like to just thank Antony Dunks for his time on the Committee.

850 Antony joined DCC in the autumn of 2007 and was elected Chairman in January 2009, and has held that position until now. Antony chaired the Committee through one of the most difficult five years since the establishment of the 1991 Law and has worked long and hard within the constraints of the Laws that the Committee works with. Antony has not been deflected by unjust criticism and has worked many long hours for the benefit of Sark, and most of all for the Island’s visual aspect from the sea. We wish him well in his new role within Chief Pleas.

Could I pass on to him for the report, sir?

855

The President: Conseiller Dunks.

Conseiller Dunks: Thank you.

860 Before I start, I had better say a quick word about Andy Prevel. The Committee wishes to acknowledge the contribution made by Andy Prevel, who resigned as Chief Pleas Conseiller in October 2014. His local knowledge, his building experience and keen interest in archaeology were most helpful to the Development Control Committee during its deliberations, particularly on building projects. Thank you for that.

865 Turning to the report itself, in addition to the paper report before you I have two additional points to make. In appendix 1 you will see that only one application was refused. This, however, was subsequently approved when the applicant resolved the objections that had been raised by the Committee.

870 Following the new committee arrangements, work on the new Development Control Law has been transferred from the Committee to a Policy Development team and they will report to the usual channels.

Finally, my personal thanks go to the Committee secretaries for their assistance in compiling the appendix and the help they have given throughout the year.

Thank you very much.

875 **The President:** Any questions or debate, please? No.

In that case, we will move the next Item as there are no Propositions contained in the report.

**19. Annual Report of the Sea Fisheries Committee –
Information Report noted**

To consider an Information Report from the Sea Fisheries Committee entitled 'Annual Report of the Sea Fisheries Committee'.

The President: We move to Agenda Item 17, always our most colourful report.

880 **Members:** Item 19.

The President: Yes, Agenda Item 19: To consider an Information Report from the Sea Fisheries Committee entitled 'Sea Fisheries Annual Report'. That report title was changed in the addendum to that.

885 I would ask the Committee Chairman, Conseiller Plummer, to introduce the report, please.

Conseiller Plummer: Thank you very much.

This report has been made together with our past Chairman, Dave Cocksedge. He has always done a very good report and there is very little I can talk about on it because it is very well put together. I would also like to say that, on behalf of the Committee, I would like to thank Dave, sitting as Chairman for such a long time on this Committee. He has been working very hard and he has been of a valuable time to setting up with the Fisheries Commission. He has spent a lot of time away from the Island doing this and has always come back positive. He has also been very keen to set up meetings with the Sark fisherman and divers along with the the Guernsey Sea Fisheries Committee. I would like to thank him very, very much. He has taught me a terrific amount, and I have still a terrific amount to learn. I would also like to say thank you to Chief Pleas for voting him in, because his expertise will be really valuable to this Committee.

895 Thank you.

900 **The President:** Thank you.

Any question on the Information Report before you? No.

Closing remarks

905

The President: In that case, we move to close the meeting. I have some closing remarks.

The first one is that new Douzeniers are to be administered Tax Oaths of Confidentiality shortly after the closure of this Chief Pleas.

910 The next statutory meeting will be the Easter Meeting, to be held on Wednesday, 15th April. The closing date for Agenda items and reports for that meeting is Wednesday, 18th March, with papers going out not later than Wednesday, 25th March.

I would remind you again that this meeting is the first meeting which is fully recorded. The Greffier will now produce a resolution sheet, which will be circulated giving the resolutions that you have made today. He will then work with the Hansard company who will produce our transcript from the recording and then that will become available to Conseillers and the public.

915 The meeting is closed. Greffier, the Grace, please.

PRAYER

The Greffier

Chief Pleas adjourned at 11.28 a.m.