



**OFFICIAL REPORT**

**OF THE**

**EASTER MEETING**

**OF CHIEF PLEAS**

**OF THE**

**ISLAND OF SARK**

**HANSARD**

**Assembly Room, Sark, Wednesday, 6th April 2016**

*All published Official Reports can be found on the  
official Island of Sark Chief Pleas website [www.gov.sark.gg](http://www.gov.sark.gg)*

**Volume 2, No. 2**

**Present:**

**Deputy Seigneur**

Dr R P Axton

**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 P S La Trobe-Bateman

**Vingtenier**

Mr G Williams

**Deputy Lieutenant Governor**

Sir Richard J. Collas

**Conseillers:**

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

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

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## Easter Meeting of Chief Pleas

*Chief Pleas met at 10.00 a.m. in the presence of  
Sir Richard J. Collas, the Deputy Lieutenant Governor of the Bailiwick of Guernsey*

[THE PRESIDENT *in the Chair*]

### PRAYER

*The Greffier*

### ROLL CALL

*The Greffier*

**The Greffier:** There are 25 Conseillers, the Deputy Seigneur and the President of Chief Pleas present.

5 **The President:** I present apologies from the Seigneur, Conseillers Nightingale and Blythe.

### Welcome to the Deputy Lieutenant Governor

**The President:** I would like to welcome the Deputy Lieutenant Governor, sir, to this our Easter Meeting and thank you for your interest in observing the way we do things in this Assembly. You may be able to take a few tips with you back to Guernsey. (*Laughter*)

10 I will come to it formally when we start the Business of the Day, but I wish to apologise to you for giving you the status of a Queen's Counsel in the Christmas *Hansard*, when you are not. No doubt there are some arcane rules in the awarding of the title of which I am not aware.

### Welcome to school children from Classes 3 and 4

15 **The President:** I would also like to extend the welcome to the school children from Classes 3 and 4, who are studying systems of Government including democracy and how the systems have changed on Sark. We will have a short pause when the children leave. They will not be here for the whole day and the public may then take up any vacant seating.

### Welcome to Crown Advocate Robert Titterington

20 **The President:** I would also like to extend a welcome to Crown Advocate Robert Titterington, who is also in the Public Gallery.

**External Relations; Bailiwick Ordinances –  
Statement by Conseiller Maitland**

**The President:** A Statement by Conseiller Maitland.

25 **Conseiller Maitland:** Last month Sark hosted a successful second meeting of the Bailiwick Council with representatives from Guernsey and Alderney. Alderney will be hosting the next meeting on 3rd June. Once the Guernsey elections are over, the Committee will be looking forward to re-establishing regular meetings with the External Relations Group of the Policy Council.

30 In February, the All-Party Parliamentary Group which focuses on Channel Island issues hosted its second meeting at the House of Commons. The EU referendum and the impact of a possible Brexit vote were the main topics of conversation and I was able to speak at length with Alan Beith, now Lord Beith, formerly Chair of the House of Commons Justice Select Committee, who is an old friend of Sark, who wanted to know the latest news from the Island and hopes to be able to visit during the summer.

35 It was a useful forum, giving the opportunity to talk with MPs and Members of the House of Lords, as well as representatives from the other Islands. At the next meeting, which takes place three days after the referendum, I have been asked to give a presentation on Sark which will be followed by a reception for parliamentarians.

40 The President has asked me to say a few words on Bailiwick Ordinances. Under some Bailiwick Laws, Ordinances must be brought before Chief Pleas for approval, while under others, the Guernsey authorities are required to consult with Sark, which in practice means consulting with the Policy and Performance Committee. For instance, last summer, the Committee was consulted over the Ordinance made under the Intellectual Property (Enabling Provisions) (Bailiwick of Guernsey) Law, 2004 which had been taken to the January meeting of the Guernsey States for approval.

45 The Committee had been consulted on 24th June and replied on 13th July that it had no comment to make and in future following such a consultation, the Chairman of the Policy and Performance Committee will inform the Assembly of the consultation that has taken place at the following meeting of Chief Pleas.

50 Thank you.

**Liquor Licensing Policy Development –  
Statement by Conseiller Adams**

**The President:** A Statement by Conseiller Adams.

55 **Conseiller Adams:** This is an update from the Liquor Licensing Policy Development Team.

The results from the house-to-house questionnaire on changes to the Liquor Licensing Law are currently being collated as systematically as possible by the PDT.

60 In total, 153 questionnaires were returned; of those five were blank so 148 were completed. There was no duplication of numbers. There was one case of exact duplication of answers and comments and handwriting.

We were quickly able to analyse the answers to the six basic questions. The responses to these indicate that there is a very clear wish for the Liquor Licensing Law to be changed. What is taking longer is the collation of the comments. We need to consider them carefully, because in conjunction with the answers to the questions, the comments will help us to determine the best possible options for moving forward. We also want to make sure that when we bring the report to Chief Pleas, all the comments are reflected.

We aim to have a report with proposals in time for Midsummer Chief Pleas and we look forward to a good debate then.

70 **The President:** Thank you.

**Policy and Performance Committee –  
Thanks to outgoing member, Roger Olsen –  
Statement by Conseiller Maitland**

**The President:** Conseiller Maitland again.

75 **Conseiller Maitland:** Within the last few days, Roger Olsen has offered his resignation as a co-opted non-Chief Pleas member of the Policy and Performance Committee, where he has played a vital role dealing with renewable energy issues, as he and Irena will be returning to the UK.

80 Roger has had a 10-year involvement, first as the Chair of the old pre-2008 GP&A Committee and then in 2009 he came back on board as a co-opted member of GP&A. He represented Sark on the Guernsey Renewable Energy Team from 2010 onwards and presented the most meticulous reports for the Committee, as well as taking on the time-consuming task of dealing with the Law Officers where legislation has been needed.

85 Thank you, Roger. It will be a hard act to follow but please, if there are any renewable energy enthusiasts out there who would like to take on this important role, be in touch.

**The President:** I would like to second that and thank Mr Roger Olsen for his many years of work in Chief Pleas, both as a Deputy and a Conseiller, and lately as a non-Chief Pleas member.

**Several Members:** Hear, hear.

**Her Majesty the Queen's 90th birthday celebrations –  
Statement by the Constable**

90 **The President:** A Statement by the Constable, please.

95 **The Constable:** For the Queen's 90th birthday on 21st April, we are going to celebrate by having a bonfire beacon at La Collenette. It will be lit at 7.30 by two members of the school children. All are welcome. There will be food and drink available to purchase by courtesy of Pip's Pickers and the Mermaid Tavern. So come along. There will be posters up.

**The President:** Thank you very much.

**European Court of Human Rights –  
Statement by Conseiller Edric Baker**

100 **The President:** A Statement by Conseiller Edric Baker.

**Conseiller Edric Baker:** Once again this year, we have seen our Government and community under attack, this time in the European Court of Human Rights (ECHR).

This has been tried in May 2010 but for some unexplained reason was discontinued.

105 The applicants to the Court made three complaints. The first and principal complaint was that the electoral system enacted by the Reform Law breached Article 3, Protocol 1 either alone or in conjunction with Article 14 of the Convention.

The second complaint was that there were further breaches of Article 3, Protocol 1 in that the Seigneur was a Member *ex-officio* of Chief Pleas.

110 The third complaint was the ability of the Seigneur to appoint the Seneschal and other office holders on the Island was a breach of Article 6 of the Convention.

The Court's findings: first complaint – manifestly ill founded. The second complaint must also be rejected as being manifestly ill founded. The third complaint was found incompatible and was rejected. The Court went on to declare the application inadmissible.

115 There are two sections in the Court papers that are worth repeating, for those in Sark that are determined to bring our community to its knees. In section 49, and I quote, Lord Collins said:

it is not easy to envisage conditions which are more likely to ensure the expression of the opinion of the people in the choice of the legislature.

Section 50:

Of great importance is the fourth feature of Sark's electoral system: that it finally abolishes the last vestiges of feudalism on the island and sought to bring, for a first time, genuine political democracy to the island.

Thank you, sir.

120 **The President:** Thank you.

### **Review of Sark Shipping Company – Statement by Conseiller Cottle**

**The President:** Conseiller Cottle.

**Conseiller Cottle:** Thank you, sir.

125 As you will all know, Chief Pleas agreed to review the Sark Shipping Company by agreeing Terms of Reference for the review and appointing Mr Yan Milner as reviewer and caretaker manager of the company, in October 2014.

130 For the last 18 months he has applied his professional expertise, skills and experience to the challenge and provided us with some equally challenging decisions to take. Nevertheless, we have taken those decisions and the Government and the Isle of Sark Shipping Company are in a much better place for having done that.

135 While running the company and reviewing it, we also asked Mr Milner to assist us by developing a comprehensive induction programme for our new directors. Both the non-executive and the executive directors have benefited from Yan's induction programme and the insight he provided while they have settled in and commenced work.

140 We were very fortunate to be able to secure Yan for the review. He has provided us with a strengthened relationship between the company and the Finance and Resources Committee for its strategic planning, with the Shipping Committee for its service level performance in relation to its customers and with the Tourism Committee to ensure we do what is best in promoting the Island and attracting visitors, the major part of Sark's economy.



I hope that you will join with the Shipping Review PDT in thanking Mr Milner for all his hard work and sustained commitment for seeing this review through to completion at the end of March. We look forward to bringing Yan's final report to Midsummer Chief Pleas.

Thank you.

145

**The President:** Thank you.

**Notice of General Election –  
To take place on 14th December 2016**

**The President:** I give notice that the General Election of 14 Conseillers shall be on 14th December 2016.

150

In order to comply with the Election Law, the electoral register will close on 4th November 2016. The term of office for those Conseillers required to stand down at this election will end at midnight on Thursday, 12th January 2017 and the successful candidates at the election will be sworn into office on Friday, 13th January 2017, with their term of office ending on 13th January 2021.

155

The dates that I have given you will be confirmed in the Election Ordinance to be approved at the Michaelmas Meeting to be held on 5th October this year.

**Procedural –  
Correction of error on Agenda; electronic devices**

**The President:** I would wish to make amendment to the Agenda to correct an error. At Item 7, delete the term 'Projet de Loi' and insert 'Ordinance'. We are approving an Ordinance, not a Projet de Loi.

160

In accordance with Rules of Procedure, I would remind all present that mobile phones, cameras, recording devices and other electronic equipment is switched off now, less for those allowed to Chief Pleas Members in accordance with Rule 16.

## Business of the Day

**1. Christmas Meeting, 20th January 2016 –  
Matters arising**

*Matters arising from the Christmas Meeting held on 20th January 2016.*

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

165

Agenda Item 1: Matters Arising from the Christmas Meeting of Chief Pleas held on 20th January, 2016.

Before I open this Item to the floor, I would wish to point out typographical errors as follows:

On page 2 and on page 5, twice, delete the post nominals 'QC' after the name of the Acting Lieutenant Governor – who is now the Deputy Lieutenant Governor, no longer acting.

170 On page 23, line 1, delete 'The Present:' and insert 'The President:' and also on page 49, mid-way down on the page, on the line 1830. So that is pages 23, line 1 and page 49, on the line 1830.

Finally, on page 36 at line 1279, delete 'TDT' and insert 'PDT'.

175 Are there any matters arising on the Christmas *Hansard*? Conseiller Dunks, followed by Conseiller Audrain.

Conseiller Dunks.

**Conseiller Dunks:** This relates to Item 5, Proposition 9. For those with hard copies of *Hansard*, this can be found on page 29.

180 The Proposition was:

That the Returning Officer's Marked Register confirming the identity of those who did and did not vote at an election is not published.

As I felt the Proposition was confusing, I tried to clarify the situation, as can be seen at lines 984 and 985 of *Hansard*. In the named vote, the Proposition failed, which led to the assumption that the register would be published, I believe that this is incorrect. The Proposition was lost. This means the *status quo* remains – the *status quo* being that the register is not published.

185 I feel that the named vote, while narrow in 14 to 12, showed that Chief Pleas wished the register to be published and therefore request that the Policy Performance Committee who brought the Item to the Chief Pleas return at Midsummer with a new Proposition 9, one that is better worded, so that the matter can be resolved.

Thank you.

190

**The President:** Conseiller Audrain.

**Conseiller Audrain:** This is just a very small change in wording. I was expecting that you were going to be asking for that. It is on page 33 and it is on line 1180 and it mentions the 'Childcare Law'. The Law that we are intending to bring is going to be called that, but it is two words: it is Child Care. I feel that it is important to make that distinction because the word Childcare all in one word implies baby sitting or looking after somebody else's children for a short time, whereas this is a Law which encompasses all sorts of other things.

195

Thank you.

200

**The President:** I will take that as a typographical change. Obviously the person transposing it heard 'childcare' and wrote it as that. So if we could all make note of that differentiation on line 1180 on page 33.

Any other matters arising?

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

### None

*Questions not related to the Business of the Day.*

205 **The President:** In that case, we move to Agenda Item 2: Questions not related to the Business of the Day, and there are none.

**3. The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2016 – Policy and Performance Committee Report considered: ‘Financial Services Commission’ – Proposition carried**

*To consider a Report from the Policy and Performance Committee entitled ‘Financial Services Commission’ and to approve the Projet de Loi entitled ‘The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2016’.*

*Proposition*

*That Chief Pleas approves ‘The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2016’.*

210 **The President:** So we will move to Agenda Item 3: To consider a Report from the Policy and Performance Committee entitled ‘Financial Services Commission’ and to approve the Projet de Loi entitled ‘The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2016’.  
I would ask the Committee Chairman, Conseiller Maitland, to introduce the Report, please.

215 **Conseiller Maitland:** This Projet increases discretionary penalties so that they are in line with current expectations, rising from £200,000 to a maximum of £4 million. It also gives further powers to the Policy Council to introduce regulations, subject to the usual consultation.

220 **The President:** Any debate or any questions? No. Then we will go to the vote on the Proposition: that Chief Pleas approves The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2016.  
Those in favour; those against. **Carried.**

**4. The Succession to the Crown (Bailiwick of Guernsey) Law, 2016 – Policy and Performance Committee Report considered – Proposition carried**

*To consider a Report from the Policy and Performance Committee entitled ‘Succession to the Crown’ and to approve the Projet de Loi entitled ‘The Succession to the Crown (Bailiwick of Guernsey) Law, 2016’.*

*Proposition*

*That Chief Pleas approves ‘The Succession to the Crown (Bailiwick of Guernsey) Law, 2016.’*

225 **The President:** Agenda Item 4: To consider a report from The Policy and Performance Committee entitled ‘Succession to the Crown’ and to approve the Projet de Loi entitled “The Succession to the Crown (Bailiwick of Guernsey) Law, 2016.  
Conseiller Maitland, please.

**Conseiller Maitland:** This short Projet brings the Bailiwick in line with the UK so that the eldest child of a Monarch will always inherit as well as making provision for a Regent, again following the precedent set in the UK.

230 **The President:** Thank you.  
And some of you who were in Chief Pleas as Conseillers will recall that this was debated some two years ago prior to the last election.

Any questions or debate? No, then we will go to the vote: That Chief Pleas approves the 'Succession to the Crown (Bailiwick of Guernsey) Law, 2016'.

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

**5. The Designation of Officers (Bailiwick of Guernsey) Law, 2016 –  
Report and Projet de Loi withdrawn**

*To consider a Report from the Policy and Performance Committee entitled 'Designation of Officers' and to note the Projet de Loi entitled 'The Designation of Officers (Bailiwick of Guernsey) Law, 2016'.*

**The President:** Agenda Item 5 was withdrawn, and that was to consider a Bailiwick Law. However, shortly before the Agenda was printed, it was withdrawn from us by the Law Officers, who decreed that this was criminal law which is the sole province of the Guernsey States of Deliberation for the Bailiwick.

240 In essence, the Law gives powers to the Chief Officer of the Police to designate customs and immigration officers to have the powers and privileges of a police officer and police officers to have the powers of an immigration or customs officer, if they are so appointed.

The Law can be found in the legislation Billet of the States' Meeting held on 2nd March.

**6. The Reform (Sark) (Amendment) Law, 2016 –  
Policy and Performance Committee Report considered –  
Propositions carried**

*To consider a Report from the Policy and Performance Committee entitled 'The Reform (Sark) Law, 2008 – Proposed Amendments' and to approve the Projet de Loi entitled 'The Reform (Sark) (Amendment) Law, 2016'.*

*Proposition 1*

*That Chief Pleas approves the Projet entitled 'The Reform (Sark) (Amendment) Law 2016'.*

*Proposition 2*

*That the Policy and Performance Committee be requested to consult with the Bailiff in relation to the possible repeal of section 39 of the Reform Law.*

*Proposition 3*

*That the Policy and Performance Committee be requested to consult with the Ministry of Justice on behalf of the Lieutenant Governor with regard to the removal of certain aspects of his powers in relation to Sark, as set out in this Report.*

245 **The President:** We move to Agenda Item 6: To consider a report from the Policy and Performance Committee entitled 'The Reform (Sark) Law, 2008 – Proposed Amendments' and to approve the Projet de Loi entitled 'The Reform (Sark) (Amendment) Law, 2016'.

I would ask Conseiller Rolfe, a Member of the Committee, to introduce the report, please.

**Conseiller Rolfe:** Thank you, Mr President.

250 May I start by thanking my PDT colleagues who put in a considerable amount of work on this in a very short space of time: Conseillers Richard Dewe, Hazel Fry, Jane Norwich and Anthony

Ventress. And also may I offer thanks, I did not realise that Robert Titterington was going to be with us today, but I would like to thank him and his staff for the very speedy way in which they came up with the goods.

255 We tasked ourselves with reviewing all aspects of the Reform Law. We also held meetings with the Seigneur, President and Greffier in their roles as Returning Officers, Seneschal, Deputy Seneschal and Prévôt and I would like to thank all of them for their very, very helpful advice and input.

260 This Report proposes the first tranche of amendments to the Reform Law. We have other things going through which we will bring to a future Chief Pleas. What is included this time are amendments to the electoral process resulting from the Election Observers' Report and subsequent public consultation.

265 We have swept up the resolutions of previous Chief Pleas going back over a couple of years that have not yet been amended in the Reform Law: they are now included. We have also, with the help of the Seigneur, President, Greffier, Seneschal and Prévôt identified sections of the present Law that appear to be anachronistic in a modern democracy.

270 Two issues require further work and are therefore not included in the attached amendment. These are covered by Propositions 2 and 3 and require consultation, in the case of Proposition 2 with the Bailiff and in the case of Proposition 3 with the MOJ. When these amendments are agreed between the parties, we will include them in a second tranche of amendments to the Reform Law.

I have not said anything about the changes to financial provisions and I will rely on my esteemed colleagues on the Finance Committee to pick up any comments or queries that may come from them.

275 As for the future, the work of the PDT will continue. We will develop written procedures, codes and practices that will be brought to future Chief Pleas. As for the practice in other jurisdictions, these written procedures will be posted and made public once agreed. We will also develop the use of appointments panels for those who hold various offices on behalf of Chief Pleas.

280 Mr President, I am pleased to move the Propositions in this Report, incorporating the Reform (Sark) (Amendment) Law, 2016.

**The President:** Do I have any comment or debate, please? No.

Therefore we will go to the vote on the Propositions in the Report.

285 Proposition 1: That Chief Pleas approves a Projet entitled 'The Reform (Sark) (Amendment) Law, 2016'.

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

290 I will put Propositions 2 and 3 together. Proposition 2 reads: That the Policy and Performance Committee be requested to consult with the Bailiff in relation to the possible repeal of Section 39 of the Reform Law and Proposition 3: That the Policy and Performance Committee be requested to consult with the Ministry of Justice on behalf of the Lieutenant Governor with regard to the removal of certain aspects of his powers in relation to staff as set out in this Report.

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

**7. The Air Navigation (Bailiwick of Guernsey) (Amendment) Ordinance, 2016 –  
Policy and Performance Committee Report considered –  
Proposition carried**

*To consider a Report from the Policy and Performance Committee entitled ‘Air Navigation’ and to approve the Ordinance entitled ‘The Air Navigation (Bailiwick of Guernsey) (Amendment) Ordinance, 2016’.*

*Proposition*

*That Chief Pleas approves The Air Navigation (Bailiwick of Guernsey) (Amendment) Ordinance, 2016.*

295 **The President:** We move on to Agenda Item 7: To consider a Report from the Policy and Performance Committee entitled ‘Air Navigation’ and to approve the Ordinance entitled ‘The Air Navigation (Bailiwick of Guernsey) (Amendment) Ordinance, 2016’.

I would note that the Report and Ordinance are taken from the addendum to the Agenda.

I would ask the Committee Chairman, Conseiller Maitland, to introduce the Report, please.

300

**Conseiller Maitland:** This Guernsey Ordinance reflects the States’ decision to permit commercial aircraft to be registered on the Guernsey Aircraft Registry.

305 **The President:** Any questions or debate? No. Then we will go to the vote on the Proposition: That Chief Pleas approves the Air Navigation (Bailiwick of Guernsey) (Amendment) Ordinance, 2016.

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

**8. The Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment) Law, 2015  
(Commencement) Ordinance, 2016 –  
Road Traffic Committee Report considered –  
Proposition carried**

*To consider a Report from the Road Traffic Committee entitled ‘Road Traffic Offences – Commencement Ordinance’ and to approve the Ordinance entitled ‘The Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment) Law, 2015 (Commencement) Ordinance, 2016’.*

*Proposition*

*That Chief Pleas approves The Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment) Law, 2015 (Commencement) Ordinance, 2016.*

310 **The President:** Agenda Item 8: To consider a Report from the Road Traffic Committee entitled ‘Road Traffic Offences – Commencement Ordinance’ and to approve the Ordinance entitled ‘The Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment) Law, 2015 (Commencement) Ordinance, 2016’.

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

315 **Conseiller Ventress:** It is fairly straightforward, it is just to allow us to have this Law commenced. It was a straightforward Law which was passed at the 2015 Chief Pleas.

Thank you.

**The President:** Any comment or debate? No. We will go to the vote: That Chief Pleas approves the Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment) Law, 2015 (Commencement Ordinance, 2016).

320

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

**9. Financial Statement 2015 –  
Finance and Resources Committee Report considered –  
Proposition carried**

*To consider a Report from the Finance and Resources Committee entitled ‘2015 Financial Statement’.*

*Proposition*

*That the Financial Statements of the Island for the year ended 31st December 2015 be adopted.*

**The President:** Agenda Item 9: To consider a Report from the Finance and Resources Committee entitled ‘2015 Financial Statements’. I would ask you to note that the Report and Financial Statements are taken from the addendum to the Agenda.

325

I would ask the Committee Chairman, Conseiller Cottle, to introduce the Report, please.

**Conseiller Cottle:** Thank you, sir.

Like last year, I wish to apologise for these statements being distributed late, due to the audit process not being completed by the deadline for submitting reports. I hope that the amendment to the Reform Law which has just been approved in Item 6, regarding replacing ‘audit’ with ‘review’, will mean that this will not happen again next year.

330

It also has not helped that Easter was early this year and that also brought Chief Pleas forward, so the timescale for completing the audit was very tight this time.

I wish to thank our Island Treasurer for the way in which she maintains our accounts and keeps us informed, to be able to monitor the situation throughout the year and for once again dealing with the pressure involved in the audit process, with a deadline approaching and then passing before a completion was reached.

335

The Financial Statements have now been approved by the auditors and signed off on behalf of Chief Pleas by the Treasurer and me, as Chairman of Finance and Resources and they are presented for adoption today.

340

The bottom line figure is a small surplus of £74,401 of income over expenditure, and this is the ninth time in ten years that a surplus has been reported to Chief Pleas. I think it is hard to think how a negative spin can be put on that.

The Government of Sark has to live within its means, so I do not think we need to congratulate ourselves too much. This is done out of necessity. Spending Committees have to think carefully about expenditure and also plan for the future, with budget limitations in mind. This makes planning for improvements or asking for new money difficult and a considered case has to be made to justify such requests.

345

It is Finance & Resources Committee’s role, in its mandate, to scrutinise – or if you do not like that word, then ‘question’ – such requests and advise Chief Pleas on the implications. If Chief Pleas approves such proposals, F&R then has to work out how to fund the proposal and that generally means taxation. Placing that responsibility on Committees has worked and I hope it continues to do so.

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Turning to the figures, income was down on the Budget figure by around £40,000 and this is mainly due to Impôt received being less than planned once again. Interestingly, on closer

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examination of the figures, it shows that this was largely because tobacco products Impôt was down by £32,000 on the previous year.

On the expenditure side, the surplus was achieved because spending was well below budget, £111,000 less than planned, with most headings within their targets. I would once again urge all  
360 Committees to look at where savings were made last year when planning their budget requests for next year.

The paperwork for making those budget requests will be coming out very shortly after this Chief Pleas and the deadline for returning them will be Tuesday, 17th May in order to meet the deadline for Midsummer Chief Pleas. That does not give long but I hope we will have  
365 Committees' co-operation again. Particularly, I hope that the Douzaine, and Public Works, which had a significant underspend last year, will look carefully at the work that it has planned for next year and work out if the Budget asked for, matches those plans. It is important that Island infrastructure is maintained and improved where appropriate, but to achieve this, it may be necessary to improve monitoring of proposed work and the associated costs. That is the  
370 responsibility of the Douzaine, but F&R would be happy to discuss this with them.

I do not think there is anything else in the Financial Statements that requires particular comment. The appendix item which gives explanations for variances is there for everybody to read and if you have any questions on those, then please ask.

Other than there is reduced activity in several areas that has resulted in reduced receipts but this has been generally matched by reduced costs to offset this, so there is a balancing effect  
375 there.

The hard work of many people on Sark has gone into producing this outcome and helping to maintain a healthy balance in the Island's reserves. Thanks should go to everyone who has made a contribution in achieving this.

If there are any questions, I will attempt to answer them or if there are any comments, they are welcome too.

Thank you.

**The President:** Any comments or questions on the Report and the statements?

385 Conseiller Edric Baker.

**Conseiller Edric Baker:** Yes, sir.

Again I find these Financial Statements excellent, well presented and factually correct. I have taken on board the comments from the Finance & Resources Committee and certainly at our  
390 next meetings, the Douzaine will be looking very closely at our expenditure.

Thank you.

**The President:** We will go to the vote on the Proposition: That the Financial Statements of the Island for the year ended 31st December 2015 be adopted.

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

### Procedural

**The President:** If the school children wish to leave, before we debate the control of trade in endangered species. *(Laughter)*

I fear the children have now left as we are about to start doing some debating. *(Laughter)*



**10. The Control of Trade in Endangered Species etc. (Bailiwick of Guernsey) Ordinance, 2016 –  
Agriculture and Environment Committee Report considered –  
Proposition carried**

*To consider a Report from the Agriculture and Environment Committee entitled ‘Control of Trade in Endangered Species’ and to approve the Ordinance entitled ‘The Control of Trade in Endangered Species etc. (Bailiwick of Guernsey) Ordinance, 2016’.*

*Proposition*

*That Chief Pleas approves the Ordinance ‘The Control of Trade in Endangered Species etc. (Bailiwick of Guernsey) Ordinance, 2016’.*

400 **The President:** So we now move on to Agenda Item 10: To consider a Report from the  
Agricultural Environment Committee entitled ‘Control of Trade in Endangered Species’ and to  
approve the Ordinance entitled ‘The Control of Trade in Endangered Species etc. (Bailiwick of  
Guernsey) Ordinance, 2016’. I would ask you to note that the Ordinance is taken from the  
addendum to the Agenda.

405 I would ask the Committee Chairman, Conseiller Paul Williams, to introduce the Report,  
please.

**Conseiller Paul Williams:** Thank you, sir.

410 Basically this is as it reads. It is just to inform Chief Pleas that the Bailiwick Ordinance has  
been passed in Guernsey and there is no reason why Chief Pleas cannot do the same.

Thank you.

**The President:** You were consulted on the development of the Ordinance?

415 **Conseiller Paul Williams:** We were sir, yes.

**The President:** Thank you. Any comments or debate?

Conseiller Adams.

420 **Conseiller Adams:** The Ordinance makes various references to Annexes A, B, C and D.  
Presumably these are lists of species to be included in the Law. Is it possible to see these  
annexes or can you tell us about them in general terms?

**The President:** Conseiller Williams.

425

**Conseiller Paul Williams:** Yes, that is not the easiest question to answer, but basically the  
annexes work as a cascade. Annexe A refers to endangered species taken from the wild; Annexe  
B refers to endangered species bred in captivity; Annexe C refers to endangered species that a  
specific country would like added to the list; and Annexe D refers to endangered species within  
the context of Europe.

430

The Committee have the current version of the relevant EU Legislation including the Annexes  
on file. It is a 114 page document if anyone is interested. Just for reference, the Annexes include  
such things as dried and fresh plants, seeds, spores, bark, fruit, logs, sawn wood and veneered  
sheets, so some very interesting reading.

435

**Conseiller Adams:** Thank you.

**The President:** Any other questions or debate?

No, in that case we will go to the Proposition: That Chief Pleas approves the Ordinance 'The  
440 Control of Trade in Endangered Species etc. (Bailiwick of Guernsey) Ordinance, 2016'.  
Those in favour; those against. **Carried.**

**Procedural –  
Item 23 to be considered as next business –  
Proposition carried**

**The President:** Conseiller Audrain, do you wish to make a Proposition?

445 **Conseiller Audrain:** Yes please.

I would like to request that Item 23 to do with the recruitment of an Early Years and Infant  
Teacher could be moved up the Agenda and could be considered now.

**The President:** Right, there has been a proposal from Conseiller Audrain that Item 23 be  
450 moved to be debated now. In accordance with Rule of Procedure 10, a simple majority in a vote  
will move it. So I now go to the vote that Item 23 be debated now.

Those in favour – a quick count, keep your hands up please; those against. **Carried.**

**Declaration of conflict of interest re Item 23 –  
Conseiller Cottle permitted to remain but take no part in debate**

**The President:** Right, we will now debate Item 23.

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**Conseiller Cottle:** Sir?

**The President:** Yes, Conseiller Cottle.

460 **Conseiller Cottle:** Can I just make myself clear: I do not know whether it should be  
considered that I have a direct interest in this, as my wife is Headteacher. So I offer the  
opportunity if you want to consider that.

**The President:** I do believe you have a direct interest and therefore you should remove  
465 yourself from the Chamber – unless someone wishes to propose that Conseiller Cottle remain,  
but not to take part in the debate or the vote.

Are there any votes or propositions that he should remain? Conseiller Baker, Conseiller Byrne.  
Those in favour of Conseiller Cottle remaining in the Chamber, those against. **Carried.**

Right, you may remain. Thank you.

**23. Recruitment of Early Years and Infant Teacher –  
Education Committee Report considered –  
Proposition carried**

*To consider a Report from the Education Committee entitled 'Recruitment of Early Years and  
Infant Teacher'.*

*Proposition*

*That Chief Pleas approves a sum of up to £10,000 for advertising and interviewing for an Early Years and Infant teacher and for removal expenses for the successful candidate.*

470 **The President:** Agenda Item 23: A Report from the Education Committee entitled 'Recruitment of Early Years and Infant Teacher'.

I would ask the Committee Chairman, Conseiller Audrain, to introduce the Report, please.

**Conseiller Audrain:** Thank you.

475 I would like to begin by thanking Miss Alison Mills for her excellent service to Sark School. She is an outstanding teacher and will be sorely missed.

The Report which came to Conseillers is a long one and I hope that Conseillers have been able to take in all of the contents. Briefly, the Report outlines the educational reasons for appointing a replacement for Miss Mills. Pupil numbers are constantly under review. The numbers of babies born here are recorded by the school and it is not long between birth and entry into school.

480 Miss Mills introduced family afternoons. Twice every term all pre-school children, including babies, are invited with a parent or grandparent into school to join in the fun of learning. I know from talking to some of these pre-schoolers how much this has boosted their excitement about starting school.

485 At the regular meetings of the Education Committee pupil numbers are discussed. When the resignation of a staff member is received, the Committee has a set of procedures to guide this process. The first consideration is whether we wish to fill the post. In the case of the resignation of Miss Mills, it was decided after due consideration that it was essential to have a specialist teacher working along with our youngest children and the reasons for this are explained in the report.

490 The Committee feels that not to re-appoint would be to seriously compromise learning opportunities for all. It would mean that pupils who are four-plus would be taught with pupils who are rising nine; and pupils who are nine-plus would be being taught with those who are 13-plus. The ways of teaching and learning with these ages is completely different.

495 It has been put to the Committee that there does not need to be four teachers in the school because it used to function with three. That was before the school started to offer GCSE and this element has been further developed in recent years, so that now the Headteacher is almost fully occupied in teaching that group of pupils. The role of the Headteacher is fully outlined in the Report, and I am sure that you will agree that it is a huge task which she carries out with great efficiency.

500 In order for these pupils to continue with their educational training after 16, they need to have passes at Grades A to C. In the Report I have stated that we cannot publish results because the small numbers that are taking the exams compromise anonymity. But I can mention that the overall pass rate has now risen to 62% and that several pupils have gone on to FE College and to do A-levels.

505 Another point I would like to make to do with teachers is that in order for Sark children to gain a good education they need to be taught. School is not just a child minding facility and if they are put together in disparate groups covering too wide an age range, there is a danger that the actual teaching that any individual child receives is insufficient.

510 That is not to say that the children cannot enjoy their schooling by also learning through experience and play. I quote 'teachers must be trained in techniques of teaching which combine pedagogy with play for the purpose of arousing children's interest'. This comes from international guidelines on the right of children to education and I put it to those who discount some of our children's work as 'playing in the woods'.

515 The Education Committee in its mandate is asked to commission a school inspection at regular intervals. The Committee applied for funds for this in 2014 and work commenced in

2015 in conjunction with the Guernsey Department of Education. This is a regular occurrence – the last inspection took place in I believe 2010.

520 It is a rigorous process of self-evaluation supported by education officers from Guernsey and then a validation visit followed by a report. The inspectors made their final visit in March and just yesterday the school received a summary report, from which I have been allowed to quote – there is a wealth of comment and advice but I will just quote a little.

‘Despite its small size, the school provides a well-rounded and increasingly successful education for the young people of Sark in a wonderful learning environment.

The team at Sark School provide a well-developed curriculum and are an example of how a school can make good use of the environment and community around it. The Headteacher has set a clear ethos and direction for the school and individually, has had a positive impact on Key Stage 4 attainment over the last three years by working with students to create bespoke pathways through an increasing range of GCSE subjects from recognised exam boards and in to further education.

The students’ success is to be commended. The outcomes have improved dramatically and the students are predicted to do well again this year.

The largest challenge facing the school is in finding a skilled replacement for the Class 1 teacher in order to continue to provide an education that meets the needs of the pupils as they move through the developmental stages from early childhood to young adulthood.’

525 This report is only in draft summary form at the moment and will be presented to Chief Pleas in due course, as all our inspection reports are.

I would like to draw your attention to the last paragraph of the Report in which it is outlined why we need to apply for funds for recruitment. In that paragraph, it is explained that although the sum requested for recruitment and advertising is very large, last time it eventually came to £6,826 which was found within the school’s budget, and this could happen as well this time.

530 I know that many of you will wish to ask questions.

**The President:** Do you have any comments or debate?

535 Conseiller Rolfe, Conseiller Courtney, Conseiller Maitland, Conseiller Elizabeth Norwich, Conseiller Fry. Anybody else? Conseiller Elizabeth Dewe, Conseiller Ventress and Conseiller Adams. I think that will do for starters.

Conseiller Rolfe.

**Conseiller Rolfe:** Mr President, I would like to join Conseiller Audrain in thanking Miss Mills in her work in the Early Years teaching in Sark and wish her well in her new post.

540 I wish to support the Proposition. Currently there are 29 children in the school, with an age range of 4 to 14. The Headteacher mentors and teaches the four older children in their GCSE studies as well as the other duties outlined in the Report.

545 Now there are some in Sark who argue that we do not need four teachers for 33 children. I suppose that argument would hold water if all 33 were roughly the same age, but they are not. If we do not replace the Early Years teacher, we would leave the school with two teachers educating 29 children with an age range of 4 to 14 years and that in my view would be inadequate.

550 Anyone who has put children through education – and I have probably done more than most – will appreciate the differences in skills, aptitude and achievement of a class of all the same age. So I wholeheartedly support the Proposition to keep the number of teachers as it currently is. We invest in children for the future of our Island. If we starve that investment we put our future at risk.

Mr President, I wish to support the Proposition.

555 **A Member:** Hear, hear.

**The President:** Conseiller Courtney.

**Conseiller Courtney:** I think it is fair to say that we have all taken a great deal of time to think about this. Education is very important and these are the thoughts that I have.

560 I think we now have an opportunity of saving a large amount of money by looking at the education of our children to cater for the fall in children's numbers and still provide a high class education. The money saved by not replacing a fourth teacher could be used to engage a school secretary to allow the Headteacher to do more teaching and also provide financial help to parents who want their child to have GCSE either on or off the Island – money that could be  
565 used to help our young people stay on the Island or to help the parents give their children education off the Island as most parents want to give them this chance. They struggle to save money and most put themselves in debt to do this; or money that could be used to give a small loan to help them build their own house. We need our families to stay.

I am not against education. In fact, I am all for it but I feel that the money we could save by  
570 not having a new teacher would enable other children to gain further education, which is just as important. We have four teachers and two class helpers for 33 children, with a significant number of children going on from Sark School to other schools at age 11, so I do not see the figure rising by many more over the next few years at least. In fact numbers are likely to fall in the near future.

575 We should ask the Education Committee to conduct a review of the educational heads of the Island with the aim of providing high-class education with three qualified teachers, a school secretary and classroom assistance as required.

So these are my reasons for not voting for a new teacher at this time.

Thank you.

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**The President:** I think that was Conseiller Courtney's maiden speech.  
Conseiller Maitland.

**Conseiller Maitland:** I would like to thank the Committee for the chance to look round the  
585 school and see the teachers in action. It is certainly an impressive resource for the Island. And while I am supportive for the recruitment of a replacement Early Years Teacher in principle, I would like to suggest a couple of things.

590 Firstly that Miss Mills' replacement should be for a fixed term of perhaps two or three years. There is a trend nowadays for young teachers to take up short-term contracts abroad, just as I suspect Alison is doing in Java for a fixed term, and I think the school would benefit from this trend – a new teacher with new ideas.

595 Secondly, and I have talked this over with Conseiller Audrain, I feel that a review of education in Sark, not just the school, would be a good next step. Are we using our resources in the right way? Is the school trying to do too much or too little? Does the school benefit from teacher or student exchanges with Guernsey? This would not be a criticism of the school but such a review perhaps looking at how other small communities operate, could be a confidence-boosting exercise for all concerned.

My last point would be to look at perhaps a reduction in classroom assistance if numbers at the school continued to fall. After all, every penny counts.

600

Thank you.

**The President:** Conseiller Elizabeth Norwich.

605 **Conseiller Elizabeth Norwich:** The school has clearly moved on in recent years, caring for a great range of pupils in age, ability and curriculum. I believe this is why we still need four teachers, particularly so at the beginning of a child's school career. However, I am sure we all want the best value from part of Sark's Island life that uses so much of the revenues of Sark each year.

610 Has the Committee looked at having a review from somebody off Island? I am not referring to the necessary regular inspections; I mean looking at the ways the school can move forward depending on its number of pupils and resources, and that includes other resources on the Island. Maybe somebody with the experience of small islands and the very interested community that supports the school. This might help in providing a five- or even ten-year plan.

615 **The President:** Thank you. Conseiller Fry.

**Conseiller Audrain:** Would I have chance to respond to this?

620 **The President:** Are you making notes, because I will give you a chance to sum up at the end.

**Conseiller Audrain:** I am, but a number of people have already spoken, and I assumed that if somebody spoke, I would have the chance to respond to that question.

625 **The President:** Well, you could do that at the end.

**Conseiller Audrain:** I think that is what usually happens.

**The President:** You have not been jumping up, so I have not sort of –

630 **Conseiller Audrain:** I have but –

**The President:** Well, I have not seen you jumping up. Okay, I will let you come back on any points which previous speakers have made and then we will come to you, Conseiller Fry, after that. Thank you.

635 Conseiller Audrain.

**Conseiller Audrain:** Sorry, I was expecting that I would come back after each person's speech. I think that is the way it usually is.

640 Going back to what Conseiller Maitland said, he talked about certain – I am sorry to sound unsure here, but I am trying to recall everything that has been said, and another person has just spoken. Can I ask Conseiller Maitland to repeat what he said about teacher exchanges because I did not quite follow that?

645 **Conseiller Maitland:** It was just a short comment that one of the problems of a small island is that it can get very insular and it might be a good idea to have Sark teachers perhaps swapping over with Guernsey teachers for a day or two to establish a relationship with Guernsey more.

**Conseiller Audrain:** Right, thank you.

650 Yes, this type of thing certainly happens. Teachers from our school do visit Guernsey for training purposes and that will be strengthened in conjunction with the inspection process that has been carried out, because the reason for using that inspection process, which they use in Guernsey, is in order to get an interchange going between the two Education Authorities and they have vast resources where they can back us up and help us.

655 Another aspect of this is that we do look at the way that other Education Authorities function. It is an important part of our work to make sure that not only do we compare well with the way children learn in other places, but also that we take information from other authorities, particularly small authorities. We have looked at the way other authorities use their resources. Sark is unique in that it is slightly different from any other authority that we have managed to try and compare ourselves with.

660 Could I come back to what Conseiller Norwich said and just ask her to repeat the last part of what she said?

**The President:** Conseiller Norwich.

665 **Conseiller Elizabeth Norwich:** I just said that maybe somebody with some experience of small islands and also from maybe our own very interested community that supports the school, and it might lead to a five or ten year plan.

**Conseiller Audrain:** Thank you, yes.

670 I think part of that was covered in what I just said. We do feel that the Committee is constantly looking forward and reviewing what we do. I think that also the inspection process that we have been using is much more than just looking at the teaching and learning within the school. It is looking at what we are providing and I think some of the quotes that I have just given in my introductory speech show that.

675 Yes, I think that it would be useful to have a further overview over the educational provision that we have within the Island and of course because the school and the Education Committee are constantly looking at ways to improve, then the sort of thing that you are suggesting would be welcomed.

680 **The President:** Conseiller Fry.

**Conseiller Fry:** Thank you, sir.

A lot of what I want to say has been said and said well. I want to start by saying I would *love* to have gone to Sark School! It is a happy, lively place and from all I hear and have observed, Miss Mills has been an excellent asset. As I am sure, obviously, everyone is aware, there has been a lot of discussion about whether the school needs to employ a fourth teacher when she leaves.

690 This is a very difficult subject to talk about, as all the staff at the school and the members of the Education Committee are friends. But I would be failing as a Conseiller if I did not raise some of the questions and concerns that members of the public have been lobbying me with.

Many of these have been answered by the Report. I have to say, not everybody who has spoken to me has read the Report, and other things have been answered by Conseiller Audrain's statement at the beginning. As well as negative comments, there have been some *very* positive and I believe, constructive ones.

695 A review has been spoken about. Several people have suggested that an outside review of the whole education system would go a long way towards settling the matter and we could just point, 'well, the review has said this or that'. Many aspects of Island life have been, and are in the process of being, reviewed. The Election Observer, Sark Shipping, Policing, the Regulation of Electricity, aspects of the Reform Law and the Establishment Review. There is no doubt, we, like everywhere else in the world, are going through changing times.

700 Does the Education Committee think that a review would be a good idea? A review may say that the school needs four teachers, even five – a secretary, an administrator, a board of governors, anything – but it would certainly put a stop to the complainers. Would it not be possible to consider one of the small number of good candidates who your report mentions were short-listed, perhaps being given a year's contract, or even six months, while such a review is being carried out?

705 I am not a teacher, nor a parent and I am pretty ancient, but I certainly do recognise the importance of Sark's children getting the very best education and on that note to finish, I would like to thank all the staff at the school and the Education Committee, for their hard work and dedication.

710 Thank you.

**The President:** Conseiller Audrain.

**Conseiller Audrain:** Thank you.

715 As I said, I think it is a good idea to have some kind of outside review. It would need to be carried out in a very rigorous way. I do not think six months would cover that. I do not think it would be possible to do that in the way some of the reviews that Conseiller Fry has mentioned have been carried out as a PDT for instance. So I think it would be something which Chief Pleas if they decide, would need to plan and carry out.

720 When Conseiller Fry asks whether the Education Committee has considered this, it is something which has only come up recently, come to my attention recently, and certainly has not come to an Education Committee meeting recently. But I do not think that what is being described there is something which the Education Committee would be carrying out. If it is the will of Chief Pleas to look at the entire educational provision in Sark, then that is something  
725 which is outside the remit of the Education Committee.

**The President:** Conseiller Elizabeth Dewe.

**Conseiller Elizabeth Dewe:** I am in favour for this Proposition to have a replacement  
730 Reception Teacher. I went through Sark education in the 1960s and 1970s when we had large school classes, and it was very detrimental to my education. When we changed teachers, I was 12 years old and we were all assessed. My reading ability when I was assessed was only seven and a half years old and I was 12 at the time.

I do not wish to see this happening again to all our children in Sark. We do not want to go  
735 backwards, we need to keep looking forwards.

Thank you.

**Several Members:** Hear, hear.

740 **The President:** Conseiller Ventress.

**Conseiller Ventress:** I feel that the early years of education are the most vital in the education and Conseiller Elizabeth Dewe has just brought that up. Therefore four teachers are vital.

745 Also, with regard to the further education, we have to remember that we are now in a world of very rapidly expanding communications and technology. This is again something that our children need to learn and four teachers are absolutely essential.

In fact, I would almost say that with technology and so on, you almost need a fifth. But four is certainly the right number and I am supporting it, wholeheartedly.

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**The President:** Do you wish to come back, Conseiller Audrain?

**Conseiller Audrain:** No, thank you.

755 **The President:** Conseiller Adams.

**Conseiller Adams:** There have been several suggestions for a review of the whole education system. Conseiller Audrain has quite rightly indicated that teachers constantly review their practice, it is part of their ongoing professional development.

760 The National Curriculum document which is available to download online, sets out what is expected and required in terms of curriculum content for each academic year of school, from Reception to Year 11 – that is, ages 4 to 16.



765 All children – our children and grandchildren – are entitled to be delivered the programmes of study relevant to their age group. In addition, those children with special needs will require individual lesson planning within that year group.

The younger children, those at Key Stage 1, because of their age and development are the ones who need the most support with their learning. I know this from my experience of teaching: you turn your back for a second on Reception children and they are not where you left them, even though you have given them very clear instructions. *(Laughter)*

770 With the classes we have at Sark School now, it is already a challenge, particularly in the core subjects of English, Maths and Science to ensure that the children at Key Stages 1, 2 and 3 are fully engaged at the appropriate level of learning.

775 The thought of the potential restructuring outlined by Conseiller Audrain, with an age group in Class 1 spanning five academic years, fills me with horror, because they could not possibly receive the appropriate teaching in all of the subjects. Also, I think it would be very difficult to recruit a good teacher who would be willing to accept responsibility for that wide age range.

780 We can cut back on other expenses, but not on the education of our children. They are beyond precious. Conseiller Dewe is correct and she is brave to tell us that she was not given the education she deserved. The children's education will affect their achievements and their confidence. It has to be the number one priority in our Budget.

**Several Members:** Hear, hear.

**The President:** Thank you.  
785 Conseiller Audrain, do you wish to come back on anything on that?

**Conseiller Audrain:** No, thank you.

**The President:** Any other debate, anybody wish to raise any questions?  
790 Conseiller Edric Baker.

**Conseiller Edric Baker:** Yes, sir. This is an extremely difficult subject and I have got sympathy with Conseiller Courtney on this. It is a feeling that I held two years ago when I was able to have an interview with the Headteacher and discussions took place. Since then, I have spoken to all the members of the Education Committee. I have read this excellent Report and I have had my mind changed completely.  
795

I believe that it is the right way to go to retain the fourth teacher. It is essential that our children have that early start in life and I will support it.

800 Thank you.

**A Member:** Hear, hear.

**The President:** In that case, we will go to the vote on – *(Interjection by Conseiller Audrain)* I will give you the chance to sum up, yes.  
805

**Conseiller Audrain:** Thank you.

Thank you very much to all the people who have put forward very supportive statements and helpful suggestions.

810 I just wanted to sum by saying something that someone has already mentioned: our children are our tomorrow, so we need to invest in them and even if we do not have children, the Island has the children who are our tomorrow.

Another point is that we want to attract new businesses and new residents and any people looking to come into the Island who have children will be looking for excellent educational facilities, and that would mean a class of children which was suitable to their child's needs.

815 Thank you.

**The President:** We go to the vote then on the Proposition in the Report: That Chief Pleas approves a sum of up to £10,000 for advertising and interviewing for an Early Years and Infant Teacher and for removal expenses for the successful candidate.

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

**11. Clos du Manoir – Local Housing Scheme –  
Development Control Committee Report considered –  
Proposition carried**

*To consider a Report from the Development Control Committee entitled ‘Clos du Manoir – Local Housing Scheme’.*

*Proposition*

*That Chief Pleas supports the scheme for Clos du Manoir and directs the Development Control Committee to approve the application ‘in principle’.*

**The President:** We go back into the order of the Agenda and we now go back to Agenda Item 11: To consider a report from the Development Control Committee entitled ‘Clos du Manoir – Local Housing Scheme’.

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

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**Conseiller Elizabeth Norwich:** Do we declare an interest if we live next door?

**The President:** I do not think that is an interest to declare. You will not be the only people who would be affected by any development there.

830 Conseiller Baker.

**Conseiller Edric Baker:** Yes, sir.

I think the Report says exactly what this is all about, but I would like to add that the Development and Control Committee would like the support of Chief Pleas on this project. What we are looking at really is a form of self-build which will enable a lot of youngsters to actually start the housing ladder, get on the first rung of the housing ladder.

835

This is I think a very generous offer from the Seigneur. This is why we put that in the Report and certainly with the support of La Ville Roussel Trust, that could make a lot of difference to some young families here. I leave it to Chief Pleas to debate on that if they wish.

840

**The President:** Right, any questions or debate please? Conseiller Rolfe – anybody else? Conseiller Sandra Williams. That will do for starters.  
Conseiller Rolfe.

845 **Conseiller Rolfe:** Yes, just a quick comment really for the Chairman and that is this: that the field itself – whilst I do not detract from what is proposed here – is actually leased on a long lease to someone whose son keeps horses there and they seem to be completely unaware of what these plans are.

I would be grateful if the Chairman could ensure that the people who are leasing that field are fully informed of what is going on.

850

**Conseiller Edric Baker:** I do not think this is a matter for the Committee actually. I think it is the property holder.

855 **Conseiller Rolfe:** Thank you.

**The President:** Conseiller Sandra Williams.

860 **Conseiller Sandra Williams:** I would just like to say that I 100% support this Proposition and I hope that it might encourage families to either come back or families to stay because they now have the chance, if they want it, to borrow some money from La Ville Roussel Trust and actually get something they can live in that they own, rather than have to keep paying exorbitant rents.

**The President:** Any other comments please? No.

865 We will go to the vote on the Proposition: That Chief Pleas supports the scheme for 'Clos du Manoir' and directs the Development Control Committee to approve the application in principle. Those in favour; those against. **Carried.**

**12. Amending the Number of Conseillers on the Road Traffic Committee –  
Road Traffic Committee Report considered –  
Proposition carried**

*To consider a Report from the Road Traffic Committee entitled 'Amending the Number of Conseillers on the Road Traffic Committee'.*

*Proposition*

*That Chief Pleas approves the reduction in the membership of the Road Traffic Committee, from five to four members, and that it approves the amended Mandate.*

**The President:** We move to Agenda Item 12: to consider a Report from the Road Traffic Committee entitled 'Amending the number of Conseillers on the Road Traffic Committee'.

870 Conseiller Ventress, please.

**Conseiller Ventress:** I think this is straightforward. We are just reducing the numbers to four and it is possible that before the next election, there may be changes to Committee structures altogether.

875 Thank you.

**The President:** I see, an intriguing hint! (*Laughter*) Any questions or debate, please?  
Conseiller Edric Baker.

880 **Conseiller Edric Baker:** I would like the Committee, in whatever form they are, to seriously look at their mandate in regard to the regulation of the Harbour Hill Transport. I think that really needs to be reviewed very thoroughly.

885 **Conseiller Ventress:** We will certainly take that into consideration. Also I believe the Douzaine would be involved.

**The President:** Any other debate? No.

890 Then we will go to the Proposition: That Chief Pleas approves the reduction in the membership of the Road Traffic Committee from five to four members and that it approves the amended mandate, which was attached to the Report.

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

**13. Committee Mandate – Proposed Amendment –  
Finance and Resources Committee Report considered –  
Proposition carried**

*To consider a Report from the Finance and Resources Committee entitled ‘Committee Mandate – Proposed Amendment’.*

*Proposition*

*That Chief Pleas approves the amended Mandate, as attached to this Report.*

**The President:** Agenda Item 13: To consider a Report from the Finance and Resources Committee entitled ‘Committee Mandate – Proposed Amendment’.

I would ask the Committee Chairman, Conseiller Cottle, to introduce the Report, please.

895

**Conseiller Cottle:** Thank you.

I have included quite a bit of background in the Report that you have got in front of you as to why we are bringing this change, but it is fairly straightforward. That is just so that it is explained properly.

900

This amendment is brought with one proposed change to the mandate of the Finance & Resources Committee. This is to reflect the Committee’s responsibility for the Memorandum of Understanding with the Isle of Sark Shipping Company as defined in the review recommendations that were adopted at Michaelmas Chief Pleas.

The only changes therefore are at point h. in the mandate as it is in front of you and it says:

To be responsible for, and keep under regular review, the Memorandum of Understanding between the Isle of Sark Shipping Company Limited and Chief Pleas.

905

And in addition to that change, there is the addition under ‘Agreements’ of the Memorandum of Understanding between Isle of Sark Shipping Company and Chief Pleas of Sark, as the document that it refers to.

The current MOU is in the process of being updated to align it with the strengthened relationship as defined in the review. Once that work is completed, the new MOU will be brought to Chief Pleas with a Report and a Proposition for approval.

910

If there are any questions, please ask before the Proposition is put.

**The President:** Any questions or debate?

Conseiller Adams.

915

**Conseiller Adams:** This is not a question; this is further information from the perspective of the Shipping Committee.

Since the adoption at Michaelmas Chief Pleas of the redefined relationship between the Shipping Committee and the Shipping Company, both parties have been working on a stand-alone and much more enhanced version of a service level agreement. We have now finalised that agreement and it will soon be with the directors of the company for consideration at the

920

next board meeting. We also wish for it to be checked through by a Law Officer before bringing it to Chief Pleas, hopefully at Midsummer.

925 As Conseiller Cottle has already explained, the mandate for the Shipping Committee will need to include responsibility for the service level agreement and it may also need other amendments. So we hope to bring an amended Shipping Committee mandate to Midsummer Chief Pleas also.

930 **The President:** I see nobody else wanting to speak therefore we will go to the Proposition in the Report: That Chief Pleas approves the amended mandate as attached to this Report. Those in favour, those against. **Carried.**

**14. Assistant Constable Sea Fisheries –  
Sea Fisheries Committee Report considered –  
Proposition carried –  
Mr P S La Trobe-Bateman appointed**

*To consider a Report from the Sea Fisheries Committee entitled ‘Assistant Constable Sea Fisheries’.*

*Proposition*

*That Chief Pleas approves the appointment of Mr P S La Trobe-Bateman as Assistant Constable Sea Fisheries.*

**The President:** Agenda Item 14: To consider a Report from the Sea Fisheries Committee, entitled ‘Assistant Constable – Sea Fisheries’.

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

935

**Conseiller Plummer:** Thank you.

940 This report is self-explanatory and on behalf of the Sea Fisheries Committee I would like to thank Mr Lalor for his help during his time as Assistant Sea Fisheries Constable. His time and his research have been most valuable in all aspects, so I would like thank him, but I would like to hope that this Proposition to approve Mr P S La Trobe-Bateman as Assistant Constable Sea Fisheries will be approved. That would be very good.

Thank you.

**The President:** Any questions, any debate? No.

945 We will go to the Proposition in the Report: That Chief Pleas approves the appointment of Mr P S La Trobe-Bateman as Assistant Constable Sea Fisheries.

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

950 You are in! *(Laughter)* And thank you for volunteering for that, you obviously have a taste for law enforcement, *(Laughter)* so you will be continuing on beyond your standing down as Constable at Michaelmas.

**15. Sark International Tax Transparency –  
Finance and Resources Committee Report considered –  
Proposition carried**

*To consider a Report from the Finance and Resources Committee entitled ‘Sark International Tax Transparency’.*

*Proposition*

*That Chief Pleas resolves to affirm Sark’s commitment to International Tax Transparency and to approve that the Taxation Transparency document attached is adopted as an explanatory statement to be placed on the Government website.*

**The President:** We move to Agenda Item 15: To consider a Report from the Finance and Resources Committee entitled ‘Sark International Tax Transparency’.

I would ask the Committee Chairman, Conseiller Cottle, to introduce the Report, please.

955

**Conseiller Cottle:** Can I hand this Item over to Conseiller Raymond, who has been dealing with this.

**The President:** Conseiller Raymond, please.

960

**Conseiller Raymond:** Thank you, sir.

Sark has decided that it must make an open offer of assistance in the matter of tax transparency to any country wanting information. However, as Sark does not tax income or capital gains, interest or dividends, it does not actually collect the relevant information. We have not, so far, been asked to enter into any tax information exchange agreements and therefore, that fact has been somewhat academic.

965

However, from 2017 the Common Reporting Standard is expected to collate, on a global basis, information on all of those taxable sources on one central database attributed to countries of residence and then to individuals who will be identified by name, residence and date and country of birth.

970

Because Sark does not collect this information, it is important that other jurisdictions are made aware of the fact that the lack of input is not a lack of co-operation, but the lack of that relevant information. However, much of the required information will be capable of being collected and supplied, but via the Guernsey system because here we have Guernsey banks, we have no trust law and we have no company law.

975

The statement on which we seek approval today is intended to be placed on the Sark Government website, so that any jurisdiction having any interest in Sark residents can see what information the Sark Tax Assessor gathers and where the information will be available. It is also designed to demonstrate that Sark intends to be a co-operative jurisdiction.

980

I could not stand here today without referring to what has become known as the Panamanian Papers and some of the leaks which have been publicised probably go back 50 years in their files, but they will only aggravate the clamouring for tax transparency and it is therefore essential that Sark justifies its position in the financial world and also, the lack of information that may be requested or expected with the inception of the Common Reporting Standard.

985

It is important that other jurisdictions are made aware of the reasons why we may not become a contributor because we simply do not have the information. It is important that at this moment we retain a cool head when these matters are mentioned as since 2000, Sark has been regulated by the Guernsey Financial Services Commission under Bailiwick-wide law and therefore, what may have taken place in the past will no longer be tolerated today. The events of the last few days make this statement even more important.

990

The request today is that this statement is approved by Chief Pleas and also that it is adopted as official policy and is then attached to the Government website as an explanatory statement.

Thank you, sir.

995 **The President:** Any questions or debate? No.

Then we will go to the Proposition: That Chief Pleas resolves to affirm Sark's commitment to International Tax Transparency and approve that the Taxation Transparency document attached is adopted as an explanatory statement to be placed on the Government website.

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

1000 We are getting on tremendously well. Therefore I shall call a 10-minute recess. Please be back in your seats at 17 minutes to 12.

*Chief Pleas recessed at 11.23 a.m.  
and resumed at 11.45 a.m.*

**Procedural –  
Re Item 8.**

1005 **The President:** Before we move on to the next Item, we go back to Agenda Item 8, where we approved The Road Traffic Offences (Motor Vehicles and Bicycles) (Sark) (Amendment) Law, 2015 (Commencement) Ordinance, 2016. That Ordinance will be numbered Roman numerals II of 2016.

**16. Securing Sark's Future – Progress Report –  
Policy and Performance Committee Report considered –  
Proposition carried**

*To consider a Report from the Policy and Performance Committee entitled 'Securing Sark's Future – Progress Report'.*

*Proposition*

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

**The President:** We now move to Agenda Item 16: to consider a report from the Policy and Performance Committee entitled 'Securing Sark's Future – Progress Report'.

Conseiller Maitland, please.

1010 **Conseiller Maitland:** Work has been continuing under this heading. There are two separate reports on Electricity Consultation and Fire Precautions to follow and the Reform Law PDT has worked hard to produce the Reformed Sark Amendment Law, 2016 which has already been agreed.

1015 For reasons outside our control work on the definition of a 'resident' has been somewhat delayed but the team hopes to be in a position to report to Chief Pleas later this year.

Conseiller Audrain will be giving a verbal report on the Children Law, followed by Conseiller Raymond on Land Reform.

1020 **The President:** Conseiller Audrain, please.

**Conseiller Audrain:** Thank you.

1025 This is very short. You will see from the table that is attached to the Report that in the section about the Children Law, the Children Law is being petitioned and will therefore be delayed. I have been approached by two different residents asking when it will become law and when I had to tell them that unfortunately it is delayed, they both responded, 'but who would not want a law for children'? I agree, I feel that it is very sad but despite that, the PDT is pushing forward with their work on the Child Care Law.

Thank you.

1030 **The President:** Conseiller Raymond.

**Conseiller Raymond:** Thank you, sir.

1035 Since the last Chief Pleas, the PDT on Land Reform has held a further public meeting and three group meetings with the tenants, the leaseholders and the younger members of the community, most of whom are renting at the moment and they were very constructive as far as we were concerned, very useful fact-finding meetings.

1040 We have had another two meetings ourselves since and our next job is that we are going to need some legal advice. We are hoping then to take the next step which is to go to a house to house public survey and questionnaire so that we make sure that everybody, including those who have not been able to get to the meetings, have an opportunity to express their preferences.

1045 We are aware of the fact that there is a certain amount of impatience. It is an enormously complex subject and it interacts with a number of other aspects of legislation, including the dreaded human rights. Therefore we need to tread very carefully. The worst thing we could do is to introduce something which just would not work, got petitioned, appealed, whatever you like to say.

We are making progress. We know it is slow, but that is the way it has to be.

Thank you.

1050 **The President:** Any questions or any debate on Land Reform or the Children's Law or any other subject in the Progress Report?

Conseiller Sandra Williams.

1055 **Conseiller Sandra Williams:** Yes, following on from what Conseiller Raymond said, I would like to congratulate the team on actually getting as many public meetings together as they have managed to and they have had lots of meetings. As much as it looks like not a lot is happening, we all know that people are very busy and there is a lot of work going on behind the scenes.

1060 Taking up on Conseiller Audrain's point, I find it quite alarming that these things are not getting done and that the children's interests are not being put foremost. And I would just like to ask without putting anybody on the PDT team on the spot: the Register of Medical Practitioners, last time we had something through from the Medical Practitioners PTD, we were informed that they were being held up by certain people and certain jurisdictions, questioning whether it should incorporate everybody, and I just wondered whether we had actually got anywhere or whether there was anything they would like to tell us about this.

1065

**The President:** Conseiller Roger Norwich.

**Conseiller Roger Norwich:** Yes, thank you.

1070 I can confirm that we continue to be in discussion with the Law Officers in Guernsey. There were, I understand, some changes made in the Guernsey rules and we have a meeting arranged in a few weeks' time to draw up some final changes which we will want to turn into the Sark as



opposed to Guernsey rules which will be very, very similar, but will be adapted for our special and peculiar circumstances.

1075 **The President:** Anybody else? No, then 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.**

**17. The Constitution and Operation of Chief Pleas Committees – Proposed Amendments –  
Policy and Performance Committee Report considered –  
Proposition carried**

*To consider a Report from the Policy and Performance Committee entitled ‘The Constitution and Operation of Chief Pleas Committees – Proposed Amendments’.*

*Proposition*

*That Chief Pleas approves the amended version of the ‘The Constitution and Operation of Chief Pleas Committees’ as attached to this report.*

**The President:** We move to Agenda Item 17: To consider a Report from the Policy and Performance Committee entitled ‘The Constitution and Operation of Chief Pleas Committees – Proposed Amendments’.  
1080 Conseiller Rolfe, please.

**Conseiller Rolfe:** Mr President, I would just like to start by thanking Conseiller Dunks for his help in developing this proposal, although I do so with some trepidation after his earlier contribution where he tried to overturn a perfectly legitimate decision of the last Chief Pleas.  
1085

The original intention of the PDG and PDTs remains the same. It was originally intended that the PDG would be a group consisting of all Conseillers whose purpose was to set up, co-ordinate and prioritise the work of dedicated *ad hoc* PDTs working together with available specialists from outside Chief Pleas’ membership. That is the development role that they were tasked with.

1090 It is worth reminding those outside Chief Pleas who do not seem to understand this arrangement that the PDG and PDTs are not Standing Committees of Chief Pleas. They are there to support the Standing Committees conducting the important work that would be done by paid civil servants in other jurisdictions.

1095 The purpose of this Report is to address the rule whereby a Conseiller who sits on either of the Policy Committees is prevented from serving on an Operational Standing Committee of Chief Pleas. As most members of PDTs happen also to sit on Standing Committees, they are thus currently prevented from joining a Policy Committee to see the work of their PDTs through Chief Pleas directly in their own name and their own right.

1100 What is proposed here is that for the sole purpose of bringing a PDT item to Chief Pleas, a Conseiller from that PDT shall be made a temporary member of either one of the Policy Committees or the relevant Operational Committee. The chart I think best illustrates the proposal with the PDG – and I am sure you will be very pleased to see that we have got the arrowheads correct this time, Mr President – with the PDTs supporting the Policy and Operational Committees, who then report and take instructions to and from Chief Pleas.

1105 I apologise to the House for the repeated nibbling away at the operations of Chief Pleas Committees but we have hopefully arrived at a workable and acceptable solution. This really should be the final piece of the jigsaw.

Mr President, I commend the Proposition to the House.

- 1110 **The President:** Any comment or debate? No.  
Then we will move to the Proposition in the Report: That Chief Pleas approves the amended version of the 'Constitution and Operation of Chief Pleas Committees' as attached to this Report. Those in favour; those against. **Carried.**  
The Constitution and Operation of Chief Pleas Committees documents attached to the
- 1115 Report, or enclosed with the Report, will have a minor typographical change dealing with the date that it was approved by Chief Pleas.

**18. Securing an eResource for Sark –  
Policy and Performance Committee Report considered –  
Proposition carried as amended**

*To consider a Report from the Policy and Performance Committee entitled 'Securing an eResource for Sark'.*

*Proposition*

*That Chief Pleas agrees to enter into the Heads of Agreement with USP Networks Ltd entitled Securing an eResource for Sark, as set out in Appendix 1, and instructs the Chairman of the Policy and Performance Committee to sign it on behalf of Chief Pleas.*

**The President:** Agenda Item 18: To consider a report from the Policy and Performance Committee entitled 'Securing an eResource for Sark'.

I would ask the Committee Chairman, Conseiller Maitland, to introduce the Report, please.

- 1120 **Conseiller Maitland:** Conseiller Roger Norwich will be introducing the Report.

**The President:** Conseiller Roger Norwich.

- 1125 **Conseiller Roger Norwich:** You will remember that, at Christmas Chief Pleas, this matter was discussed and it was voted down on the basis that the contract had not been to the Law Officers in Guernsey for approval, although the TLD felt there was nothing difficult within that contract.

- 1130 Immediately after the previous vote we went to the Law Officers and sought advice from Anthony Ellis, who I would like to thank for his help in this matter, and it was decided, although there was nothing sinister in the previous document, that we would re-write certain parts in order to make what the TLD had thought was understandable, even more understandable.

- 1135 We fully understand that some Conseillers felt uncomfortable to sign without the Law Officers having dealt with this matter, but also one Conseiller also kindly mentioned to me that he had been unable to vote for this matter because not having been brought up in the world of e-anything, he simply did not understand a word of what we were trying to achieve with this project.

- 1140 So what I can do is to tell you that this matter has now been before the Law Officers, certain amendments have been made to the documents which are clear within what you have presented in front of you and it would be our intention, subject to the wishes of Chief Pleas, to go ahead with this, if it is approved, and that also would be subject to an indemnity document being made available and signed by the commercial parties involved in this with Chief Pleas.

**The President:** Thank you.

I just wish to point out that you have said two or three times, TLD. It is the TLD PDT.

- 1145 **Conseiller Roger Norwich:** Yes.

**The President:** So I do not want the stenographer to be confused.

1150 **Conseiller Roger Norwich:** Sorry, so we are talking about the Top Level Domain. Yes.

**The President:** Top Level Domain PDT. Thank you. Any comment or debate please?  
Conseiller Courtney, followed by Conseiller Plummer, Conseiller Fry. Anybody else, no?  
Conseiller Richard Dewe.

1155 Conseiller Courtney.

**Conseiller Courtney:** I would just like to say I would like to support the TLD Proposition, it is just the first part of the process but I see it as a plan which if successful is likely to bring new income to Chief Pleas and to promote new types of business. We need to look towards bringing new business to Sark which is year round and which also may be attractive to the younger generation on Sark.

Thank you.

1165 **The President:** Thank you.  
Conseiller Plummer.

**Conseiller Plummer:** Thank you.

1170 I too would like to vote on this because I think it is important, but I have had an e-mail from a resident who says, 'I must also remind you that there has been no public consultation on this matter which I believe is important and there should be.' So I just wondered how we stood with that.

But I personally would vote for it.

1175 **The President:** Would you like to come back on that, Conseiller Norwich?

**Conseiller Roger Norwich:** Yes, it is really a little bit before my time as a Conseiller, but I believe that discussion within Chief Pleas and consultation goes back as far as the year 2000 with regard to this particular item. I do not know if there is anybody here who would be able to elucidate on that time period, as I simply was not here.

1180 But I believe discussion goes back that far and that there was a GP&A Committee and there is very substantial documentation concerning the discussions on this issue going back many years. In fact the PDT has reams of documents concerning this matter and I believe that this particular comment is disingenuous.

1185 **The President:** Conseiller Fry.

**Conseiller Fry:** Thank you.

1190 I was one of the people who voted against this Proposition the last time and that was because it had not been brought to our Law Officers, in whom I have a great deal of faith. It has now, so I am quite happy to go with the Proposition.

**The President:** Thank you.  
Conseiller Richard Dewe.

1195 **Conseiller Richard Dewe:** What I was going to say really confirms what Conseiller Norwich said. It goes back a long way and it has been a long time getting to this stage, when I was Chair of GP&A, negotiations have been that long. I am pleased to see it coming to fruition and I will be voting for it.

1200 **The President:** Anybody else? Conseiller Rolfe followed by Conseiller Raymond.  
Conseiller Rolfe.

**Conseiller Rolfe:** Yes, I would just like to put a nail in the coffin of this public consultation suggestion because there may indeed be a case for a public consultation, but it is not actually  
1205 now.

What is being proposed here is that we spend £100 to enter into a development period. At the end of that there may be something for public consultation, but I really do not think we need public consultation on the expenditure of £100. *(Laughter)*

1210 **The President:** Conseiller Raymond.

**Conseiller Raymond:** Thank you, sir.

Just to say that during the interval, I had a word with Conseiller Roger Norwich and I would like just to clarify that the proposal is amended to provide that the Chairman of Policy & Performance should only sign the agreement after a valid indemnity has been received from USP and CentralNIC, who I think are the commercial partners in this.  
1215

**The President:** Conseiller Norwich.

1220 **Conseiller Roger Norwich:** Yes, I have no objection to this.

**The President:** So when we vote on the Proposition, do you wish to make any changes to the Proposition to cater for the fact that the indemnity needs to be signed beforehand?

1225 **Conseiller Roger Norwich:** Well, the fact is that the TLD already has a written confirmation from the commercial parties that they will indemnify Chief Pleas so whether or not that needs to form part of an amendment, I do not know because I am not a lawyer.

**The President:** So you are happy to leave the Proposition as it is?

1230 **Conseiller Roger Norwich:** I am happy to leave the Proposition as it is, but with the assurance to Members of Chief Pleas that we do have written confirmation from the commercial parties already and that this would form part of the signing of the document in due course.

1235 **The President:** Thank you. Any other comment? No.  
Then we will go to the vote on the Proposition in the Report.  
Conseiller Raymond.

1240 **Conseiller Raymond:** It is a very small point. A very simple amendment to the Proposition – I would like that amendment made, please.

**The President:** You cannot make an amendment. *(Laughter)* You can propose that the PDT amends it. If the PDT chooses not to amend it, then it remains unamended.  
Does the PDT wish to go outside for a few minutes?

1245 **Conseiller Roger Norwich:** Yes, that would be helpful.

**The President:** We will take a short breather, everybody else remain in their seats while the PDT and possibly Conseiller Raymond ... At least it is not raining!

*Chief Pleas recessed at 12.05 p.m.  
and resumed at 12.07 p.m.*

1250 **The President:** Conseiller Norwich.

**Conseiller Roger Norwich:** Mr President, thank you.

Yes, the PDT would like to add a single line which would be as follows, and it would say:

‘Provided a valid indemnity has been provided by CentralNIC and USP.’

**The President:** Could you read that a little bit more slowly, please?

1255

**Conseiller Roger Norwich:** Sure: ‘Provided a valid indemnity has been provided by CentralNIC and USP.’

**The President:** So a new sentence:

*Provided a valid indemnity has been provided by CentralNIC and USP.*

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**Conseiller Roger Norwich:** Yes.

**The President:** Added as a final sentence.

**Conseiller Roger Norwich:** Yes.

1265

**The President:** Conseiller Audrain.

**Conseiller Audrain:** I would just like to know before I vote – I am very supportive of this, I really want it to happen – that we are assured, is that here within the document or is it just that you are assuring us that that has happened?

1270

**The President:** The indemnity is a separate document that will come forward.

**Conseiller Roger Norwich:** There will be a written indemnity.

1275

**The President:** Yes.

**Conseiller Audrain:** Yes.

1280

**Conseiller Roger Norwich:** Yes.

**The President:** It is not part of the documentation here.

**Conseiller Roger Norwich:** It is a simple, straightforward standard indemnity.

1285

**Conseiller Audrain:** But you are assuring us that that has happened.

**Conseiller Roger Norwich:** We have had that agreement already in writing.

1290

**Conseiller Audrain:** Right, okay, thank you.

1295 **The President:** Right, we will go to the Proposition which is quite a long one: that Chief Pleas agrees to enter into the Heads of Agreement with USP Networks Ltd entitled 'Securing an e-Resource for Sark', as set out in Appendix 1, and instructs the Chairman of the Policy and Performance Committee to sign it on behalf of Chief Pleas. Provided a valid indemnity has been provided by CentralNIC and USP.

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

**19. Sark Children's Panel Referrals: Budget for Funding –  
Finance and Resources Committee Report considered –  
Proposition carried**

*To consider a Report from the Finance and Resources Committee entitled 'Sark Children's Panel Referrals: Budget for Funding'.*

*Proposition*

*That Chief Pleas approves that a budget is established within the Island budget commencing 2017 for the funding of referrals by the Sark Children's Panel to HSSD Guernsey and that expenditure is dealt with directly by the Panel and the Sark Treasurer.*

1300 **The President:** We move on to Agenda Item 19: To consider a Report from the Finance and Resources Committee entitled 'Sark Children's Panel Referrals – Budget for Funding'.

I would ask Conseiller Cottle to introduce the Report, please.

**Conseiller Cottle:** Thank you.

1305 I think that the Report makes it clear that this will not be a new expenditure but a more satisfactory and confidential way of dealing with the funding of child protection cases when they arise.

If this Proposition is approved, then next year there will be a Budget heading to cover this requirement and the responsibility for dealing with it will rest with the Sark Children's Panel and the Treasurer.

1310 The Panel are appointed to deal with such matters and are best placed to make the judgement on when to request assistance from HSSD in Guernsey. When this happens, there is no benefit in involving any further layer of approval, so restricting details to them and the Treasurer will maintain confidentiality.

1315 Finance and Resources Committee will receive a report of expenditure only as part of monitoring all expenditure budgets. A budget figure will be proposed for next year based on recent past expenditure, via the Procureur at present, but it can only be an estimate which would not be used to restrict access to assistance when judged necessary.

That is all I have got to say on the matter, but if someone from Education Committee or the Children's Panel wishes to make any further comment, I will hand over to them.

1320 **The President:** Are there any questions or comments?  
Conseiller Audrain.

**Conseiller Audrain:** Yes, thank you.

1325 On behalf of the Education Committee and the Children's Panel, I would just like to thank Conseiller Cottle for this. We had a meeting with the Finance and Resources Committee and this is what we came up with and it seems really satisfactory.

1330 **The President:** Right, we will go to the vote on the Proposition: That Chief Pleas approves that a budget is established within the Island Budget commencing 2017 for the funding of referrals by the Sark Children's Panel to HSSD in Guernsey and that expenditure is dealt with directly by the Panel and the Sark Treasurer.

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

**20. Establishment Review – Second Progress Report –  
Policy and Performance Committee Report considered –  
Proposition carried**

*To consider a Report from the Policy and Performance Committee entitled 'Establishment Review – Second Progress Report'.*

*Proposition*

*That Chief Pleas approves the Senior Administrator design and cost out descriptions for the five roles identified in section 7 above and report this to Midsummer Chief Pleas 2016.*

1335 **The President:** Agenda Item 20: to consider a Report from the Policy and Performance Committee entitled 'Establishment Review – Second Progress Report'.

Conseiller Maitland, please.

**Conseiller Maitland:** Thank you, sir.

There is still a deep rooted view in Sark that (a) the Island runs itself and (b) we were better off in the good old days before the arrival of democracy.

1340 Most Conseillers would agree – I think all Conseillers would agree with me – that Sark manifestly does not run itself, its government entails a great deal of work from all of us and the notion that we can return to the good old days is like saying that we could and should return to a pre-computer, pre-mobile-phone world and it is just not possible.

1345 Gradually, the Government is reforming itself and its second review is part of this process. Midsummer Chief Pleas should present an important milestone in this journey.

The Policy Development Group has been working on the new Committee structure which will be unveiled and the acceptance of this Report will present Chief Pleas with various choices at that meeting.

1350 How far Chief Pleas chooses to go will be up to all of us and to a certain extent, it will be a matter of weighing up risk, the risk of things going wrong or the risk of events that might harm Sark's reputation against the greater efficiency that could be achieved with more professional help.

1355 Sark's Government also has to be sustainable in the sense that there has to be enough support from professionals who can provide skills that the Conseillers do not possess in order to make standing for Chief Pleas an attractive proposition for future Conseillers. Overworked Conseillers do not tend to stand again.

1360 Sometimes the re-organisation of resources can itself lead to greater efficiency and the reduction in spending. For instance, the Senior Administrator has employed three temporary assistants to replace the previous Committee Secretary, saving well in excess of £2,000 a year and providing much needed support for both Committees and PDTs. The use of *Hansard* recording Chief Pleas has in itself also resulted in a 50% saving over the previous method of minute taking.

1365 I would like to reassure everyone that in practice, it will be a step by step approach to such reforms and it will be up to Chief Pleas to decide on the priorities once the Senior Administrator has concluded the work outlined in this report.

I will be happy to answer any queries.

**The President:** Any questions or debate, please?

Conseiller Paul Williams, Conseiller Sandra Williams, Conseiller Edric Baker.

1370 We start with Conseiller Paul Williams.

**Conseiller Paul Williams:** Thank you, sir.

1375 I am a little bit concerned about number 7, the conclusion here, with (a) I can see the sense in that and the Treasurer's role does need looking at; (b) a part time paid role to co-ordinate and/or supervise harbour masters, crane drivers and temporary quay hands. Surely they refer to the relevant Committee. They are getting paid anyway for a job the same as a public works supervisor. Do they really need somebody in a position that has to look after these people, another paid position to look after people that are being paid anyway?

1380 And I presume Sark Economic Development Resource, I presume 'resource' means 'person' – 'a resource to provide professional communications', I presume the resource is a person. 'Additional resource' – I presume that is a person. I am sure I will get hauled over the coals for saying this but two words spring to mind: 'breeding' and 'rabbits'. *(Laughter)*

**The President:** Conseiller Sandra Williams.

1385

**Conseiller Sandra Williams:** I have not really got a lot else to add to that, those were my five concerns also. I think we are looking at creating or identifying five roles, which I think are covered under what we have already, and I think we should be looking at saving money, rather than spending it.

1390

**The President:** Thank you.

Conseiller Edric Baker.

**Conseiller Edric Baker:** Yes, sir.

1395 My concern with this Report is the association with Alderney. As far as I know, the approximate number of public service employers in Sark is 23; in Alderney it is 55. Now Guernsey supports Alderney greatly as well, but there really is not any comparison with Sark. We are a unique jurisdiction

1400 **The President:** Thank you. Anybody else? Conseiller Adams and Audrain. Anybody else with hands up? No.

Conseiller Adams.

1405 **Conseiller Adams:** At this moment, I feel sceptical about whether we need these additional paid roles, and whether we can afford them. But we do not have enough information yet, so actually I am going to support the Proposal because what I want to see is detailed costings and job descriptions, and then I will feel better informed.

**The President:** Conseiller Audrain.

1410

1415 **Conseiller Audrain:** Yes, my concern is similar to Conseiller Edric Baker's. I am concerned about this word 'bench-marking' being used. I know a lot about bench-marking, having worked all my life in education, and it is to do with comparing like with like. It is very difficult to compare Sark with those other small jurisdictions when the basis of Sark, the way Sark Government works, is to do with its very low taxation.

**The President:** Thank you. Anybody else?



Conseiller Fry.

1420 **Conseiller Fry:** Just looking at number 7(b) which Conseiller Williams raised. As I understood it from our last Policy Development Group meeting, the harbour master, crane driver and the quay hand ... that part-time paid role was to be from the office and be one of the temporary administrators now in place. The idea of it was to ease the work of the Committee to cut back on the Committee work.

1425 I also understood from that meeting that (c) the Economic Development resource was to come from within Conseillers, that it was going to be part of our new structure.

Thank you.

1430 **The President:** Looking around wistfully – no, nobody? Right, we will go to the Proposition in the Report: That Chief Pleas approves the Senior Administrator design and cost out descriptions for the five roles identified in section 7 above and report this to the Summer Chief Pleas 2016.

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

**21. Independent Police Panel for Sark –  
Report from the Douzaine considered –  
Proposition carried**

*To consider a Report from the Douzaine entitled ‘The Independent Police Panel’.*

*Proposition*

*That Chief Pleas agrees to the establishment of an Independent Police Panel for Sark.*

**The President:** Agenda Item 21: To consider a Report from the Douzaine entitled ‘The Independent Police Panel’.

1435 I would ask the Committee Chairman, Conseiller Edric Baker, to introduce the Report, please.

**Conseiller Edric Baker:** Yes sir, I have the pleasure to pass this immediately over to Conseiller Audrain.

1440 **The President:** Conseiller Audrain.

**Conseiller Audrain:** Thank you.

1445 This is the culmination of a great deal of work by the Policing Review Policy Development Team, which was originally set up by the Douzaine as a sub-committee to examine policing and the role of the Constables. The team is made up of Conseillers Richard Dewe, Paul Williams, Alan Blythe and me with the Constables attending to provide essential information.

The Constables have always been under the auspices of the Douzaine and as you can see from the report, the Douzaine will still play a role but the independent panel will ensure that oversight and direction of the Constables will be taken out of the political arena.

1450 The Terms of Reference for the proposed panel are given in Appendix 1, and also attached there is the Service Level Agreement which was signed between the parties in 2010. As mentioned in the report, the proposed panel will monitor and if necessary negotiate any changes in this agreement.

1455 Through the Service Level Agreement, the Sark Constables have a good relationship with the Guernsey Police. There is regular contact for help and advice. Guernsey Police only attend in Sark when it is necessary to do so but our Constables go to Guernsey for training and the Guernsey Police visit Sark to carry out other training, especially with Special Constables.

1460 We have eight Special Constables available for events, custody and incidents where the Constables need extra backup. Assistant Constables are always ex-Constables and can stand in for the Constable if he or she is not available.

I must mention that the Report was written by me and the last paragraph reflects my deeply held views. I have nothing but admiration for the men and women who come forward to serve the community in this way. It is a role that I could never have fulfilled at any time in my life!

1465 Community policing has been developed by police forces in Guernsey and the UK over many years, but Sark has always had this method of policing and it is backed up by professionals. The establishment of an independent panel will further ensure that we have good Constables working for the common good.

1470 It has been pointed out to me that in the Terms of Reference under Section 3, Membership, we have listed those who are not eligible to serve and what is written there is that it includes Chief Pleas Members, Constables and Specials. We should have included others in public office, for example, the Seigneur, Seneschal, President or Speaker of Chief Pleas, Prévôt, Procureur, Treasurer and any deputies in those roles.

1475 So these have been listed for you on a separate paper which was circulated just before Chief Pleas and will form an amendment to Appendix 1. So eventually when we put out these Terms of Reference, those words that you have on that separate sheet will be included.

I hope you have carefully considered the Report and its appendices and will approve the Proposition.

1480 **The President:** Thank you. Hands up for any debate, please. Conseiller Dunks.  
Conseiller Dunks.

**Conseiller Dunks:** I do not wish to be picky but in the amendment you have missed out Seneschal in the list of things to be added in.

1485 **Conseiller Audrain:** Thank you, could you all write in the word 'Seneschal'? (*Laughter*) Are you sure you know how to spell it? (*Laughter*)

**The President:** Any other questions or debate? Conseiller Edric Baker.

1490 **Conseiller Edric Baker:** Sir, what is very interesting about this Report and the various papers you have in front of you, you will see nowhere that the Seigneur's approval for the police attendance is printed. Because although it is in the Reform Law, in practice the Constable asks for the police to attend in Sark.

I make that very clear.

1495 **The President:** Conseiller Audrain.

**Conseiller Audrain:** Sorry, just a point of information there, I think that is one of the things that was removed in the item brought by Conseiller Rolfe –

1500 **Conseiller Rolfe:** It was, yes.

1505 **Conseiller Audrain:** That was discussed with the Seneschal and has been removed. In its place, it has been suggested that every time the Guernsey Police attend in Sark, they will give a report of what they have covered. This is something which will go forward to the panel when they are ready to work and will form part of any amendments that they may make to the Service Level Agreement.

1510 **The President:** Okay, we will go to the vote then: That Chief Pleas agrees to the establishment of an Independent Police Panel for Sark.  
Those in favour; those against. **Carried.**

**22. Proposal for Public Toilets at La Coupée –  
Report from the Douzaine considered –  
Propositions carried**

*To consider a Report from the Douzaine entitled 'Proposal for Public Toilets at La Coupée'.*

*Proposition 1*

*That Chief Pleas approves 'in principal' construction of Public Toilets at La Coupée.*

*Proposition 2*

*That Chief Pleas instructs the Douzaine to submit the proposed Public Toilet project to tender and report back to a future Chief Pleas the costs of the proposed project.*

**The President:** Agenda Item 22: to consider a report from the Douzaine entitled 'Proposal for Public Toilets at La Coupée'.

Conseiller Edric Baker, please.

1515

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

Again this Report is self-explanatory. This subject certainly has been discussed for many years and in these modern times, I will put this delicately, people need toilets from time to time – especially at a certain age! (*Laughter*) But we wanted to go through the proper process and this is why we are putting it to the Chief Pleas in the way it is done.

1520

Conseiller Elizabeth Dewe has been kind enough to produce these diagrams and she may wish to add to this Proposal.

**The President:** Thank you.

1525

Conseiller Elizabeth Dewe, do you wish to add anything now?

**Conseiller Elizabeth Dewe:** No, I have nothing extra to add except that I just missed off what the roof was going to be built of, hopefully a fibreglass roof to hold it tightly and restrict the windy weather conditions.

1530

**The President:** Any comment or debate?

Conseiller Elizabeth Norwich followed by Conseiller Sandra Williams, followed by Conseiller Cottle.

Conseiller Norwich.

1535

**Conseiller Elizabeth Norwich:** I will be very much in support of the toilets at La Coupée, I do think it is very important for both visitors and people living on Sark, but I would like to make sure that the doorway is actually wide enough for wheelchairs – 90 centimetres is a little tight.

1540

**The President:** Conseiller Sandra Williams.

**Conseiller Sandra Williams:** I would like to support this Proposition. I think it is good. With my tourism hat on I think it will be great for the visitors and with my hat on as somebody who has contact with public toilets, I would like to commend the Committee on not putting urinals in

1545 because it makes the toilet unusable for anybody other than a male, and I think that at La Coupée where there is only two toilets available, it will be nice to have them open for either.

**Several Members:** Hear, hear.

1550 **The President:** Conseiller Cottle.

**Conseiller Cottle:** Thank you.

I would just like to thank the Douzaine for bringing this proposal to give us advanced warning of this. Conseiller Baker has had some initial discussions with me about this and talked about funding so that we know where we are and we know what is coming, so it is very useful to have this Report. I think it is a much needed facility for the Island and I would like to thank the Douzaine for proposing it.

Thank you.

1560 **The President:** Conseiller Dunks.

**Conseiller Dunks:** Just to seek confirmation that this application will in due course go to the DCC?

1565 **The President:** Conseiller Baker.

**Conseiller Baker:** As part of the alienation process as well, this was discussed with the Seigneur. This was discussed with the Seigneur and the Douzaine have had his approval. The next step of course is to pass the document to the Procureur in Guernsey and get a proper conveyance drawn up.

**The President:** The land is going to be alienated by Mr Couldridge .

**Conseiller Baker:** From Mr Couldridge yes.

1575

**The President:** Not The Seigneur.

**Conseiller Baker:** No, no. In the Alienation Law, I think it is 1927 –

1580 **The President:** Yes.

**Conseiller Baker:** The Seigneur and Douzaine approve of that.

**The President:** Right, okay. I was not quite sure if you were saying, he was alienating the land, when in your Report it is Mr Couldridge.

**Conseiller Baker:** Yes.

**The President:** Yes, okay. Who should be thanked for his public-spirited alienation.

1590

**Conseiller Baker:** Indeed, sir.

**The President:** Anybody else? Conseiller Roger Norwich.

1595 **Conseiller Roger Norwich:** Might I suggest that in order to reduce the visual impact of this building, and I speak having lived in Scandinavia quite a lot, could we consider whether or not

instead of a tiled roof, a turf roof might be looked at as it would considerably reduce the visual impact?

1600 **Conseiller Baker:** Shall I reply to that, sir?

**The President:** Would you like to?

**Conseiller Baker:** Yes.

1605

**The President:** I do not see anybody else rising so if you would like to sum up and then we will go forward.

1610 **Conseiller Baker:** Yes, two points. The wheelchair access we will certainly look at again but I know Conseiller Dewe has taken extensive measurements from various toilets around the Island, so that should not be a problem.

As for the roof, the roof actually slopes to the west and will be completely hidden from the roadside, from public view.

1615 **The President:** Right, there are two Propositions.

Proposition 1: That Chief Pleas approves in principle construction of public toilets at La Coupée.

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

1620 Proposition 2: That Chief Pleas instructs the Douzaine to submit the proposed public toilet project to tender and to report back to a future Chief Pleas the costs of the proposed project.

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

**24. New Waste Disposal Strategy –  
Report from the Douzaine considered –  
Proposition deferred**

*To consider a Report from the Douzaine entitled 'New Waste Disposal Strategy'.*

*Proposition*

*That Chief Pleas agrees the sum mentioned for the erection of a new shed to be sited at the Harbour Refuse Disposal site.*

**The President:** We have already done Item 23, so we now move to Item 24, very apposite: To consider a report from the Douzaine entitled 'New Waste Disposal Strategy'.

Conseiller Edric Baker.

1625

**Conseiller Edric Baker:** Yes sir, I would like to pass this on to Conseiller Paul Williams who is the Chairman of Public Works. It is his Report.

**The President:** Conseiller Paul Williams, please.

1630

**Conseiller Paul Williams:** Thank you, sir.

Firstly an amendment to the quoted price on the Report. It should now read total £60,700 and not £65,950.

1635 **The President:** Would you say that figure again, please?

**Conseiller Paul Williams:** It should not read £60,700 and not £65,950.

1640 Putting this Report and Waste Disposal Strategy and requesting finance for a new shed, on reflection and although not the Douzaine intention, we have inadvertently made it appear that the strategy and the shed were one and the same thing. This is not the case and we would like the request for the shed to be viewed in isolation.

1645 This version of Chief Pleas was not even born and the new century had barely begun when discussions for a purpose-built shed first began. Over the years various sites have been mentioned including Les Laches, the Old Hall site and obviously the Harbour Quarry. Two years ago discussions took place in earnest as to the possibility of once again building a shed and this time, moved forward to due to more commitment on the part of the Douzaine for the necessity for such a facility, as thoughts had turned to the consideration of an additional incinerator.

1650 As mentioned in the preamble, there are many other reasons why the project should move forward. At last a very overdue shed has been discussed by the Douzaine in full, the size, type of construction material and location. Plans have been drawn up by the manufacturer of the shed and approved. Approval has been sought and granted by DCC, everything is in place and the Douzaine can see no reason why the request cannot be granted.

1655 I am personally concerned that if we do not move forward at this juncture, then once again the shed will vanish into the ether as other priorities take centre ground. I would therefore request that Chief Pleas sanction the Proposition without delay.

**The President:** Thank you.

Any comments or debate please? Conseiller Cottle, anybody else?

Conseiller Cottle.

1660 **Conseiller Cottle:** Thank you, sir.

I have addressed my concerns about this with the Douzaine, I contacted them when this Report came out, so I am following up on that.

1665 Can I just check first, why the figure has dropped from £66,000 to £60,700? Is there a specific item in the schedule that has changed? I thought before that maybe the supervisor expenses did not add up, looking at the figures. Is that where the saving has been made or is it on any one particular item of the shed, on the list there, do you know Paul?

**Conseiller Paul Williams:** Sorry, yes it is the calculation for the supervisor and the price of the shed.

1670

**Conseiller Cottle:** Okay, thank you.

I have consulted with Finance & Resources Committee on this and sent my view to the Douzaine regarding this and this is a briefer version of what I sent to the Douzaine expressing my reservations.

1675 I commend the people that have been involved in planning the shed and it has come to a point where they have a proper proposal but there seems to have been some bypassing of some stages in bringing this to Chief Pleas with the request for money now.

1680 I believe there has been an attempt to bypass the opportunity for anyone to question this proposal before bringing it directly to Chief Pleas. This starts as an Information Report about a proposed Waste Disposal Strategy which has not been fully developed or costed out yet.

It has been explained that that probably was not what they really proposed and they really wanted to request a shed, but it is confusing to have it in this form. So the Report switches halfway through from being a Waste Disposal Strategy into a request for what is now £60,700 of public money for a shed.

1685 The work done on the Waste Strategy so far appears very promising and is to be commended. It has reached a stage where I think it needs further input to turn it into a proposal that can be considered by Chief Pleas. The Waste Disposal Strategy, which talks about different

ways of disposing of waste and a greater amount of recycling, would potentially have cost implications for households and would also require a change in the way that waste is separated and put out for collection, so it cannot just be implemented without information and consultation on whether that is what most people want.

It still reads to me that the shed is intended for being the centre of a waste disposal operation. Whether there are other uses for the shed as well, that seems to be the core of the strategy to me.

Better waste disposal and more recycling were both identified in the vision for Sark as being desirable, so considering them is a very positive step but achievability and affordability has to be demonstrated as well. Continuing with developing this would in my view, be a very good thing.

Turning to the shed proposal, it is the role of Finance & Resources Committee set out in its mandate to scrutinise spending requests and advise Chief Pleas on the financial implications. The Committee so far has not been able to do this. The £115,000 referred to at the top of the paper was never approved as no report was brought to Chief Pleas as requested, to justify it. No request was made by the Douzaine in this year's Budget for capital expenditure, though apparently this shed was being considered during that period.

It is hard to see how any proper planning is being done to ensure efficient operations if despite the requests to include all future plans in the budget request *pro forma* that is sent out each April or May, if this was not considered for inclusion in the Douzaine's submission last year.

If this is considered important enough and urgent enough to bypass the normal budget request procedure, then a better case should be made to justify it with more information and not tacked on the end of a report with a misleading title.

It is ultimately for Chief Pleas to consider approval of this as Finance & Resources can only advise, but deferring this proposal would allow proper scrutiny including assessing value for money and deciding how the project should be paid for. This request challenges the Island's financial planning credibility and there is no provision in this year's budget to meet the request.

If this request were approved, then it would have to be referred to the Office of the Lieutenant Governor as set out in the Reform Law, section 61 which states 'no expenditure shall be incurred otherwise than in accordance with the Budget, as approved pursuant to Section 59 except with the consent of the Lieutenant Governor.'

I would request that all Conseillers consider this carefully. Delaying this may frustrate those who have decided that they want it straight away, but trying to ignore the budgeting procedure is a serious decision to make. It is our responsibility to make carefully considered decisions on behalf of those we represent and those whose money is being spent.

Thank you.

**The President:** Anybody else? Conseiller Burgess.

**Conseiller Burgess:** Thank you.

I would just like to state that I am in support of this shed, I think it is a need down at the Harbour. There are a few points really, the first point is obviously when visitors leave the Island, the lasting memory they have is of the dump. It is not very nice, it is not very pleasant and having a big shed there will eliminate that.

Secondly the workforce have to work in appalling condition sometimes and I know that because I have helped out sometimes when there have been bereavements, holidays or whatever and it is not a very pleasant job.

Thirdly, one of the portacabins is totally disintegrated, it has gone.

Fourthly, on about the recycling side of things, if the shed goes through obviously we will use it for the recycling as the stuff has to be kept dry, especially the cardboard. If the cardboard is kept dry, we could start shipping to Guernsey now and the implications of cost will not be more than they are at the moment, because Sark Shipping have upped our quota from 105 skips to

1740 150. We will not be burning, because last year we spend £11,610 on oil, so with no burning we are saving money there.

I think it is a must, we should approve this shed because working conditions down there are appalling.

Thank you.

1745 **The President:** Looking around there is nobody who wishes to speak. Oh yes, Conseiller Elizabeth Dewe followed by Conseiller Edric Baker.

Conseiller Dewe.

1750 **Conseiller Elizabeth Dewe:** As a Member of the Douzaine, I would propose that we should defer this Proposition to do more search of information and costings and try and bring it back again for the July meeting.

**A Member:** Hear, hear.

1755 **The President:** Thank you. Conseiller Edric Baker.

**Conseiller Edric Baker:** That has been said for me, thank you.

**The President:** Conseiller Cottle.

1760

**Conseiller Cottle:** Thank you.

I have no argument with the proposals in principle that are being brought, both of the Waste Disposal Strategy and the shed seem eminently sensible. But the principle is how we go about applying for public money to be spent without making the public sufficiently aware in the first place of what we are doing.

1765

This contrasts with the previous report that we have had about giving advance notification about the consideration about building toilets, so we know about it first, we get a proper chance to consider it, proper costings are brought and then it can be put into the budgeted process going forward.

1770

These proposals could be put into the Douzaines proposals which they can put in their *pro-forma* budget request which will be going out very shortly after this Committee meeting and be set in process and give us more chance to consider what is going on and do any consultation that is needed.

1775

That is my basic thoughts on it. I do not want to disagree with anything about the working conditions down there, but we employ people at the moment to collect waste and to mend roads basically and if the work is outside, then the work is outside. So saying that a shed is going to improve their working conditions does not really add anything to that.

1780

If the conditions are right for running a recycling operation or a reduced incineration operation in a shed, then that is justification for having a shed around those operations, but we have not approved that operation yet.

Thank you.

**The President:** In view of the comments, do the Douzaine wish to withdraw the Proposition or are you wishing to go ahead with the Proposition?

1785

Conseiller Baker.

1790 **Conseiller Edric Baker:** I have to leave that to the Chairman of Public Works, but I think by the comments made by Finance & Resources, the Douzaine have been wrong in this, we followed the wrong procedure for whatever reason, hopefully not intentionally but I think it would be far better to defer and then come back to Chief Pleas again.



**The President:** Conseiller Paul Williams.

**Conseiller Paul Williams:** Yes, sir.

1795 I must admit most of this Report is mine anyway and I feel that I have rather been stabbed in  
the back by my own Committee by not committing to what they said in the first place. But I can  
understand the arguments from other areas and I am willing to have it deferred if other  
members of the Douzaine are going to start working with me in particular to bring this forward  
in a sensible manner.

Thank you.

1800

**The President:** I will take it that the Proposition is deferred and a further report will come to  
Chief Pleas in due course.

Conseiller Cottle.

1805 **Conseiller Cottle:** I think that is very sensible and I will actively support any work that is done  
in still making these things happen. I think they are both still very viable solutions and I would  
offer any help that I or the Finance Committee can bring to make sure that this is done in a  
timely manner and in the correct process so that if we decide that is the best thing to do then  
the process is not delayed unduly.

1810 Thank you.

#### **25. Child Protection Leaflet produced by Sark Child Protection Panel – Education Committee Verbal Report noted**

*To receive a Verbal Report from the Education Committee on the Child Protection Leaflet  
produced by the Sark Child Protection Panel.*

**The President:** Right, we will close that Agenda Item and we will move on to Agenda Item 25:  
To receive a Verbal Report from the Education Committee on the Child Protection leaflet  
produced by the Sark Child Protection Panel.

1815 Before I ask Conseiller Audrain to speak on that we are coming up to the lunch recess, I am  
not going to stop for a lunch recess. We have only got three more Items to deal with; we will  
deal with those Items and then break for the day.

Conseiller Audrain.

**Conseiller Audrain:** Thank you.

1820 The Members will recall that at its Midsummer 2015 Meeting, new members of the Sark  
Children's Panel were approved by the Assembly. Since then, the Panel has been working  
towards its objective of ensuring that any concerns about children in Sark are heard and  
considered by panel members so that all agencies concerned with children are working together.

1825 The panel has produced a leaflet – it looks like this – which outlines their work and explains  
to everyone in Sark what child protection is all about and what the role is of each inhabitant of  
the Island. This leaflet will be sent out to every household so that it can be put in a handy place  
and if anyone has a concern, they can contact one of the people listed, there is a whole list of  
contacts on the leaflet and those people will take the concern to the panel.

1830 Very often these concerns may seem minor, but reporting how you feel can help build up a  
picture of how safe the child may be. If the issue is major, immediate action can be taken in  
consultation with the Social Services in Guernsey.

All issues dealt with by the panel are done in complete confidentiality, the sole aim being to  
try to protect children from harm. You will also be seeing the leaflet in various locations around

1835 the Island. It outlines the type of harm and abuse that children can suffer and how the public and the panel can work together for the sake of our children.

**The President:** Thank you. Any questions or comments please? No.

**26. The Fire Services (Sark) Law, 2016 –  
Emergency Services Committee Information Report noted**

*To consider an Information Report from the Emergency Services Committee entitled ‘The Fire Services (Sark) Law, 2016’.*

1840 **The President:** We will move on to Item 26: To consider an Information Report from the Emergency Services Committee entitled ‘The Fire Services (Sark) Law, 2016’.  
I would ask the Committee Chairman, Conseiller Plummer to introduce the Report, please.

**Conseiller Plummer:** Thank you.

1845 This Information Report is self-explanatory, but following the public meeting consultation a few things have had to be altered and are listed on the Report. It is our plan to bring the law back to Chief Pleas for the Midsummer meeting for approval. When the Law is in place, it is then that the regulations can be brought into place by an Ordinance.  
Thank you.

**The President:** Thank you. Any comment or debate please? No Propositions.

**27. Draft Control of Electricity Prices (Sark) Law – Consultation Responses –  
Policy and Performance Committee Information Report noted**

*To consider an Information Report from the Policy and Performance Committee entitled ‘Draft Control of Electricity Prices (Sark) Law – Consultation Responses’.*

1850 **The President:** Therefore we will move on to the next item, Item 27: To consider an Information Report from the Policy and Performance Committee entitled ‘Draft Control of Electricity Prices (Sark) Law, 2015 – Consultation Responses’.  
I would ask the Deputy Chairman, Conseiller Fry, to introduce the Report, please.

1855 **Conseiller Fry:** Thank you, sir.

This Information Report speaks for itself. The consultation responses which are attached to the Draft Control of Electricity Prices (Sark) Law, 2015, which was endorsed at Michaelmas Chief Pleas, have provided a great number of technical legal questions which are pertinent to the issue. This has indicated that more work was needed.

1860 It has always been our intention to come back to Chief Pleas ensuring that what we bring is credible and defensible and this we will do. We have no Proposition today.

**The President:** Thank you. Any comment or debate on the report? No.

**28. Annual Report from the Tourism Committee –  
Tourism Committee Information Report noted**

*To consider an Information Report from the Tourism Committee entitled 'Annual Report from the Tourism Committee'.*

1865 **The President:** In that case we will move on to the final Item, Item 28: To consider an Information Report from the Tourism Committee entitled 'Annual Report from the Tourist Committee.'

I would ask the Committee Chairman, Conseiller Sandra Williams to introduce the Report, please.

1870

**Conseiller Sandra Williams:** You will be pleased to know that I have not got a lot to add to this Report, apart from the one omission I made, which was I did not give the visitor office staff enough credit for what they do and I believe that sometimes the staff at the Tourism Office are put under a lot of pressure. They work very closely with the public which is not always easy and they make my life a much easier job to deal with by having their support and their dedication.

1875

I would just like to thank them and I have not thanked them in my Report and that is something I would like to address.

The other thing we have omitted from our Report, I would like to hand over to Christine Audrain to give you a statement, please.

1880

**The President:** Conseiller Audrain.

**Conseiller Audrain:** I am up again! I do apologise about this, not because I am standing up again but because the Chair of the Tourism Committee did ask me to add something to her Report and because I have had a number of other things to address during this Chief Pleas, I did not bring the words with me.

1885

It was to do with thanking the Constables for the work that they have done within the last year over various events such as the 450th Anniversary and so on. I do apologise if I have not covered that completely.

1890

**The President:** Any comment or debate? Conseiller Fry.

**Conseiller Fry:** Just one sentence, I would like to congratulate the Committee on the work that they have done on the Old Bakery. The windows look wonderful.

1895

**Several Members:** Hear, hear.

**Conseiller Plummer:** Can I just say something, please?

**The President:** Conseiller Plummer.

1900

**Conseiller Plummer:** As the owner of a small business, I would just like to congratulate Tourism, they keep us well on our toes. I see that we are all going to be going into different things and I do like the look of everything that they do.

Thank you.

1905

**The President:** Right, no Propositions contained in there, so that concludes the business of the day.

**Procedural**

1910 **The President:** I just wish to add the usual closing remarks.

I would ask you to note that the next scheduled meeting is the Midsummer Meeting to be held on Wednesday 6th July. The closing date for Agenda Items and Reports for that meeting is Wednesday, 8th June at 3.00 p.m. with papers going out not later than Wednesday, 15th June.

1915 Can I please make a further plea that by that closing date, it would be very nice to have all the Reports ready so that the staff are not working Saturday and Sunday – that is the support staff upstairs – trying to get the papers together over a weekend.

So please, Reports with any legislation at the same time as the Agenda closes. Thank you.  
Greffier.

**PRAYER**

*The Greffier*

*Chief Pleas closed at 12.59 p.m.*