



**OFFICIAL REPORT**  
**OF THE**  
**EASTER MEETING**  
**OF CHIEF PLEAS**  
**OF THE**  
**ISLAND OF SARK**

**HANSARD**

**Assembly Room, Sark, Wednesday, 26th April 2017**

*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 3, No. 5**

**Present:**

**Seigneur**

Maj. C M Beaumont Esq.

**Speaker of Chief Pleas**

A J Rolfe Esq.

**Deputy Prévôt**

Mrs J Godwin

**Greffier**

Mr T J Hamon

**Treasurer**

Mrs W Kiernan FCA

**Constable**

Mr G R Williams

**Vingtenier**

Mr P Burgess

**His Excellency the Lieutenant Governor**

Vice Admiral Sir Ian Corder KBE, CB

**Conseillers:**

Diane Baker

Edric Baker

Peter Byrne

Colin Golds

Charles Maitland

Nicolas Moloney

Elizabeth Norwich

Dr Roger Norwich

Helen Plummer

William Raymond

Stephen Taylor

Alan Blythe

Robert Cottle

Antony Dunks

Hazel Fry

Reginald Guille MBE

Peter La Trobe-Bateman

Sebastien Moerman

Christopher Nightingale

Cormac Scott

Anthony Ventress

Paul Williams

Sandra Williams

Pauline Mallinson

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## Easter Meeting of Chief Pleas

*Chief Pleas met at 10.00 a.m.*

[THE SPEAKER *in the Chair*]

### **PRAYER**

*The Greffier*

### **ROLL CALL**

*The Greffier*

**The Greffier:** There are 24 Conseillers, the Seigneur and the Speaker of Chief Pleas present.

### **Welcome to Lieutenant Governor**

**The Speaker:** May I start by welcoming the Lieutenant Governor to our meeting, very nice to  
5 see you here, sir.

### **Welcome to Megan Pullum, QC – HM Procureur (Attorney General) & HM Receiver General**

**The Speaker:** I would also like to welcome Megan Pullum QC who is attending her first  
10 meeting of Chief Pleas. To give her full titles Megan is Her Majesty's Procureur, known outside  
the Island as Her Majesty's Attorney General. Megan is also Her Majesty's Receiver General for  
the Bailiwick of Guernsey, welcome.

### **Welcome to Conseiller Pauline Mallinson**

**The Speaker:** I would also like to welcome Conseiller Pauline Mallinson, who has been  
15 elected to Chief Pleas.

I think I can speak for everybody saying that we regret that not enough people put  
themselves forward in the re-run election. However, as the Conseiller Anthony Ventress put it at  
the Christmas meeting, 'You are not unelected; Members of this House are elected unopposed',  
which is quite a standard procedure throughout other jurisdictions.

20 There are no apologies for absence.

**Tribute to former Deputy Bailiff, Chris Day**

**The Speaker:** I am now going to say a few words about the former Deputy Bailiff, Chris Day, who died on 2nd March.

25 Whenever his name was mentioned it was accompanied by the description, 'A true friend of Sark.' Chris rose through his career in the law and in 1992 became Deputy Bailiff of Guernsey, having been Her Majesty's Comptroller and Her Majesty's Procureur. Although he claimed his preferred profession would have been as a teacher.

30 Chris was particularly generous in the help and encouragement he gave to Sark's sportsmen and sportswomen. He was himself a fine all round sportsman, having represented Guernsey at cricket and coaching the Guernsey Rugby Team. And I discovered, reading the obituaries to him, that in fact he was a very good scrum half for my old club, Blackheath.

35 The Seneschal and I represented Chief Pleas and the inhabitants of Sark at Chris's funeral in Cobo on 10th March, and there is to be a service celebrating Chris's life here at St Peter's Church on Saturday 6th May. Notices will be going up in the usual places.

**Deputy Seigneur –  
Announcement by the Seigneur**

**The Speaker:** Announcement by the Seigneur.

**The Seigneur:** Thank you.

40 A very brief statement on the Deputy Seigneur, I would like to thank Jan Guy for her short period of time as Deputy Seigneur. The fact that she has moved to be a Committee Support Officer is probably of more value to you than she would have been as Deputy Seigneur, so thank you very much for your time.

I would like to announce that I have asked Andrew Bache if he would stand in as Deputy Seigneur. He has graciously accepted and I am very grateful to him.

45 Thank you very much.

**The Speaker:** Thank you.

**Liberation Day 2017 –  
Statement by Conseiller Reginald Guille MBE**

50 **The Speaker:** Statement by Conseiller Reginald Guille regarding Liberation Day 2017.

**Conseiller Guille MBE:** As many of you will be aware, Sark has moved to celebrating Liberation Day as a Government funded event every five years, with the next big event in 2020.

55 You will recall that the 2015 event was organised around the unveiling of a plaque at Creux Harbour commemorating the deportations from Sark. In the intervening years the Sark branch of the Royal British Legion organises the welcome of the Chelsea Pensioners and in recent years a party of Gurkhas also. A small committee of branch members has started fundraising for this year's visit and we thank those who have helped raise funds thus far. More donations are always welcome, and if not used this year will be carried over for Liberation Day in 2018.

60 As you all know, our Liberation Day falls on 10th May, a day after Guernsey and Jersey were liberated. Due to circumstances beyond our control the visit to Sark of the Pensioners and Gurkhas this year will not happen on our Liberation Day, but on Monday 8th May and posters

are up letting people know what is organised for the day. The Pensioners are travelling back to England on the 10th.

65 May I ask that those businesses and private houses that fly bunting, flags etc. do so starting on Monday 8th and through until the Wednesday. Please join in with the visit this year and we hope that normal service will be resumed on 10th May next year.

**The Speaker:** Thank you, Conseiller Guille.

**Dark Sky Conference in Scotland –  
Statement by Conseiller Reginald Guille MBE**

70 **The Speaker:** A further statement by Conseiller Reginald Guille to inform Members of the Dark Sky Conference in Scotland.

**Conseiller Guille MBE:** In 2011 Sark was awarded Dark Sky status as the first Dark Sky Island and this accolade was achieved with the help of a good number of Sark residents together with the then Agricultural Committee who made the bid on behalf of Chief Pleas.

75 Soon after the award was made the Sark Astronomical Society, SAstroS, was formed, initially under the auspices of La Société Sercquaise, but then as a standalone society. In the intervening years SAstroS has helped in maintaining our Dark Sky status by working with households and businesses to use appropriate external lighting when fitted, especially on new builds.

80 Since the observatory was opened in 2015, SAstroS and the Visitor Centre have worked very closely together to provide visitors to Sark with an opportunity to observe the universe with our viewing instruments. Last year we had 195 visitors come to the observatory, a significant number visiting Sark because of our Dark Sky status.

85 Last year the SAstroS Chairman happened to get in touch with the international Dark Sky Association, only to find that they were about to remove Sark's status from the listing for lack of information and contact from Sark. SAstroS very quickly put together a report, with the help of the staff in the visitor centre, and sent it off. This was accepted and Sark remains a Dark Sky Island.

90 A report is required each year by 1st October. In February this year the IDA contacted SAstroS to inform us of a first European Dark Sky Places Conference which is to take place in Dumfries and Galloway during the 20th to 22nd September. SAstroS contacted the Tourism Committee re: the availability of any funding but unfortunately their allocation for this year is all accounted for. SAstroS had hoped to send an observer to the conference but we have no one available to do that. The dates clash with a Channel Island environmental conference which is being held in Sark over the same period, with Dark Skies being one of the conference subjects.

95 Might it be possible for someone from the Agricultural, Environment, Sea Fisheries and Pilotage Committee to attend to represent Sark?

100 The award of Dark Sky status does not belong to SAstroS, but to Sark, and while SAstroS works to maintain the status it cannot and does not wish to take it over. SAstroS has offered to the IDA a small donation from our funds for Sark to appear in the conference magazine listing of Dark Sky places in Europe. We have also requested 200-300 copies of the magazine to distribute locally.

Thank you.

**The Speaker:** Thank you, Conseiller Guille.

**Sark Community Blooms –  
Statement by Conseiller Paul Williams**

105

**The Speaker:** Statement by Conseiller Paul Williams regarding Sark Community Blooms

**Conseiller Paul Williams:** Thank you.

110 This is simply a formal thank you from Sark Community Blooms to Chief Pleas on the allocation of money from the Hathaway Bequest of £1,500 funding for our projects in the very important year, with Sark representing the Bailiwick in the final of Britain in Bloom.

115 This is also a quick opportunity to make Chief Pleas aware of how we will be spending some of the money. Areas already being maintained by bloomers are: between the harbours, and part way up the hill, Christmas Park – Christmas Park is the little area beside the Food Stop, Claire’s Patch – that is the area opposite the post box, the Visitor Centre, the Old Hall, some maintenance around New Hall and St Peter’s Church and between Bel Air and the Carriage Park.

120 New this year, one of our main projects recently has been the landscaping of the Methodist Chapel and Sanctuary Centre surroundings with the introduction of a new herb garden between the centre and the Manse, totally replanting the border to the west of the main entrance complete with a recycled brick border, planting hedging on the bank on the east side of the building and introducing new tubs to the front of the chapel. Also new, the very large overgrown hedge outside Coumme Nous has been cut back, giving much more light to the frontage of the building. More work will be done here soon with the removal of the old shed on the front lawn and the building of a ‘posh’ bug hotel, along with other planting to enhance the surroundings.

125 This year, we will be again organising the scarecrow competition with the theme being naturally, ‘going for gold’, entry forms from the Tourism Centre.

Thanks to the Seigneur for becoming our Patron and actually coming along and getting his hands dirty with our projects.

130 This is just an overview of some of the projects we will be tackling in the near future. In finishing, I would also publicly like to thank all the volunteers that help with all the above-mentioned work, those who have sponsored tubs, donated funds, and assisted us with any other endeavours on and off Island.

Thank you all.

135 **The Speaker:** Thank you, Conseiller.

**Procedural –  
Electronic devices**

**The Speaker:** In accordance with the 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. Extraordinary (Special) Meeting, 13th January 2017 – No matters arising

140

*Matters arising from the Extraordinary (Special) Meeting held on 13th January 2016.*

**The Speaker:** We will move to Agenda Item 1, matters arising from the Extraordinary (Special) Meeting of Chief Pleas held on Friday 13th January. Are there any matters arising? Okay, it is agreed.

145

### 2. Christmas Meeting, 18th January 2017 – Matters arising

*Matters arising from the Christmas Meeting held on 18th January 2016.*

**The Speaker:** Agenda Item 2, matters arising from the Christmas Meeting of Chief Pleas held on Wednesday 18th January.

I would just like to make one small but significant correction on page 6, line 32 of the Seigneur's statement which refers to 'import'. This should read 'Impôt'.

150

Also on page 27, line 892, a query arose as to what the statutory instrument number was for the Fire Service Regulation of Controlled Premises, Tourist Accommodation Sark Regulations 2016. For the record, the statutory instrument number has been signed and dated 18th January 2017 and numbered 2016, number 1. I have sent a scan to the Law Offices to be loaded into the Guernsey Legal Services Website.

155

Are there any other matters arising than that one? Okay.

### 3. Extraordinary (Special) Meeting, 27th February 2017 – Matters arising

*Matters arising from the Extraordinary (Special) Meeting, 27th February 2017, to elect a Speaker of Chief Pleas*

**The Speaker:** Agenda Item 3: Matters arising from the Extraordinary (Special) Meeting of Chief Pleas held on Monday 27th February 2017, to elect a Speaker of Chief Pleas.

Conseiller Charles Maitland had tendered his apologies for absence and I rather missed that and my apologies to him, but if that can be recorded.

160

Are there any other matters arising? Conseiller Reginald Guille.

**Conseiller Guille MBE:** Just a small quip, sir.

165

Soon after the Speaker was elected he was looking at changing his stamp for his seal of office, which was the French version of President. He then discovered that the French translation of 'Speaker' was 'le Président', (*Laughter*) therefore being no requirement to change his seal of office. I find it quite amusing that all that time and trouble was spent in changing the name of President to Speaker (*Laughter*) when the two terms are synonymous in Sark's ancient mother tongue.

170 **The Speaker:** Thank you, Conseiller Guille; you really are incorrigible aren't you! *(Laughter)*  
Any other matters arising?

**4. Extraordinary (Special) Meeting, 27th February 2017 –  
Matters arising**

*Matters arising from the Extraordinary (Special) Meeting, 27th February 2017, to Elect a Deputy Speaker of Chief Pleas*

**The Speaker:** Agenda Item 4, matters Arising from the Extraordinary (Special) Meeting of Chief Pleas held on Monday, 27th February to elect the Deputy Speaker of Chief Pleas.  
Again, Conseiller Charles Maitland had tendered his apologies for absence.  
Are there any other matters arising?

**5. Questions not related to the Business of the Day –  
Update on Clos du Manoir local housing scheme**

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

175 **The Speaker:** We go to Agenda Item 5, Questions not related to the Business of the Day.  
Conseiller Reginald Guille.

**Conseiller Guille MBE:** A question for the Chairman of the Finance and Resources Committee, and I will set the background before the question.

180 At the Michaelmas meeting held on 1st October 2014, the then Finance and Commerce  
Committee brought a report to Chief Pleas on behalf of the Trustees of La Ville Roussel Trust,  
informing Chief Pleas of a local housing loan scheme, see Agenda 25 of that meeting. The  
scheme commenced on 6th October. However, there were no applications for a loan from the  
Trust. Later, this scheme was replaced by a local housing scheme supported by loans from La  
185 Ville Roussel Trust funds, due to a very generous offer of land by the late Seigneur, Michael  
Beaumont.

At the Easter meeting of Chief Pleas, held on 6th April, 2016, the Development Control  
Committee brought a report requesting Chief Pleas in-principle approval for a local housing  
scheme on the site of Clos du Manoir, brought by the Island trustees, using funds from La Ville  
190 Roussel Trust. Chief Pleas gave their approval.

Can the Chairman of the Finance and Resources Committee please give an update on behalf  
of the Island Trustees, Trustees of La Ville Roussel Trust on the local housing scheme at Clos du  
Manoir?

Thank you.

195 **The Speaker:** Conseiller Rob Cottle.

**Conseiller Cottle:** Thank you.

200 I have got a very short statement that has been provided by the Trustees of the La Ville  
Roussel Trust and it goes as follows:

Due to the late Seigneur's untimely death the offer of land at Clos du Manoir is no longer available.

So that is the statement.  
Thank you.

205 **The Speaker:** Thank you.

**6. The Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017 –  
Medical & Emergency Services Committee Report considered –  
Proposition carried**

*To consider a Report from the Medical & Emergency Services Committee entitled 'The Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017' and to Approve the Ordinance entitled 'The Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017'.*

*Proposition*

*That Chief Pleas approves The Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017.*

**The Speaker:** We go to Agenda Item 6 to consider a Report from the Medical & Emergency Services Committee entitled 'The Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017' and to Approve the Ordinance entitled 'The Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017'.

210 Conseiller Diane Baker.

**Conseiller Diane Baker:** Can I pass it along to Conseiller Norwich, please.

**The Speaker:** Conseiller Roger Norwich, please.

215

**Conseiller Dr Roger Norwich:** Yes, as Members of Chief Pleas will be aware, this Ordinance was approved and sent to the Royal Court for review. Unfortunately a minor drafting error was found and it was necessary for the Ordinance to be declared *ultra vires*. It was then sent back and the new draft has been undertaken with the help of the law officers and there are now no other changes other than that which is appended in Appendix 1 of this document. And we should hopefully approve the Proposition and the Ordinance will then come into force on 1st June, rather than the March date which had previously been expected.

220

**The Speaker:** Are there any other comments or questions?

225

In that case I will put the proposition that Chief Pleas approves the Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017, as corrected, with effect from 1st June. Those in favour; those against. That is **Carried**.

This Ordinance will be numbered VI of 2017.

**7. The Liquor Licensing (Sark) (Amendment) Ordinance, 2017 –  
Policy and Performance Committee Report considered –  
Proposition carried**

*To Consider a Report from the Policy & Performance Committee entitled 'The Liquor Licensing (Sark) (Amendment) Ordinance, 2017' and to approve the Ordinance entitled 'The Liquor Licensing (Sark) (Amendment) Ordinance, 2017'.*

*Proposition*

*That Chief Pleas approves The Liquor Licensing (Sark) (Amendment) Ordinance, 2017.*

**The Speaker:** Agenda Item 7, to consider a Report from the Policy & Performance Committee  
230 entitled 'The Liquor Licensing (Sark) (Amendment) Ordinance, 2017' and to approve the  
Ordinance entitled 'The Liquor Licensing (Sark) (Amendment) Ordinance, 2017'.

Conseiller Steve Taylor to introduce the Report.

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

235 The Report before you clearly sets out our intention in bringing this amendment to you  
today. This is a second stage in the process of bringing the liquor licensing laws up to date.

At Midsummer Chief Pleas 2016, 12 Propositions were approved. These Propositions were  
tied closely to the results of the consultation carried out last year by the liquor licensing PDT, the  
stakeholders and the general public. The PDT brought forward an amendment Ordinance to the  
240 Extraordinary Chief Pleas of 25th August 2016, which encumbered Propositions 1 to 9 which was  
approved.

Today we are bringing you some of those amendments which needed more deliberation. The  
changes brought to you today should give businesses the opportunity for increased trading  
during summer season.

245 If the Proposition with this Report is approved today those holding a public house licence or a  
restaurant licence will be merged. The permitted commencement times across all liquor licence  
categories would be 10 a.m. to 11.45 p.m. to create a standard platform with effect from  
tomorrow.

In summary, we have merged the public house licence and restaurant licence to create a  
250 standard licence, removed the Seigneur from the application process, increased the scale of  
fines for breach of the law and changed the date for renewal of licences from 31st December to  
30th November. We currently have a delay in processing renewals due to the tight time  
constraints, which means that establishments may not have licences to be displayed by 1st  
January the following year. We have increased the cost of extensions from £3 per hour to £30  
255 per hour, due to the change in opening hours, redefined the conditions of the general off  
licence.

Finally, we are happy to try to answer any questions or queries you may have about the law  
amendments in front of you today, thank you.

260 **The Speaker:** Thank you, Conseiller Taylor.  
Any questions or comments? Conseiller Sandra Williams.

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

265 **The Speaker:** Yes, I should have put that at the very beginning.  
Does anybody else wish to declare an interest? It is just you then. Anybody wish to –?

**Conseiller Mallinson:** I have a restaurant licence.

270 **The Speaker:** Okay, I will take that as a ...  
Is everybody in the room happy for those two who have declared an interest to stay? Okay.  
Who wishes to speak to this?  
In that case I will – sorry, Conseiller Reg Guille.

275 **Conseiller Guille MBE:** It is an observation rather than a statement or anything like that.  
The Ordinance removes obligatory hours and that used to be in place for public houses. May I  
ask if the issue of obligatory hours be considered when the entirety of the liquor licencing  
ordinance is reviewed in due course? It is a significant change to not have an obligatory hour or  
obligatory hours and I think we need to monitor how that actually works so that people panting  
280 for a drink going down to public houses do not arrive to find it shut at an unexpected time of  
day.  
Thank you.

**The Speaker:** Does anybody else wish to comment or question?  
285 Can you answer that, Conseiller Taylor or Conseiller Moloney?

**Conseiller Moloney:** Thank you, sir.  
We will monitor the situation and if it seems that public houses or restaurants are not staying  
open we will come back and review the law.

290 **The Speaker:** Well, that is a relief! (Laughter)  
Is there anybody else? Okay, in that case we will go to the Proposition that Chief Pleas  
approves the Liquor Licensing (Sark) (Amendment) Ordinance, 2017. Those in favour; those  
against. That is **carried**.  
295 This Ordinance will be numbered VII of 2017.

**8. Acknowledging the Triggering of Article 50 of the Treaty on European Union  
in respect of 'Protocol 3 –  
Policy & Performance Committee Report considered –  
Propositions 1 and 2 carried**

*To consider a Report with two Propositions from the Policy & Performance Committee entitled  
'Acknowledging the Triggering of Article 50 of the Treaty on European Union in respect of  
"Protocol 3"'*

*Proposition 1*

*To note that Her Majesty's Government has issued a notice under Article 50 of the Treaty on  
European Union.*

*Proposition 2*

*To note and recognise the subsequent impact this and the withdrawal of the United Kingdom  
from the European Union will have on the Bailiwick's domestic legislation and the legislative  
and other measures that will need to be taken in consequence of the issue of the notice and  
withdrawal.*

**The Speaker:** We go to Agenda Item 8, to consider a Report with two Propositions from the  
Policy and Performance Committee entitled 'Acknowledging the Triggering of Article 50 of the  
Treaty on European Union in respect of "Protocol 3"  
Conseiller Charles Maitland.

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

The triggering of Article 50 begins the two-year period of negotiations to affect the withdrawal of the United Kingdom from the European Union. Who will lead the UK in these negotiations will obviously depend on the outcome of the General Election to be held on 8th June.

305 As this paper explains the great repeal Bill in the UK will effectively convert relevant existing EU law into domestic law wherever practical and appropriate. And a similar exercise, albeit on a much reduced scale, is currently being considered by the Bailiwick of Guernsey.

Chief Pleas in this Report is being asked to note the triggering of Article 50 by the UK Government and the impact it may have on Sark's domestic legislation.

310 Thank you.

**The Speaker:** Thank you.

Any questions or comments from the floor? In that case we will go to the Propositions. Proposition 1: to note that Her Majesty's Government has issued a notice under Article 50 of the Treaty on European Union. Those in favour; those against. That is **carried**.

315 Proposition 2: To note and recognise the subsequent impact this and the withdrawal of the United Kingdom from the European Union will have on the Bailiwick's domestic legislation and the legislative and other measures that will need to be taken in consequence of the issue of the notice and withdrawal. Those in favour; those against. That is **carried**.

**9. Term of Office for Speaker of Chief Pleas –  
Policy and Performance Committee Report considered –  
Proposition carried**

*To consider a Report with Proposition from the Policy & Performance Committee entitled 'Term of Office for Speaker of Chief Pleas'.*

*Proposition*

*That Chief Pleas agrees the term of office for the Speaker of Chief Pleas is three years from his election on the 27th February 2017 until 26th February 2020.*

320

**The Speaker:** We go to Agenda Item 9 to consider a Report with Proposition from the Policy & Performance Committee entitled 'Term of Office for Speaker of Chief Pleas'.  
Conseiller Maitland.

325 **Conseiller Maitland:** This is a very straightforward Report giving the dates for the ending of the present term of the Speaker of Chief Pleas, which will be 26th February 2020.

**The Speaker:** Thank you.

330 Does anybody wish to speak to this? In that case we will go to the Proposition that Chief Pleas agrees that the term of office for the Speaker of Chief Pleas is three years from his election on the 27th February 2017 until 26th February 2020.

Those in favour; those against. That is **carried**.

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

*To Consider a Report with Proposition from the Policy & Performance Committee entitled ‘The Constitution and Operation of Chief Pleas Committees Amendments’.*

*Proposition*

*That Chief Pleas approves the changes to the Constitution and Operation of Chief Pleas Committees, as attached.*

**The Speaker:** Agenda Item 10, to consider a Report with Proposition from the Policy and Performance Committee entitled ‘The Constitution and Operation of Chief Pleas Committees Amendments’.  
335  
Conseiller Antony Dunks.

**Conseiller Dunks:** The Report should lay out all the changes that are required for the above mentioned document and the reasons why and the suggested changes.  
340  
There is no more debate from my point of view on that.

**The Speaker:** Okay. Are there any questions or comments from the floor?  
In that case we will go to the Proposition that Chief Pleas approves the changes to the Constitution and Operation of Chief Pleas Committees, as attached. Those in favour; those  
345  
against. That is **carried**.

**11. The Chief Pleas of Sark Rules of Procedure Amendment –  
Policy and Performance Committee Report considered –  
Proposition carried**

*To consider a Report with Proposition from the Policy & Performance Committee entitled ‘The Chief Pleas of Sark Rules of Procedure Amendment’.*

*Proposition*

*That Chief Pleas approves the changes to the Chief Pleas of Sark Rules of Procedure, as attached.*

**The Speaker:** We go to Agenda Item 11, to consider a Report with Proposition from the Policy and Performance Committee entitled ‘The Chief Pleas of Sark Rules of Procedure Amendment’.  
Conseiller Antony Dunks.

**Conseiller Dunks:** On this Item I have even less to say. The change is simply because  
350  
‘President’ will be replaced with ‘Speaker’.  
Thank you.

**The Speaker:** Any comments? In that case, we will go to the Proposition that Chief Pleas  
355  
approves the changes to the Chief Pleas of Sark Rules of Procedure, as attached. Those in favour; those against. That is **carried**.

**12. Top Level Domain –  
Policy and Performance Committee Progress Report considered –  
Proposition carried**

*To consider a Report with Proposition from the Policy & Performance Committee entitled ‘Top Level Domain Progress Report’.*

*Proposition*

*That Chief Pleas agrees to extend The Heads of Agreement between Sark Chief Pleas, USP Networks and Webster Marketing for a further period of 12 months from the date of this meeting and instructs the Chairman of Policy and Performance Committee to sign it on behalf of Chief Pleas.*

**The Speaker:** We go to Agenda Item 12, to consider a Report with Proposition from the Policy and Performance Committee entitled ‘Top Level Domain Progress Report’.

360      Conseiller Roger Norwich.

**Conseiller Dr Roger Norwich:** This Report is largely self-explanatory.

I would like to thank the help we have had to date in this rather complex matter from Webster Marketing and CentralNic, who have been extremely helpful during the last months.

365      I would like to point out the considerable support that we have had from the Crown Dependencies team in the Ministry of Justice and also Mr Jo Reeve, who is the Director of International Relations and Constitutional Affairs for the States of Guernsey. We have had a considerable amount of help and support with this project to date and at the time of writing this Report a draft application for ISO had been prepared.

370      I can now report that the application has gone to BSI, the British Standards Institute, who are the competent authority, and we expect and hope that this will now be further forwarded to ISO and that we will have a decision by the end of May. Following what we hope will be a positive decision, I would expect that we will be able to start and commence public presentations and consultations and come back to Chief Pleas in the summer with a further report.

375      **The Speaker:** Thank you, Conseiller Norwich.

Are there any questions or comments from the floor? In that case, we move to the Proposition that Chief Pleas agrees to extend the Heads of Agreement between Sark Chief Pleas, USP Networks and Webster Marketing for a further period of 12 months from the date of this meeting and instructs the Chairman of Policy and Performance Committee to sign it on behalf of Chief Pleas. Those in favour; any against. That is **carried**.

**13. Policy Development Group Remit Amendment –  
Policy and Performance Committee Report considered –  
Proposition carried**

*To consider a Report with Proposition from the Policy & Performance Committee entitled ‘Policy Development Group Remit Amendment’.*

*Proposition*

*That Chief Pleas approves the changes to the Remit for the Policy Development Group, as attached.*

**The Speaker:** We go to Agenda Item 13, to consider a Report with Proposition from the Policy and Performance Committee entitled 'Policy Development Group Remit Amendment'.  
Conseiller Antony Dunks.

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**Conseiller Dunks:** Thank you.

Following the elections in December there are fewer than the maximum 28 Conseillers available to attend the Policy Development Group, which has made it difficult to meet the remit value of 50% stated at 15 people to make the meeting quorate. The suggested change here is to modify the remit to read that the quorate shall consist of 50% of the sitting Members plus one rounded down, so that it is 50% of the people who are Conseillers and not a fixed figure.

390

**The Speaker:** Thank you.

Are there any comments or questions? In that case, we go to the Proposition that Chief Pleas approves the changes to the Remit for the Policy Development Group, as attached. Those in favour; any against. That is **carried**.

395

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

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

*Proposition*

*That Chief Pleas approves the priority list and order (Priority 1 to Priority 5 inclusive) as set out in this report, of areas of policy development for this Parliament.*

**The Speaker:** Agenda Item 14, to consider a Report with Proposition from the Policy and Performance Committee entitled 'Securing Sark's Future – Progress Report'.  
Conseiller Charles Maitland.

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**Conseiller Maitland:** As we have already heard at this Chief Pleas, progress has been made on the questions of liquor licensing and the top level domain name, and this carries on with the achievements of last year. It is good to see, for instance, that Food Stop now has a full range of wines and spirits as a result.

405

At a recent meeting of the Policy Development Group we dealt with the priorities for work on legislation this year, and as this Report spells out, the number-one priority is the Reform Law – Good Governance and Establishment Review, Priority 2 is Land Reform to be run in parallel with Development Control Law, Priority 3, Part II of the Children (Sark) Law and Priority 4, Top Level Domain Name; Priority 5, the last one, Definition of a Resident.

410

It is important that we keep to these priorities because the work of the Law Officers, which is ... time is limited and precious ... depends on how we make use of them and the priorities that we have.

There will be verbal reports from the Land Reform PDT and Reform Law, Good Governance PDT, and I will ask Conseiller Raymond to report on behalf of the Land Reform.

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**The Speaker:** If you don't mind, I will ask Conseiller Raymond! *(Laughter)*  
Conseiller William Raymond, please.

**Conseiller Raymond:** Thank you, both! *(Laughter)*

420 This is a report from the team. Yes, land reform is regarded as a major priority, but we think that it should be preceded by the new development control legislation to make sure that the controls are in place before anything happens in connection with reform of land tenure.

The team has spent time since the formation in January 2015 gathering factual information about the present land tenure system. Public consultation has taken place verbally on four  
425 differing occasions and once in written form.

I think everybody knows that this matter is very complex as there are 400 years of land tenure evolution elsewhere which we have to catch up on. There is also a need to understand exactly what land reform should comprise and I think it is viewed differently from differing stances and interests.

430 The main aim, in the team's mind, must be to secure the population and to encourage new commerce to come to the Island. The team is determined that a leasehold law is needed to define both leaseholder tenure and the degree of security that it affords. The team have been advised, after much inquiry, that it is not possible for future leases to bar compulsory enfranchisement if that is what a future Chief Pleas decided. This may have the result that it will  
435 mean far fewer leases being granted in the future. The team aim is to achieve an increase in the permanent ownership of housing and security of tenure, which they believe can be achieved by permitting the divisibility of existing tenements and so-called freeholds. Introducing the ability to mortgage property should also make this division easier. This may be the only route if leases are less available. By these means, the team hope that a measure of reform will be achieved.  
440 The clear advice from legal practitioners with great experience is that the process should not be hurried. These proposals therefore are not the end, but they do perhaps constitute a beginning.

The team wish to provide a system to allow secure term occupation of farm land, such as that which was introduced in England in 1995. There is much work still to do: Ordinances to introduce mortgaging, but these can only happen if there is a mechanism to protect leaseholds  
445 against forfeiture, otherwise there will be a shortage of lenders; legislation is needed to cover rights of way, wayleaves and easements – we do not have any of that; we have to address the continuation and cessation of alienation, including a debate on what land and areas of common usage the Island wants to own and how that should be achieved.

A form of land registry and land charges registry will be needed, perhaps based on the existing Digimap, and the matter of the abolition of reitrait needs to be taken forward; at the  
450 moment it rests on a resolution of Chief Pleas.

The team view is that the need for reform is immediate and the quickest possible effective action needs to be implemented. This underlies the suggestions which we wish to promote in the form of voluntary divisibility and mortgaging. It is, as I have said, not the end of the need for  
455 reform but the beginning of an effort to achieve a more up-to-date Island, which should appeal to other people. There are undoubtedly variations in opinion and therefore the team have enrolled a body of outside persons who will give their unbiased opinions on matters where intra-island views differ. We will be able to make a further report to Midsummer after a meeting with the Law Officer. We have taken one of the first dates he had available. Unfortunately, due to the  
460 pressures of their work, there seems to be an almost three-month lead time for appointments.

The team have plans to move forward to the next stage. They anticipate asking Chief Pleas to authorise both legislation for the first steps and then legislation for the next background steps. A further report to clarify matters will be made verbally to the Midsummer Meeting, at which it is hoped to be possible to outline the areas at which the next stage of the project should be aimed.

465 Thank you, sir.

**The Speaker:** Thank you.

I have also noted two people who wish to speak on Reform Law, Good Governance, but does anybody wish to speak on land reform? Yes, Conseiller Charles Maitland.

470

**Conseiller Maitland:** Thank you, Conseiller Raymond. It is good to see that the leaseholders' concerns are being moved up the importance level to being listened to.

I just wanted to put into the record an email that Policy and Performance received on 16th March. It reads as follows:

We are a group of 30 Sark leaseholders who either attended the public meeting on 13th March or sent apologies that we were unable to attend.

In 2008 the late Seigneur stated that land reform for Sark should be a top priority for the Government. Since then and despite much hard work and all the efforts that Chief Pleas have made to resolve this issue internally, little or no progress seems to have been made. We believe that it is an overwhelming economic and moral imperative for Sark that land reform is introduced as soon as possible and many of us believe that the only way forward is for Chief Pleas to employ an impartial and suitably qualified expert with a view to recommending changes that are fair to all the people of Sark and can be introduced quickly.

475 I just wanted to observe that it was actually five years ago, at Easter Chief Pleas 2012, when I was Chairman of GP&A ... brought a proposition to Chief Pleas requesting that the Law Officers draft legislation to remove the principle of indivisibility from the Letters Patent of 1611. There has been a lot of debate since then but very little progress and I would welcome the Land Reform Policy Development taking note of the leaseholders' concerns as urgently as possible.

480 Thank you.

**The Speaker:** Is there anybody else on land reform? Conseiller Reg Guille.

485 **Conseiller Guille MBE:** I would just like to support Conseiller Raymond with the role of the Development Control Law in this. We all know that the Development Control Law, I believe, has been worked on since about 2001, so it is long overdue. There are, I believe, many iterations of that Law, different versions of it, but until we have that Law in place we really cannot move forward. We can do a lot of planning but we should not – I believe, and it is the view of the Policy Development Team – bring proposals to Chief Pleas until we have the teeth required by the new Development Control Law.

490

Thank you.

**The Speaker:** Thank you.

Anybody else on land reform? Conseiller William Raymond.

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**Conseiller Raymond:** I would just like to respond to what Conseiller Maitland has said, sir, and say that we agree with the Proposition that he brought in 2012. It was withdrawn at that stage and it was not brought forward again. We have only been in post since 2015. We have done a full review. We have come to the same conclusion and we wish to take that forward.

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We need to consult with the Law Officers and that is planned in early June. It will not be possible to bring a written report because we are meeting on the date of the closure for the Chief Pleas papers for the Midsummer Meeting, so it will be another verbal report, I am sure, but I will make it as full as I can.

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**The Speaker:** Thank you. Anybody else on that Report?

In that case, we will go to Reform Law, Good Governance. Conseiller Jane Norwich.

510 **Conseiller Elizabeth Norwich:** I would like to comment further on the good governance aspect of the Securing Sark's Future agenda item. In particular, I wish to clarify the note on elections and the number of Conseillers.

Chief Pleas, and indeed much of Sark, has been concerned for some time about how many people stand and serve in Chief Pleas. This is not a new topic and is not unexpected. People will have reasons for standing and not standing. It is a matter of personal choice, not something that can or should be imposed on any individual; that would be utterly wrong and anti-democratic.

515 To be clear, this topic is not about the election process. That was defined in the Reform Law voted for in 2008 and the challenge to the legality of the process was deliberated and decided upon by the European Court of Human Rights first section as deemed manifestly ill-founded.

To change the number of Conseillers from 28 to within the Reform Law requires significant work by the Law Officers. We will likely need a Projet and an Ordinance. Those same Law Officers are currently also working on the considerable necessary changes to Bailiwick laws because of Brexit.

525 People of Sark serve their community in many ways. Chief Pleas is just a leading part of that service. As many others have said elsewhere, it is what you do in a small community: you take part, you do what you can and you support others to do what you cannot. I grew up in a small community. My father and two brothers have served on their parish councils for many years; my great aunt was a suffragette. So I well understand what voting and taking part in a community means.

530 For 450 years Sark has worked in one way, gradually changing over time and in response to challenges. It has depended on the skills and abilities available to govern over that time as to how well it happened. Sark was led and worked for by the few. Even then there were those who worked hard, whether that was tenants or deputies. There was a tradition in Sark families to take their turn and to serve Sark.

535 In 2008 Sark decided to change. Chief Pleas has come a long way in the few years since, but it could only be a best guess then as to how many would serve, how many had the time, how many could afford the time and what abilities and skills we had available to change from feudal to democratic. Just as in other jurisdictions – so Sark is not alone – fewer people are willing and able to serve their communities by serving in government, whether that is local or national.

540 Sark must find out the facts rather than second guess matters, and then work out what is best for Sark. We cannot just pluck a figure from the air. We will need to consult with the community on standing for Chief Pleas and the future shape of Chief Pleas, so expect an envelope to be delivered to your door soon. When it does, please fill in the questionnaire. It is part of the democratic process.

545 Sark, which includes the islet of Brecqhou, to quote the MoJ, 'is a self-governing jurisdiction with a degree of independence.' We are uniquely a Crown fief with a direct responsibility to the Crown. I believe that is what Sark as a community wishes to continue. It is for Sark to decide how to go about shaping its future, provided it follows and meets the acceptable standards of good governance. We cannot just tweak a bit of law here and there. We have to look at the foreseeable future and then decide on the best way forward to ensure sustainable government. That government has to be demonstrably sustainable.

550 We all want contested elections, despite what others might say. We are all here elected unopposed. We are all here because others did not stand, for their own reasons. Some do not stand because they are told not to. That is just plain wrong and antidemocratic. We all want contested elections in 2018. And no, we cannot hold a snap election before then; the Reform Law does not allow for it. Some people might not serve because they see the work as too complex and legalistic, but that is what governments do, it is not an amateur business. We are here to work, to set out the strategic direction of Sark. We are not here out of self-interest. Others might dispute that, but it is true. We are here because we believe Sark's future and are currently prepared to work for Sark.

560 In the future there may be fewer who are prepared to serve in this way and the Reform Law needs to change to allow for that, but in order not to constantly tweak and use that valuable Law Officer time we have to try and get the right shape for the foreseeable future sorted out. Back in 2008 those serving men did their best to get it right. Chief Pleas has worked hard in the last few years to get important and necessary work done for the benefit of Sark. This pressure of work, made all the more difficult by antagonistic challenges that have sought to repeatedly denigrate Conseillers, has exhausted some. However, for the benefit of Sark we now need to

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move on and work out how Chief Pleas will work in the future to get the balance right of policy and operational work that all needs to be costed and budgeted for.

570 Good government relies on three things: is it good enough; what is the cost; can we afford it; what is the risk and cost to Sark if we get it wrong and how fast can we have it? We have to be good enough, Sark rightly expects that, but what will it cost in the number of Conseillers and the mechanism of government and how quickly that might happen are the big questions. We have to get to grips with this in order for the necessary legislation to pass all the stages to ensure contested elections in December 2018.

575 So the standard and the speed are set. That leaves the cost in terms of policy and operational matters. That balanced piece of work is what we need to work on now. It is a joined-up across the whole Government matter and will take considerable work inside and outside Chief Pleas, but I know I can rely on my fellow Conseillers and those outside Chief Pleas who truly have Sark's best interests at heart to look at Sark's democratic sustainable future.

580 **The Speaker:** Thank you, Conseiller Jane Norwich. (*Applause*)  
Conseiller Hazel Fry.

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

585 I am also on the Good Governance Policy Development Team. We have been thinking a lot about the best way to move forward in government. Conseiller Jane Norwich has, I think, laid out our thoughts for the future very clearly and well.

590 Please be aware that we are not trying to make radical changes, but rather to find out from Conseillers and from Sark residents how we can best move forward. We may be small but we are a Government with many important issues to face and big decisions to make. I think we are all aware that many of us are, to put it kindly, beginning to feel our age and have made it very clear that retirement from Chief Pleas beckons. As Conseiller Norwich has said, Sark must find out the facts rather than second guessing matters, and then work out what is the best way forward for Sark. We need to have a fully contested election in 2018. To achieve this we need answers and opinions from a wide range of people. We are not a small pressure group trying to lay down the law or tell anyone what to do; we are all in this together.

595 How many Conseillers should Sark have? This is a huge question and will involve our Law Officers and change to the Reform Law. We are hoping that the questionnaire, which is due to go out shortly, will give a steer towards answering this. Please do fill it in and please encourage others to do so too.

600 How much professional help should we have? Can we afford to pay for this? Can we afford not to pay for it? These are some of the questions needing further discussion as we continue to move forward towards securing Sark's future.

Thank you.

605 **The Speaker:** Thank you, Conseiller Hazel Fry.

Does anybody else wish to speak to this aspect of the Progress Report, Reform Law, Good Governance? Conseiller Reginald Guille.

610 **Conseiller Guille MBE:** I fully understand where both the speakers are coming from on this and I would just wish to appeal to those people who love Sark outside this building – and there are many – and I would particularly encourage the younger members of the community.

615 We have here in front of me Conseiller La Trobe-Bateman, who is our youngest Member. We need more like him to come along because, as Conseiller Fry said, some of us are getting long in the tooth and when we drop off the perch or say that's it, we've done our bit, where are the other people coming from? I hope that the questionnaire that will go out will be attended to diligently by the people outside this Assembly as to why they do not stand or why they might

consider standing in the future, but it is vital that we do get sufficient people to stand to do the work.

620 The sting is in the tail: if we do not get the numbers, you will get more civil servants. You *will* get more civil servants and this Island will then be run by a small number of Conseillers with a paid workforce of civil servants. That is a message I wish to push outside this Assembly, that if you wish for Sark to continue as it has done for centuries in doing its own work, making its own laws, developing its own processes with the help of unpaid Conseillers and many other people, then people have to stand up to be counted when it comes to elections.

625 Thank you.

**The Speaker:** Thank you.

Does anybody else wish to speak to this particular aspect, the Reform Law, Good Governance?

630 Does anybody wish to speak to any other aspect of Securing Sark's Future, the Progress Report?

In that case we will go to the Proposition that Chief Pleas approves the priority list and order (Priority 1 to Priority 5 inclusive) as set out in this Report, of areas of policy development for this Parliament. Those in favour; those against. That is **carried**.

**15. 2016 Financial Statements –  
Finance and Resources Committee Report considered –  
Proposition carried**

*To consider a Report with Proposition from the Finance and Resources Committee entitled '2016 Financial Statements'.*

*Proposition*

*That the Financial Statements of the Island for the year ended 31st December 2016 be adopted.*

635 **The Speaker:** We go to Agenda Item 15, to consider a Report with Proposition from the Finance and Resources Committee entitled '2016 Financial Statements'.  
Conseiller Robert Cottle.

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

640 These Financial Statements that you have before you today are the first ones presented to Chief Pleas having been reviewed to the International Standard on Review Engagements (ISRE) 2400 (Revised). As you will have seen, they are otherwise presented in exactly the same format with the same amount of information available as in previous years.

645 The outcome for the year ended 31st December 2016 is that a surplus of £101,900 was achieved, as explained in the accompanying Report, mainly due to an under-expenditure against budget of £84,000. That obviously has increased the Island's reserves and leaves them in a continued healthy position with total reserves being over £3.26 million and reserves held in the bank at deposit at over £1.7 million at that date at the end of the 2016. Those are the headlines and this is the 10th time in 11 years that a surplus of revenue income over expenditure has been reported.

650 The detailed examination of the various figures that go to make up the total income received and expenditure undertaken are set out in Appendices 2 and 3, together with comparisons against the 2016 Budget and the actual 2015 figures. Commentary on significant variances from budget or year-on-year, are made beside the figures in those appendices and some of these are

655 also highlighted in the Report where further explanation is needed. If there are any further questions on these I will attempt to answer them at the end of this statement.

660 There has been questioning over the past several years regarding why spending committees have been permitted to have the final say in setting their own budgets when asking for increases, even small ones, result in having to raise more tax year after year. I have defended that position in the past stating that those committees should be in the best position to know what they have to do and how much that will cost, while encouraging them at the same time to provide more information to justify their requests and allow the opportunity for challenge from any Conseiller in Chief Pleas. However, such challenge has been somewhat limited and proper justification of expenditure, particularly increases, has not always been forthcoming.

665 As the Report says, Finance & Resources Committee has concluded that it needs to engage more effectively with Committees to ensure that proper planning is carried out in assembling the budget requests for the following year, to accurately reflect what the committees are planning to achieve. In that way it should be possible to determine the income necessary more accurately also, and to set taxation accordingly.

670 Reviewing the financial statements over the past few years supports the view that while underspending during the current year, some committees have continued to ask for an increase for the following year. Financial information is provided by the Treasurer that can be used to better plan for the next year, as well as monitor the current year, but it appears that help is needed with understanding and dealing with that.

675 To assist in that we believe that F&R should provide more guidance and examination so as to potentially free up funds for other essential work and to have more control on taxation. Provision of essential services and the carrying out of necessary work will still be needed so it is not the intention to introduce cuts that will make that impossible, rather it is the intention to work with committees to help us plan more efficiently and demonstrate value for money for taxpayers, which includes all of us. This will require a change to the mandate of this Committee and that proposal is brought slightly later in this Agenda.

680 Returning to the financial statements that we have in front of us for 2016, these accurately reflect the financial position at the end of the year again having underspent on budget. That is the result of a cautious approach that has served us well in getting us through some difficult challenges, though it might be argued at the expense of not doing work that could, and possibly should, have been done.

685 This Committee therefore presents the 2016 Financial Statements for the Island of Sark which have been reviewed to the appropriate standard and signed off; and this Committee recommends that they are adopted by Chief Pleas. Any questions, debate or comments are welcomed before moving to the Proposition.

690 Thank you.

**The Speaker:** Are there any questions or comments? In that case we will move to the Proposition that the Financial Statements of the Island for the year ended 31st December 2016 be adopted. Those in favour; those against. That is **carried**.

**16. Discounted Isle of Sark Shipping Freight Rate –  
Finance & Resources Committee Report considered –  
Proposition carried**

*To Consider a Report with Proposition from the Finance & Resources Committee entitled 'Discounted Isle of Sark Shipping Freight Rate for exports by local producers and manufacturers'.*

*Proposition*

*That Chief Pleas instructs the Isle of Sark Shipping Company, in conjunction with the Harbours and Shipping Committee, to operate the scheme outlined above, giving a discount of 80% on normal Freight rates to approved Sark producers wishing to export, for an initial period of one year, subject to the conditions and safeguards included in this Report.*

**The Speaker:** We go to Agenda Item 16, to consider a Report with Proposition from the Finance & Resources Committee entitled 'Discounted Isle of Sark Shipping Freight Rate for exports by local producers and manufacturers'.

Conseiller Robert Cottle.

700

**Conseiller Cottle:** Thank you.

The proposed scheme for providing a discounted rate for Sark exporters has been set out in detail within this Report, so I do not intend to repeat it all verbally. We have been urged by a number of small businesses and producers in Sark to give this a go and it has probably taken longer than it should have done to get to this point. But having been given reassurances by Sark Shipping that they do not consider it to be a material risk, the proposal to provide an 80% discount for exports is brought today.

705

In order to qualify for the discount anyone wishing to export their products via Isle of Sark Shipping Company will need to fill in a form giving details of who they are and what they intend to export. This form will be processed via Harbours & Shipping Committee and if approved the applicant will be notified and put on a list of qualifying exporters. That list will be forwarded to Sark Shipping and they will operate the scheme as set out in this Report.

710

That is it in a nutshell and the content of this Report can be referred to by anyone wanting guidance on what will be available. As stated, this scheme will be operated for a one-year period as a trial to give it chance to bed in and, if need be, sort out any problems so that an assessment can be made of its success or otherwise before deciding whether to extend it. We hope that it will prove successful and that it can be continued after that date.

715

I will read one paragraph that explains the reason behind specifically giving this discount to exporters and that is contained in the Report. It says:

The purpose of the discount is to promote the export of goods produced on Sark (a potential boost to the economic activity on Sark). It would act as an economic stimulus, with the opportunity for existing business to expand and also for new ventures to be tried.

720

As explained, the 20% charge will cover marginal costs so that exporters are not being subsidised by existing customers and also exporters are likely to bring in more imported materials at full rate resulting in extra business for the company.

725

If approved today, it is intended to get this into operation as soon as possible, so details of how to express an interest and apply will be released shortly via the Government website and on the notice boards. Finance & Resources Committee hope that Chief Pleas will support this Proposal but before that if you have any questions or observations we would welcome them.

Thank you.

**The Speaker:** Thank you, Conseiller Cottle.

730

Does anybody wish to contribute to this discussion?

Conseiller Christopher Nightingale, followed by Conseiller Sam La Trobe-Bateman.

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

735

I would hope all Conseillers would support this important move which can only help businesses on Sark move forward. For more than 20 years I have been told how freight costs have prohibited exports so come on, all you young and old entrepreneurs, the ball is in your court now!

**The Speaker:** Thank you.

740 Conseiller Sam La Trobe-Bateman.

**Conseiller La Trobe-Bateman:** I would like to declare an interest in this if I can –

**The Speaker:** Oh yes, of course. I should have asked that.

745 I presume everybody is happy for Conseiller La Trobe-Bateman to stay? Okay.

Does anybody else wish to contribute?

In that case we will move to the Proposition that Chief Pleas instructs the Isle of Sark Shipping Company, in conjunction with the Harbours and Shipping Committee, to operate the scheme outlined above, giving a discount of 80% on normal Freight rates to approved Sark producers wishing to export, for an initial period of one year, subject to the conditions and safeguards included in this report. Those in favour; those against. That is **carried**.

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**17. Construction of Public Toilets at La Coupée –  
Finance & Resources Committee Report considered –  
Proposition carried**

*To Consider a Report with Proposition from the Finance & Resources Committee entitled ‘The Dame Sibyl Hathaway Settlement: Grant to the Douzaine for construction of public toilets at La Coupée.’*

*Proposition*

*That Chief Pleas approves the payment of a grant of up to £10,000, from the funds realised by the Trustees of the Dame Sibyl Hathaway Trust, to the Douzaine to be utilised towards the cost of the construction of public toilets at La Coupée.*

**The Speaker:** Item 17, to consider a Report with Proposition from the Finance & Resources Committee entitled ‘The Dame Sibyl Hathaway Settlement: Grant to the Douzaine for construction of public toilets at La Coupée’.

755 Conseiller Robert Cottle.

**Conseiller Cottle:** Thank you.

I am just a conduit here through Finance & Resources Committee for the Hathaway Settlement Trustees, so briefly I will introduce this.

760 The Douzaine brought a proposal to Chief Pleas a year ago requesting approval in principle that public toilets should be provided at a site near the Coupée. They have progressed this and having considered what type of facility should be provided they are seeking some assistance in funding the costs of construction. Having been made aware of the availability of funds within the Hathaway Settlement they approached the Trustees of the Settlement with their request for a grant.

765

The Trustees have considered the request and approved that it is a suitable project for the general benefit of Sark. Therefore, Finance & Resources Committee presents this Report on behalf of the Trustees with the recommendation that the proposed grant of funds of up to £10,000 is approved.

770 Thank you.

**The Speaker:** Thank you, Conseiller Cottle.

Any comments or questions?

Conseiller Edric Baker followed by Conseiller Reg Guille.

775 **Conseiller Baker:** Yes, sir, the position as regards the toilet block at the Coupée, the alienation document has been signed off and we are just now awaiting the final details of the conveyance document and then we will have approval to go ahead.

We are very appreciative of the Trustees for this amount of money which will help greatly in the construction of the building.

780 Thank you very much.

**The Speaker:** Thank you.  
Conseiller Reg Guille.

785 **Conseiller Guille MBE:** Whilst it is very good of the Hathaway Settlement Trust to provide the funding for these toilets, these toilets are a public service and could well have come out of capital expenditure of Chief Pleas.

On the issue of capital expenditure: there are many projects that we have which do require capital expenditure, the Hathaway Trust has a limited amount of money left and once it has gone it has gone and then we will all be back to capital expenditure. So for committees with capital projects, always consider the fact that you can actually come to Chief Pleas and ask for capital expenditure for your project.

790

**The Speaker:** Thank you.

795 Anybody else wish to comment or question?

In that case we will move to the Proposition that Chief Pleas approves the payment of a grant of up to £10,000 from the funds realised by the Trustees of the Dame Sibyl Hathaway Trust, to the Douzaine to be utilised towards the cost of the construction of public toilets at La Coupée. Those in favour; those against. Thank you. That is **carried**.

**18. Revised Mandate – Budget Control –  
Finance & Resources Committee Report considered –  
Proposition carried**

*To Consider a Report with Proposition from the Finance & Resources Committee entitled 'Finance and Resources Committee Revised Mandate – Budget Control'.*

*Proposition*

*That it is approved that the Mandate of the Finance & Resources Committee be amended as highlighted in the extract contained in Appendix 1 to this Report.*

800 **The Speaker:** Agenda Item 18, to consider a Report with Proposition from the Finance & Resources Committee entitled 'Finance and Resources Committee Revised Mandate – Budget Control'.

Conseiller Rob Cottle.

805 **Conseiller Cottle:** Thank you.

As I just referred to in the Financial Statements Report, the proposal to change the Finance & Resources Committee mandate has been developed in an effort to ensure that the Budget submitted to Chief Pleas at Michaelmas each year is based on proper planning of what is to be funded in the following year.

810 F&R Committee's current mandated role in scrutinising expenditure requests only allows us to go so far, asking questions and seeking information that justifies the request submitted. That questioning was intended to encourage committees to look more closely at their process of

planning for the next year, but there isn't evidence in all cases that that has worked as well as we had hoped.

815

Replacing the current point 'b' in the mandate – which at present is:

To scrutinise expenditure requests and provide information and guidance to Chief Pleas on the financial implications involved.

– with a new point 'b':

To consider expenditure requests submitted by all committees, related to the planned future activities and obligations of those committees, and to produce a proposed Budget for consideration at Michaelmas Chief Pleas, based on those committees' costed plans and requests and any other factors that Finance and Resources Committee considers should be taken into account in compiling that Budget.

820

Replacing the original 'b' with the new 'b' will place a requirement on committees to demonstrate proper planning has taken place in compiling their request and allow Finance & Resources to test this, requesting further information if needed.

825

The reasoning for this is set out in the Report. In the last seven years there has been an average underspend of over £100,000 per year compared to the predicted expenditure and it must be possible to be more accurate than that, given better planning and scrutiny of requests. It is Finance & Resources Committee's belief that it can assist in improving that accuracy by giving guidance to committees on how to work out what is needed to fulfil their responsibilities so that efficient use can be made of the revenue raised from taxes and fees.

830

The forms sent out by the Treasurer after Easter Chief Pleas meeting provide the opportunity for committees to put down on paper what they plan to do next year. It may seem too far ahead, but in reality most of it will be the same as this year and should not cost too much different from current actual expenditure. That also gives the opportunity to identify particular things that are going to change and identify what impact they will have. Are things not necessary any longer? Are there more cost-effective ways of doing things? Are there alternative suppliers that can be approached? Has an extra obligation arisen that needs meeting?

835

It should not be too time-consuming or complicated to carry this review out, and help and advice will be offered on how to go about this. We should look at ways we can improve; identify inefficiency, prioritise and recognise the need for planning ahead to continue to fulfil changing obligations.

840

F&R should lead on that and encourage that way of thinking to enable all the Government's responsibilities to be properly resourced without always having to automatically increase taxes. Part of that may be turning down parts of requests that have not been properly justified or are of a lower priority. Prioritising may mean that some things have to wait until the next year or possibly later and that would be part of taking a longer term view as suggested in this Report, looking at the next three years and reviewing that on a yearly rolling basis.

845

Two safeguards are available to ensure that Finance & Resources Committee – and I would hate to think that we would do this – but that we do not overstep our extra power that is being proposed in this Report about compiling the Budget. The first safeguard is that there should be scrutiny of F&R's Budget process by another body. It seems sensible to us that Policy & Performance Committee should have the ability to do that, subject to a change in their mandate also.

850

The second safeguard is that the Budget approval is ultimately in the hands of all Conseillers at the Michaelmas Meeting of Chief Pleas. Any measure that is brought to that meeting and is perceived as unreasonable could be challenged and an alternative proposed.

855

As in previous years committees will receive, shortly after this meeting, the forms which they will be requested to fill in detailing their expenditure plans for next year. The deadline this year is quite soon unfortunately, they will need to be returned by May 22nd – it is always quite a tight deadline and we have had plenty of co-operation in the past in achieving that deadline so I

would ask that we can have that co-operation again from committees without the need to chase after things too much.

860 If the proposal to amend F&R's mandate is approved then those plans will be examined in light of that amendment to the mandate.

There may be plenty to say on this so I will open this up for debate.

**The Speaker:** Thank you, Conseiller Cottle.

Are there any questions or comments from the floor?

865 In that case we will move to the Proposition that it is approved that the Mandate of the Finance & Resources Committee be amended as highlighted in the attached extract contained in Appendix 1 to this Report. Those in favour; those against. That is **carried**.

**19. Review into Education in Sark –  
Finance & Resources Committee Report considered –  
Proposition carried**

*To Consider a Report with Proposition from the Finance & Resources Committee entitled 'Review into the provision of Education in Sark'.*

*Proposition*

*That Chief Pleas directs the Policy Development Team to define the scope of a review into the provision of education in Sark.*

870 **The Speaker:** We go to Agenda Item 19, to consider a Report with Proposition from the Education Committee entitled 'Review into the provision of Education in Sark'.  
Conseiller Antony Dunks.

875 **Conseiller Dunks:** The majority of the first page of this Report details the history behind how the concept of a review came to be. The matter of a review has now been discussed by the Committee at a meeting, and the view is that whilst it is desirable to have such a review it is not for the Committee to carry it out – it would need to be somebody outside of the Committee, outside of Chief Pleas and possibly outside of the Island.

880 It is not for the Committee to define what the review should contain and what it should achieve. For that purpose the Committee's suggestion is that a policy development team be formed to look into the matter and define the scope of the review.

I further go on to point out that if a review is then approved to go ahead that there is currently no budget for such a review and that Chief Pleas would in future need to debate and approve any funding as required.

885 As I said, the matter is not for the Committee and I would therefore welcome any debate on the matter.

**The Speaker:** Thank you, Conseiller Dunks.

Any comments or questions?

890 Conseiller Jane Norwich followed by Conseiller Sam La Trobe-Bateman.

895 **Conseiller Elizabeth Norwich:** I am grateful for the Education Committee bringing this Agenda Item forward as some of it is because of questions I have asked in the past. I fully support the review. The residents who approached me initially are aware of the Report, having read it online, and are fully supportive of this move.

**The Speaker:** Thank you.  
Conseiller Sam La Trobe-Bateman.

900 **Conseiller La Trobe-Bateman:** Yes, we have talked about that we need a full review of the school and the education in general, I just wonder why the Education Committee feel that they cannot look into what needs reviewing to get the professional in.

**The Speaker:** Does anybody else wish to comment before I invite Conseiller Dunks to answer that?  
905 Conseiller Sandra Williams.

**Conseiller Williams** I would just like to second what Conseiller Bateman said. I understand that the Education Committee are happy to go ahead and do a review of the school. I just worry that if we are allowing them to set up a PDG, which will take another ... we are not going to get the issue dealt with.  
910

The issue needs to be taken on; it needs to be dealt with very soon. I think delaying – which is what the policy development set up will do, I think ... they have been given the response from people that they believe they need to do something, and I do not understand why we now need to go away and come back in July with a Policy Development group set up. I would like them to just go ahead and look at what they believe needs reviewing with the help of the Education Committee and the teachers that are employed there – and move forward with it.  
915

**The Speaker:** Thank you. Anybody else?  
Yes, Conseiller Reg Guille.  
920

**Conseiller Guille MBE:** I understand that the Education Committee have advertised for a teacher to replace Miss Grey who is leaving at the end of the summer term, and I wonder if they are able to tell us anything on that recruitment process?

That recruitment process was for one year, I believe, if I recall the advertising notices. That implies to me that the review would be expected to have been completed within the year so that any changes to the education provision on this Island will come into effect before that one-year teacher's post expires.  
925

Could Education respond to that, please?

**The Speaker:** This does also come up as Item 30 on the Agenda but I do not know if you have? ... Conseiller Dunks, do you wish to answer those points?  
930

And also, perhaps I should not be asking this, but I would have thought it was completely within the competence of the PDG to actually set up a PDT without coming to this House. Is this presumably for information?  
935

Conseiller Dunks.

**Conseiller Dunks:** Starting with Conseiller Guille's remark, I do have a statement to go under Item 30 if you wish me to read it now I can answer the question, or we can wait until then?

**The Speaker:** I am happy to wait until then, yes.  
940

**Conseiller Dunks:** Whilst the Committee believes that the school provides the best education available for Sark children, it therefore makes it impossible for itself to look at itself and say how we can do things better. A review cannot take place within the Committee or within the school. It has to be somebody who is outside of the school to look in and say ... look at the whole provision of education not just in the school but the whole provision of education on Sark, and determine if there are other factors it should consider, whether there are other ways it can be done. The Committee is too close to its subject to know how to review itself more efficiently.  
945

The Proposition asks that the Policy Development Group does form a PDT. It has been put through the process of prioritisation and is already considered as one of the priorities for 2017.

950

**The Speaker:** Okay, thank you. I have had two, three ... are you indicating you wish to speak there? (**A Member:** No.)

I have had two other indications of people who wish to speak to the Assembly. Conseiller Sam La Trobe-Bateman, followed by Conseiller Sandra Williams.

955

**Conseiller La Trobe-Bateman:** Thank you.

Tony just said that they need an expert, an outsider, to do the review. If they have already established this why do they need a PDT to establish this as well? Why can't they just get an outsider in to do it?

960

**The Speaker:** Conseiller Sandra Williams.

**Conseiller Sandra Williams:** You took the words straight out of my mouth, sir. (*Laughter*)

965

**The Speaker:** That's jolly good.  
Conseiller Dunks.

**Conseiller Dunks:** As the Education Committee is unable to look at the school system and decide what needs to be done it requires somebody who is away from the Committee to decide this.

970

The PDT's role will be to define the scope of the review and decide what it needs to look at. For that purpose it will have to consider public input and professional input from both on the Island, and the Committee has had an offer from elsewhere, to look at what the provision of education is and how it can be – I won't say be improved – but how it can be continued.

975

**The Speaker:** Okay, thank you.  
Conseiller Sam La Trobe-Bateman again.

**Conseiller La Trobe-Bateman:** Sorry to keep this going.

980

It just needs a complete review, doesn't it? Isn't that what we are going to do?

**The Speaker:** Conseiller Dunks.

**Conseiller Dunks:** The word 'complete' is very good but what does it contain? The scope and everything still then requires somebody to define 'everything' and that is what the PDT's task will be, to define the scope – what it will look into and how far it will go.

985

**The Speaker:** Conseiller Chris Nightingale.

**Conseiller Nightingale:** I would just like to say I think it is very important that we have somebody certainly from off the Island if not from the mainland or somewhere like that, who can have a look at the whole thing and give us some ideas.

990

Thank you.

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

995

In that case we will move to the Proposition that Chief Pleas directs the Policy Development Group to establish a Policy Development Team to define the scope of a review into the provisions of education in Sark. Those in favour; those against. That is **carried** by a majority.

**20. Upgrade to Sark Slaughterhouse –  
Agriculture, Environment, Sea Fisheries and Pilotage Committee Report considered –  
Propositions 1, 2 and 3 carried**

*To Consider a Report with three Propositions from the Agriculture, Environment, Sea Fisheries and Pilotage Committee entitled ‘Proposed upgrade to the Sark Slaughterhouse’.*

*Proposition 1*

*That Chief Pleas supports the ongoing work by the Agriculture, Environment, Sea Fisheries and Pilotage Committee for the proposed upgrade to the Sark Slaughterhouse.*

*Proposition 2*

*That an invitation to tender for the upgrade of the Sark Slaughterhouse be issued.*

*Proposition 3*

*That the Finance & Resources Committee works with the Agriculture, Environment, Sea Fisheries & Pilotage Committee to identify and arrange funding options for the proposed upgrade and subsequent management of the Sark Slaughterhouse.*

1000 **The Speaker:** Agenda Item 20, to consider a Report with three Propositions from the Agriculture, Environment, Sea Fisheries and Pilotage Committee entitled ‘Proposed upgrade to the Sark Slaughterhouse’.  
Conseiller Helen Plummer.

1005 **Conseiller Plummer:** Thank you, sir.  
May I just introduce this Report? It is self-explanatory. The Committee is very aware of the urgency of operating the Slaughterhouse, but if there are any questions can they be forwarded to Conseiller Christopher Nightingale please? Is that possible?

1010 **The Speaker:** Yes, I have no problems with that. I think you and I talked about this and I take a rather straightforward view on declarations of interest. Provided someone is not deriving an income out of a venture I am quite happy to hear them speak in this Chamber.

**Conseiller Plummer:** Thank you.

1015 **The Speaker:** Thank you.  
Anybody wish to comment or question?  
In that case we move to – *(Interjections)*  
Sorry, Conseiller Rob Cottle – as big as you are, I did not see you!

1020 **Conseiller Cottle:** I was slow picking up your request, I apologise; thank you, anyway.  
I think a good case has been made for the continued investment in the Slaughterhouse, with the points about maintaining the farmed landscape and the agricultural industry being very important to Sark.

1025 With the opportunity for exports to be sent off Island at a discounted rate which has already been approved today, I think there are opportunities which would be reliant on the availability of a sustainable slaughterhouse, so I would very much support looking at how to fund the future of the Slaughterhouse and the proposed upgrade.

Thank you.

1030 **The Speaker:** Thank you.  
Conseiller Helen Plummer.

**Conseiller Plummer:** On Proposition 2, would it be possible to amend it slightly, please?

1035 **The Speaker:** Yes, I think I made a suggestion to you.

**Conseiller Plummer:** Thank you, you did indeed.  
Do we want to go through Proposition 1 first and see if that ...?

1040 **The Speaker:** We will do Proposition 1 and then you can amend Proposition 2 before we vote on it.

**Conseiller Plummer:** Thank you.

1045 **The Speaker:** Conseiller Reg Guille.

**Conseiller Guille MBE:** Nothing substantial, but we did debate earlier on in the year that pilotage would be removed from this Committee and go elsewhere. I was expecting that to come to this meeting; it has not. Pilotage does not sit easily with this Committee, as was explained at the time, and I would hope that at our next statutory meeting, Midsummer, we could effect that change.

Thank you.

1055 **The Speaker:** Conseiller Antony Dunks.

**Conseiller Dunks:** On that specific point one of my tasks was to pursue that as part of the new arrangements. I put it to the Law Officers in Guernsey and they said they were so snowed under it would not be available for this Chief Pleas. It *may* be available for Midsummer.

1060 **The Speaker:** Thank you.  
Anybody else? Conseiller Edric Baker.

**Conseiller Edric Baker:** Yes, it is a very good Report; it encompasses everything.

1065 One point I would like to make: in the EC Regulation 852, if anybody cares to go online and look at it, it is quite informative. It deals with hygiene and I would like, whatever is done to the slaughterhouse, to cover that aspect very clearly. Don't broaden it too much, just keep to the hygiene. With everybody else ... the Veterinary Officer getting involved, we are talking about outside areas for the cattle, different aspects of the slaughterhouse, and I do not think personally that is necessary.

1070 **The Speaker:** Do either of you ...?

**Conseiller Edric Baker:** Just as a point.

1075 **The Speaker:** Yes, that is fine.  
Do you wish to respond to that, Conseiller Nightingale? Sorry to put you on the spot.

1080 **Conseiller Nightingale:** Yes, I wholeheartedly agree with Conseiller Baker. Some of it is, in my humble opinion, way over the top, but if we want to export meat to Guernsey we have to abide by what they say are the rules. I have argued with them, I think some of the rules are over the top, but if we want to export to Guernsey we have to go by their rules.

I am sure there is quite a lot of trimming that can be done. I have had a lot of help from Mr Robinson, who lives up north, who is an architect. He has drawn all the plans and done his very best to keep costs down. He has also offered – because he has a lot of experience in this

1085 sort of industry – to help us source some of the exotic materials we need, like wall claddings and freezer room walls and that sort of thing to save us a lot of money.

**The Speaker:** Thank you.

1090 **Conseiller Nightingale:** Thank you.

**The Speaker:** Anybody else? Conseiller Antony Dunks.

1095 **Conseiller Dunks:** It is just a little information. I have noticed a squiggle in the margin of my Report. In the chronology it ends with ‘Very near future – The sub-lease between the current leaseholder of the Slaughterhouse and the Island of Sark, to be signed.’ The very final draft of the lease is now going off to the parties, and subject to their approval we will then get signing it in the very near future.

1100 **The Speaker:** We go to Proposition 1, that Chief Pleas supports the ongoing work by the Agriculture, Environment, Sea Fisheries and Pilotage Committee for the proposed upgrade of the Sark Slaughterhouse. Those in favour; any against. That is **carried**.

Conseiller Helen Plummer, you wish to move a small amendment to Proposition 2.

1105 **Conseiller Plummer:** Yes, please. I would like Proposition 2 to read:

*That an invitation to tender for the upgrade of the Sark Slaughterhouse be issued.*

That takes out ‘that a tender’.

**The Speaker:** Thank you. So basically you are inviting tenders rather than issuing them.

1110 **Conseiller Plummer:** Exactly.

**The Speaker:** Yes, thank you.

1115 Okay, does anybody wish to speak to Proposition 2? Proposition 2 is now ‘That an invitation to tender for the upgrade of the Sark Slaughterhouse be issued.’ Those in favour; those against. That is **carried**.

Proposition 3, that the Finance and Resources Committee works with the Agriculture, Environment, Sea Fisheries and Pilotage Committee to identify and arrange funding options for the proposed upgrade and subsequent management of the Sark Slaughterhouse. Those in favour; those against. That is **carried**.

## 21. Committee elections –

### **Conseiller La Trobe-Bateman elected to the Development Control Committee – Conseiller Mallinson elected to the Education Committee**

1120 **The Speaker:** Agenda Item 21, the Committee elections to elect Conseillers to Committees as required. There are two single vacancies on the Development Control and Education Committees. That is one on each.

I have been notified of a nomination to fill the vacancy on Development Control: the name of Conseiller Sam La Trobe-Bateman has been put forward.

1125 Are there any other nominations? In that case, I declare Conseiller Sam La Trobe-Bateman to be a Member of the Development Control Committee.

I presume there are not any nominations for Education.  
Conseiller Dunks.

1130 **Conseiller Dunks:** The Committee has a Proposition to nominate Pauline Mallinson.

**The Speaker:** Are there any other nominations? In that case, I declare Conseiller Pauline Mallinson to be a member of the Education Committee.

**22. Standing Committee elections –  
Ms E Dewe elected to the Tourism Committee –  
Mr D Cocksedge and Mr A Cook elected to the Harbours and Shipping Committee –  
Mr R Dewe elected to Agriculture, Environment, Sea Fisheries and Pilotage Committee**

1135 **The Speaker:** Agenda Item 22, Committee elections to elect non-Chief Pleas non-voting members to Standing Committees.

I have been notified of a nomination to elect Liz Dewe as a non-Chief Pleas non-voting member of the Tourism Committee for her knowledge and experience with water testing. Those in favour; anybody against. That is **carried**.

1140 I have been notified of two nominations to elect Dave Cocksedge and Andy Cook non-Chief Pleas members non-voting Members of the Harbours and Shipping Committee. Those in favour; are there any against? That is **carried**.

Finally, I have been notified of a nomination to elect Richard Dewe as a non-Chief Pleas non-voting member of the Agriculture, Environment, Sea Fisheries and Pilotage Committee. Those in favour; any against. That is **carried**.

**23. Point Robert Lighthouse Modernisation Second Report –  
Policy and Performance Committee Information Report noted**

*To consider an Information Report from the Policy & Performance Committee entitled 'Point Robert Lighthouse Modernisation Second Report'.*

1145 **The Speaker:** We go to Agenda Item 23, to consider an Information Report from the Policy and Performance Committee entitled 'Point Robert Lighthouse Modernisation Second Report'.  
Conseiller Jane Norwich.

1150 **Conseiller Elizabeth Norwich:** I think the Report stands for itself. Trinity House have been very good about communicating with us and keeping us up to date. Everything is on schedule for work later this year and it does involve helicopter overflying, so as soon as we have specific dates those affected will be informed.

1155 I would like just to add a request for any suggestions. The optic – that is the glass prism through which the light passes – will be dismantled and will be stored on site and not accessible. Although Guernsey have expressed an interest in having it, apparently, it is being offered to Sark to go on display fully re-erected, provided it happens at the time it comes out of the lighthouse. When it is put back together it is six feet tall and five feet across. It is quite stunning – for those of us who have been right up to the top of the lighthouse. If it is to be displayed it needs a permanent site – it is not something we can move about – and the optic would remain on permanent loan to Sark, so it would still remain with Trinity House. If anybody has got a good  
1160 idea of where it can go – and it must be indoors – then if they could contact me or Policy and

Performance. It is quite a stunning object and it would be a shame not to be seen, but I quite understand if we have not got the space. *(Laughter)*

1165 **The Speaker:** Thank you, Conseiller Norwich.  
Any comments on that? That is an Information Report.

**24. The Regulation of Production of Alcoholic Products  
(Commencement and Exemptions) (Sark) Ordinance, 2017 –  
Policy and Performance Committee Information Report noted**

*To consider an Information Report from the Policy & Performance Committee entitled 'The Regulation of Production of Alcoholic Products (Commencement and Exemptions) (Sark) Ordinance, 2017'.*

**The Speaker:** We go to Agenda Item 24, to consider an Information Report from the Policy and Performance Committee entitled 'The Regulation of Production of Alcoholic Products (Commencement and Exemptions) (Sark) Ordinance, 2017'.

1170 Conseiller Jane Norwich.

**Conseiller Elizabeth Norwich:** Me again – it is just the order of march today.

1175 I think the Report stands by itself, yet again. We have now got the draft Ordinance and Regulations and, as the short Report says, we now need to go to consult with interested stakeholders to ensure that the wording on various parts of the licence application process is as clear and as straightforward as possible. By involving those stakeholders at this stage we should have a system that works smoothly for all concerned once the Law is commenced on 1st October this year. That consultation will start later this week and conclude later on in May. Should anyone else, other than those we are currently aware of, wish to see the supporting documentation and licence forms that are proposed, they should please contact the Committee office.

1180 I would wish to draw Conseillers' attention to subsection 2(1)(b) of Appendix 1, and I am particularly looking at the section ... This covers other alcoholic products. As you will see, there is a limit of five hectolitres in this section, and for those, like me, who think in pounds, shillings and pence, that is equivalent to 500 litres or approximately 11 UK gallons. This is just for clarity – this is relevant to those that are producing products like sloe gin in a domestic situation. If you produce and sell 11 UK gallons of sloe gin in a year you will need a licence. I am not sure how many tots of sloe gin after dinner that is, but it is a lot! *(Laughter)* This has got nothing to do with Impôt, just the quantity produced in a year and the need for a licence.

1190 It is intended that we will come back at Midsummer Chief Pleas with the confirmed Ordinance and Regulations for Chief Pleas' approval commencing on 1st October this year.

**The Speaker:** Thank you.

Are there any questions or comments from the floor? Conseiller Reg Guille.

1195

**Conseiller Guille MBE:** This very simple Ordinance, which follows on from the Law and the Regulation which we have in draft, gives a lie to the statements put out by SEM as to why their vineyards were dug up and propounded by their supporters in Sark First, SAFE and the Sark Chamber of Commerce. The charges in here are minimal and any producer worth his salt would pay them in a few seconds.

1200

One other point, while I am on my feet: could I just ask that the Statutory Instrument ... At the heading it says 'made' and then 'coming into operation'. The Regulation has to be laid

before Chief Pleas and between 'made' and 'coming into operation' I believe there should be a 'laid before Chief Pleas', a line, so that that date is also recorded in that Regulation.

1205 Thank you.

**The Speaker:** Yes, and also numbered.  
Anybody else? Okay, that is an Information Report.

**25. The Court of the Seneschal Review 2016 –  
Policy and Performance Committee Information Report noted**

*To consider an Information Report from the Policy & Performance Committee entitled 'The Court of the Seneschal Review 2016'.*

1210 **The Speaker:** We go to Agenda Item 25, to consider an Information Report from the Policy and Performance Committee entitled 'The Court of the Seneschal Review 2016'.  
Conseiller Reg Guille.

1215 **Conseiller Guille MBE:** The Report is, I believe, quite extensive. It tells you what has gone on and what is about to happen. It has the terms of reference for a remuneration panel which is being set up. The remuneration panel will report and when that report has been accepted by the Finance and Resources Committee then the panel will be disbanded. It is a special purpose panel to look at the remuneration of the Seneschal, the Deputy Seneschal and the Lieutenant Seneschals as laid out in the court review document. That is on the Government website.  
I would be happy to take any questions.

1220 **The Speaker:** Are there any questions or points?  
That also is an Information Report.

**26. Normandy Agreement –  
Policy and Performance Committee Information Report noted**

*To consider an Information Report from the Policy & Performance Committee entitled 'Normandy Agreement'.*

1225 **The Speaker:** We go to Agenda Item 26, to consider an Information Report from the Policy and Performance Committee entitled 'Normandy Agreement'.  
Conseiller Charles Maitland.

1230 **Conseiller Maitland:** Sir, I have nothing to add to this Report. The Normandy Agreement was signed and witnessed last year; I made a verbal report then. It is an ongoing agreement with Normandy, Guernsey and Jersey, and Sark and Alderney are associate members.  
Thank you.

**The Speaker:** Thank you.  
Any questions or comments?

**27. Election of Deputy Speaker of Chief Pleas –  
Policy and Performance Committee Information Report noted**

*To consider an Information Report from the Policy & Performance Committee entitled 'Election of Deputy Speaker of Chief Pleas'.*

1235 **The Speaker:** In that case, we move to Agenda Item 27, to consider an Information Report from the Policy and Performance Committee entitled 'Election of Deputy Speaker of Chief Pleas'.  
Conseiller Hazel Fry.

**Conseiller Fry:** Thank you.

1240 This is an Information Report also regarding the election of a Deputy Speaker, somebody to stand in for our Speaker, and it is actually self-explanatory.

As you see, the nominations open on 2nd May for a fortnight, ending 16th May at one o'clock and the results of all those who stand will be published on the 19th. The information will be in the Government boxes and on the Government website. However, it is important that we all, as  
1245 Conseillers, remind or speak to anyone who may be interested on these dates.

The election will take place at a brief special meeting of Chief Pleas on 31st May at 12 noon. There will be no other items on the agenda of this meeting, so, as our Speaker has pointed out, it should only take five or ten minutes – we'll see!

1250 **The Speaker:** Thank you for disclosing the contents of my private email! *(Laughter)*  
Any comments or questions?

**28. Creation of a Statutory Affiliation Jurisdiction –  
Policy and Performance Committee Information Report noted**

*To consider an Information Report from the Policy & Performance Committee entitled 'Creation of a Statutory Affiliation Jurisdiction'.*

**The Speaker:** In that case, we move to Agenda Item 28, to consider an Information Report from the Policy and Performance Committee entitled 'Creation of a Statutory Affiliation Jurisdiction'.

1255 Conseiller Hazel Fry.

**Conseiller Fry:** This is also an Information Report and at this time it has no Propositions, so it will be a very brief introduction.

1260 The purpose of this is to bring Sark a step closer to achieving its desired outcome for children, as stated in the Securing Sark's Future document. The children of Sark are afforded the same or better protection than their counterparts in other parts of the developed world. As the Report before you states, the benefit of such for the jurisdiction is primarily that the child, whose welfare will be the first consideration of the court, will be adequately supported in his childhood and that consequently any reliance on welfare report is reduced.

1265 This piece of legislation is for the protection and the good of children. It is running in conjunction with Part II of the Children (Sark) Law and it is currently with the Law Officers in Guernsey.

Thank you.

1270 **The Speaker:** Any comments or questions on that?

**29. Code of Conduct for Officers of Chief Pleas –  
Policy and Performance Committee Information Report noted**

*To Consider an Information Report from the Policy & Performance Committee entitled 'Code of Conduct for Officers of Chief Pleas'.*

**The Speaker:** In that case, we move to Agenda Item 29, to consider an Information Report from the Policy and Performance Committee entitled 'Code of Conduct for Officers of Chief Pleas'.

Conseiller Jane Norwich.

1275

**Conseiller Elizabeth Norwich:** Thank you.

This is just an Information Report to advise Chief Pleas that we are moving on with the next piece of work. It is just the very beginning and consultation will take place.

1280

**The Speaker:** Thank you.  
Questions or comments?

**30. Resignation of Class 3 Teacher –  
Education Committee Information Report noted**

*To consider an Information Report from the Education Committee entitled 'Resignation of Class 3 Teacher'.*

**The Speaker:** In that case, we go to Item 30, to consider an Information Report from the Education Committee entitled 'Resignation of Class 3 Teacher'.

Conseiller Antony Dunks.

1285

**Conseiller Dunks:** The Report outlines what has happened. Miss Grey has tendered her resignation and will be leaving Sark at the end of August to move to a post in Penang, Malaysia.

I was to end the Report with the Committee to advertise the post and aim to be able to present a verbal update on the progress in recruiting a replacement at the meeting. I now can inform Chief Pleas that a letter was sent out to the parents this week:

1290

Following the recent resignation of Miss Amanda Grey, it was decided to seek to appoint a Class 3 teacher for the new year. Following interview, the Committee is pleased to be able to appoint Miss Pia Treitlein as the new Class 3 teacher on a one-year contract from September 2017. Pia is a very experienced teacher who has taught in a range of schools and across many year groups, including mixed-age classes. Her recent experience has been on the Falkland Islands.

She is currently on Sark right now and contracts will be signed as I speak. Any questions?

**The Speaker:** Are there any comments or questions?

**Ordinances Laid Before Chief Pleas –  
The Al-Qaida (Restrictive Measures) (Sark) (Amendment) Ordinance, 2017;  
The Cote d'Ivoire (Restrictive Measures) (Sark) (Repeal) Ordinance, 2017**

1295 **The Speaker:** In that case, we move to the Ordinances laid before Chief Pleas: the Al-Qaida (Restrictive Measures) (Sark) (Amendment) Ordinance, 2017; and the Cote d'Ivoire (Restrictive Measures) (Sark) (Repeal) Ordinance, 2017.

Thank you.

**Forthcoming Chief Pleas meeting dates**

1300 **The Speaker:** There are to be two extraordinary meetings of Chief Pleas in May: Wednesday the 17th at 1900, an extraordinary meeting to discuss the necessary legislation to alter the number of Conseillers that constitute Chief Pleas; and then on Wednesday, 31st May at midday, an extraordinary special meeting to elect a Deputy Speaker.

1305 The next statutory meeting will be the Midsummer Meeting to be held on Wednesday, 5th July. The closing date for Agenda Items and reports for the meeting is Wednesday, 7th June, with papers going out not later than Wednesday, 14th June. My apologies for absence from the Midsummer Meeting as I shall be following the British and Irish Lions in New Zealand.

Conseiller Reg Guille.

1310 **Conseiller Guille MBE:** Before we all disperse, sir, and close the meeting, I wonder if we could set a time, while we have everybody here, for a seminar with HM Procureur and what time would people like to start that.

**The Speaker:** Conseiller Maitland.

1315

**Conseiller Maitland:** I would have thought after lunch.

**The Speaker:** Time?

1320 **Conseiller Maitland:** At two o'clock in the boardroom, which is booked.

**The Speaker:** Okay, right. Sandwiches are available at the Island – *(Interjection)* Sorry? Conseiller Paul Williams.

1325 **Conseiller Paul Williams:** May I just ask, sir: you have said that the second extraordinary meeting would take possibly five or ten minutes ... You don't reckon? Who is shaking their head? You don't reckon?

**Conseiller Fry:** Oh, yes, it is the second. Yes, the election of the Deputy.

1330

**Conseiller Paul Williams:** Yes ... that it would be possible to waive the dress code just for that short time? Otherwise we have to go home, change, come to the meeting, then go away again and change. If we could just come in ordinary work clothes just for five minutes for that meeting.

1335

**The Speaker:** Well, I am going to make a ruling on this: you had better get dressed! *(Laughter)*

**A Member:** That's fine. That's standard!

1340

**The Speaker:** Right, sandwiches are available in the Island Hall for all Members of Chief Pleas and the guests in the public gallery, and also for those of us up here on the bench.

The meeting is closing at 11.54. Greffier, the Grace, please.

**PRAYER**

*The Greffier*

*Chief Pleas closed at 11.54 a.m.*