



OFFICIAL REPORT
OF THE
EXTRAORDINARY MEETING
OF CHIEF PLEAS
OF THE
ISLAND OF SARK

HANSARD

Assembly Room, Sark, Wednesday, 23rd August 2017

*All published Official Reports can be found on the
official Island of Sark Chief Pleas website www.gov.sark.gg*

Volume 3, No. 11

Present:

Deputy Seigneur

A Bache CMG JP Esq

Speaker of Chief Pleas

A J Rolfe Esq.

Deputy Prévôt

Mrs J Godwin

Greffier

Mr T J Hamon

Treasurer

Mrs W Kiernan FCA

His Excellency the Lieutenant Governor

Vice Admiral Sir Ian Corder KBE, CB

Conseillers:

Diane Baker

Edric Baker

Peter Byrne

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

Business transacted

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Extraordinary Meeting of Chief Pleas

Chief Pleas met at 7.00 p.m.

[THE SPEAKER *in the Chair*]

PRAYER

The Greffier

Filming of Chief Pleas

5 **The Speaker:** Before we start with the roll call I have actually said yes to a television crew who wish to take pictures up to that point when we ask them not to.

ROLL CALL

The Greffier

The Greffier: There are 23 Conseillers, the Deputy Seigneur and the Speaker of Chief Pleas present.

Welcome to the Lieutenant Governor and the Deputy Seigneur

10 **The Speaker:** May I welcome the Lieutenant Governor to our meeting and also the Deputy Seigneur.

Apologies for absence

The Speaker: Apologies received: there are none from Conseillers but I believe the two Constables are unable to attend this meeting.

Thanks to the Sark Fire Brigade and the Constables

15 **The Speaker:** We should, I think, place on record our thanks to the Sark Fire Brigade and the Constables. The fire fighters have worked through the night and today getting a gorse fire in the north of the Island under control.

Constables have also spent many night and day hours solving a case resulting in an arrest.

**Retirement of John Bougourd –
Statement by Conseiller Sandra Williams**

20 **The Speaker:** Statement by Conseiller Sandra Williams regarding the retirement of John Bougourd.

Conseiller Sandra Williams: Thank you very much.

25 John Bougourd started working for the Isle of Sark Shipping Company on 8th or 9th September 1972 as a deck hand on the *Ile de Serk*. After a month he moved to the *Dame* and shortly after took his skippers licence on the *Julie of Sark*, he then moved to the *L'Etoile* which replaced the *Dame* in autumn 1974. He finally moved to the *Bon Marin* in 1983, and as we all know is still there.

30 On Friday, 25th August he retires and there will be a small presentation on the Maseline Harbour at 11 a.m. Friday morning. You are all invited to join us. The Harbour Hill transport is operating and Keith will be at the top of the hill at 10 to 11 to take anybody wishing to go down on the bus.

The Harbours and Shipping would like on behalf of us and the residents of Sark to thank John Bougourd for his dedication and hard work for over four decades and wish him a very happy retirement.

35

Members: Hear, hear.

**Procedural –
Electronic devices**

The Speaker: Thank you.

40 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 for Chief Pleas Members in accordance with Rule 16.

Business of the Day

**1. Extraordinary (Special) Meeting, 31st May 2017 –
No matters arising**

Matters arising from the Extraordinary (Special) Meeting held on 31st May 2017.

The Speaker: We go to Agenda Item 1, Matters arising from the Extraordinary (Special) Meeting held on 31st May 2017.

Are there any matters arising?

**2. Extraordinary Meeting, 22nd June 2017 –
No matters arising**

Matters arising from the Extraordinary Meeting held on 22nd June 2017.

The Speaker: We will move on to Agenda Item 2, matters arising from the Extraordinary Meeting of Chief Pleas held on Thursday, 22nd June.

Are there any matters arising from that one? Okay, thank you.

**3. Reduction in Number of Conseillers –
Policy and Performance Committee Report considered –
Proposition carried**

To consider a Report with Proposition from the Policy & Performance Committee entitled 'Reduction in Number of Conseillers'.

Proposition:

That Chief Pleas approves the reduction of Conseillers, being the elected Membership of Chief Pleas, from a maximum of twenty-eight (28) to a reduced maximum of twenty-four (24) effective from the Michaelmas Meeting and that Chief Pleas direct the Policy and Performance Committee to request the Law Officers of the Crown to draft the necessary Ordinance to give effect to this Proposition

The Speaker: Agenda Item 3, to consider a Report with Proposition from the Policy & Performance Committee entitled 'Reduction in Number of Conseillers'.

May I call Conseiller Reg Guille to introduce the Report.

50

Conseiller Guille MBE: The Report speaks for itself and I shall not go through it again. However, I am happy to answer any questions that you might have, but before I do so I would remind you that I circulated the draft Ordinance to you by email today. I am sorry it came quite so late. I thought I had sent it out about three days ago, but did not.

55

That draft Ordinance is the document which would formally reduce the number of Conseillers from 28 to 24, effective from the moment the Ordinance is approved. And whilst you have seen the draft Ordinance, it does not form part of the Chief Pleas papers for this meeting as it was drafted after the closing date for submission of papers. However, should you approve the Proposition in this Report the draft Ordinance will be submitted to the Michaelmas Meeting for approval and take immediate effect upon that approval.

60

If you approve the Proposition tonight then there will need to be a small consequential amendment made to the Projet de Loi that forms part of the next report, in that that current Projet says to reduce from 28 to 18 when, of course, it will reduce from 24 to 18 as part of the transitional arrangements.

65

But other than that, I will take questions if there are any.

The Speaker: Are there any questions or comments from the floor?
Conseiller Sebastien Moerman.

70

Conseiller Moerman: Sir, I support Conseiller Guille's Proposition.

I just have one question: at one of our last meetings he stated that reduction to a maximum number of 24 Conseillers would mean that we would not have to hold a by-election to try and build up to 28.

Is he sure that 24 Conseillers would not trigger a by-election?

75 Thank you.

The Speaker: Conseiller Reg Guille.

80 **Conseiller Guille MBE:** We currently have vacancies for 28 Conseillers. If at Michaelmas we move to 24, which is what the Proposition is recommending, then we do not have to have a by-election to try and fill those four vacancies. However, if anybody retires then the normal rules will apply whereby if one person retires as a Conseiller you do not hold an election, if two retire you can, if three retire you must. So that will remain in force, but we would not be looking to fill the four current vacancies 24 to 28.

85

The Speaker: Thank you.
That is, of course, in the Reform Law.

Conseiller Guille MBE: Yes.

90

The Speaker: Anybody else?

In that case we will move to the Proposition that Chief Pleas approves the reduction of Conseillers, being the elected Membership of Chief Pleas, from a maximum of 28 to a reduced maximum of 24 effective from the Michaelmas Meeting and that Chief Pleas direct the Policy & Performance Committee to request the Law Officers of the Crown to draft the necessary Ordinance to give effect to this Proposition. All those in favour; any against?

95

Conseiller Steve Taylor, your hand went up.

Conseiller Taylor: I did, in favour.

100

The Speaker: Oh good! *(Laughter)* That is **carried**.

4. Amendments to the Reform (Sark) Law 2008 – Policy and Performance Committee Report considered – Proposition carried

To consider a Report with Proposition (and Draft Projet), ‘Amendments to the Reform (Sark) Law 2008’ from the Policy & Performance Committee.

Proposition:

That Chief Pleas notes the contents of this Report and the attached draft Projet de Loi “The Reform (Sark) (Amendment) Law 2017” and direct the Policy and Performance Committee to request the Law Officers to finalise the draft Projet for submission for approval to the Michaelmas meeting of the Chief Pleas 2017.

The Speaker: Agenda Item 4, to consider a Report with Proposition and draft Projet, ‘Amendments to the Reform (Sark) Law 2008’ from the Policy & Performance Committee.

Conseiller Jane Norwich to introduce the Report.

105

Conseiller Elizabeth Norwich: The Report, which was written with the help of the Law Officers, sets out clearly where we are.

110 We have done the research, we have debated and Chief Pleas amended the Proposition. We have done what we were asked to do and want the Law Officers to prepare the legislation and the draft is here for you to consider.

I hope that you all vote that we progress to the next and final stage in this important piece of legislation for Sark.

The Speaker: Thank you.

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

Conseiller Guille MBE: It is not a question. I am entirely content with the Report and attached draft Projet de Loi and believe it accurately reflects the decisions taken at the Midsummer Meeting. I shall be supporting the Proposition.

120

The Speaker: Is there anybody else? In that case we will move to the Proposition ... Sorry?

A Member: Mr Raymond.

125 **The Speaker:** Conseiller William Raymond.

Conseiller Raymond: Yes, sir.

130 It is just that I am becoming increasingly concerned, as we look at these proposals, at the cost of replacing what Conseillers are presently doing. At the moment we are voting to reduce numbers and we anticipate that we will be recruiting people as paid servants to work in the office.

I am concerned about that because none of this has been costed. We do not yet know what the expense is going to be and what effect it is going to have on the Sark taxpayer, and they are the people who trust us with managing their finances.

135 We ought to know before we pass legislation or we go down a particular path what it is going to cost. There is talk about being a more professional administration. Well, I have been a member of a profession for 50-odd years and I find the present system here extremely difficult to work with and I am very disillusioned.

140 So where you are going to find these people I do not know, what you are going to have to pay them I do not know, but I do suggest that we ought to have more information before this goes too much further.

Thank you, sir.

The Speaker: Thank you.

145 Does anybody else wish to contribute? Conseiller Rob Cottle.

Conseiller Cottle: Thank you.

150 I did not intend to say anything, but in response to what Conseiller Raymond has just said the costings are in the process of being worked out and initial costings, which were based on what came to the last Chief Pleas at Midsummer, have been circulated to Conseillers and these will all be in the public domain for Michaelmas so that they can all be taken into account when the Budget is also being debated. So at that point everything will be known as far as can be provided. We are offering the costs for whatever proposals are brought before us at Michaelmas and we can decide from an informed decision at that point.

155 Thank you.

The Speaker: Thank you.

Is there anybody else? Conseiller Edric Baker.

160 **Conseiller Edric Baker:** Yes, sir, I would like to say that I support Conseiller Raymond's concerns. I do have these concerns and I believe the taxpayers of this Island should be consulted before any changes are brought in.

Thank you.

165 **The Speaker:** Anybody else?

In that case we will move to the Proposition that Chief Pleas notes the contents of this Report and the attached Projet de Loi, 'The Reform (Sark) (Amendment) Law 2017', and direct the Policy & Performance Committee to request the Law Officers to finalise the draft Projet for submission for approval to the Michaelmas Meeting of the Chief Pleas 2017. Those in favour;
170 any against? That is carried by ... not completely carried, but it is **carried**.

Thank you.

5. The New Shape of Chief Pleas and The Establishment Review – Policy and Performance Committee Report considered – Proposition lost

To consider a Report with Proposition from the Policy & Performance Committee entitled 'The New Shape of Chief Pleas and The Establishment Review'.

Proposition:

That Chief Pleas directs the Chairman of each of the 10 Committees of Chief Pleas to instruct their respective public servants, to identify the administrative tasks to be delegated to public servants under the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991, for their Committees to decide and report back via the Establishment Review, the conclusion of that work at Christmas Chief Pleas in January 2018.

175 **The Speaker:** We go to Agenda Item 5, to consider a Report with Proposition from the Policy & Performance Committee entitled 'The New Shape of Chief Pleas and The Establishment Review'.

Conseiller Jane Norwich to introduce the Report.

Conseiller Maitland: Actually I am doing this.

180 **The Speaker:** Oh, are you! *(Laughter)*

Conseiller Maitland: I think you will find my name is –

185 **The Speaker:** Well I am sure everybody is thrilled at that! *(Laughter)*
Conseiller Charles Maitland.

Conseiller Maitland: I think some of what we have discovered from the work that is contained in this Report may answer Conseiller Raymond's concerns, to some extent.

190 At our Midsummer Meeting it was agreed that we would reduce the number of Conseillers to 18 by the time of the next election in December of next year. The Good Governance PDT had earlier undertaken a consultation to find out what would encourage more potential Conseillers to stand for election. One of the strong messages that came back was for a more professional Government coupled with a reduction in the number of Conseillers. The two go hand in hand and the purpose of this paper is to find out from each committee what work can be delegated to

195 pay the public servants under the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991.

We shall then be able to identify what further professional and skilled support will be needed to support the work of the Government and work out an outline of the costs involved.

I would urge Conseillers to support this work.

200

The Speaker: Thank you.

Are there any questions or comments from the floor? I have got Conseillers Sebastien Moerman –

205

Conseiller Moerman: I am sorry, if I may, this is not really a question but more some general observation and views about the Report –

The Speaker: Can I just take down the names of the other people who had their hands up.

I will call them in this order, Conseiller Edric Baker and somebody else ... Conseiller Paul Williams. Is there anybody else?

210

Okay, Conseiller Sebastien Moerman.

Conseiller Moerman: I was about to say this is not really a question, more some general observations and views about the Report tabled before us today.

215

This Report goes in the right direction indeed, although it would have been appreciated to have sight of a financial analysis backing up this Report. This point was previously raised in the House at the Midsummer Chief Pleas by Conseiller Raymond and myself. He has also made a comment again today. But I assume we have all the legendary reserves that shall pay for everything.

220

The total number of Conseillers is now to be 18 instead of 14 and I am not sure that this proposal is good enough. It sounds to me like salami planning which will not achieve the top objective which is to have a contested election and we will waste some valuable time and resources.

225

Although I appreciate the democratic process, that I fully support, I am personally more concerned in having a system of government that works efficiently and with high professional standards in a modern environment. We are no longer in 1565 and it is time to move forward in the real world.

You will note that change is recommended. Responses to the consultation, stated in this Report, included:

230

- The need for a proper executive system
- A change in the mechanism of government
- Change structure
- Change current method of work
- Increased professional assistance
- Professional input
- Operational work being carried out by paid employees ...

I am in agreement with this, provided it is costed. What we need is a ministerial government combined with a scrutiny system. I am not inventing anything new here, Jersey did this in 2000.

235

I am particularly concerned that our two policy committees, Policy & Performance and Finance & Resource are likely to lose several key members by the end of the year, F&R is already there. Now it is time to make real adjustment and an in-depth review of the operation of Government as opposed to only reducing the number of Conseillers to 18. And, of course, we must also engage with all stakeholders and the private sector to develop an economic plan to make Sark attractive as we are going to pay for all of this.

Thank you.

240 **The Speaker:** Thank you.
Conseiller Edric Baker.

Conseiller Edric Baker: Yes, sir.

245 I must start by saying figures that are constantly being quoted – starting with section 3:
£4,700 underspent, when we all know there is another person in the office, which makes the
true sum £26,000 overspent. Of course, it is the old adage if you keep on saying things long
enough then people will believe you.

Then we have the consultation before Midsummer Chief Pleas. P&P have stated, and that
again is in section 3:

250 What respondents said in summary is –

And this is where Conseiller Moerman has said the seven bullet points. Actually, that is a
summary, or it is supposed to be a summary – this is sheer spin.

- The need for a proper executive system
- A change in the mechanism of government
- Change structure
- Change current method of work
- Increased professional assistance

255 And so on and so on. I have the Report here, that was the first item on the Report, 27 people
said that. Personal issues including family health and age, 26 people, it is an absolute nonsense
to quote those other figures. In fact, there was only 20% of the population that responded to
this consultation.

260 Thank you, sir.

The Speaker: Thank you, Conseiller Baker.
Conseiller Paul Williams.

265 **Conseiller Paul Williams:** Sir, if I can agree with the observations Conseiller Raymond made
earlier and I certainly will not be voting for this in this form. I think it is another back door way of
manipulating Chief Pleas in a certain direction.

If this goes through, where next? Let's reduce the Committees even further because these
additional paid civil servants will be doing all the work and then the Conseillers have nothing to
do – let's reduce them as well. And so it goes on and on and on, as Conseiller Baker has just
stated.

And I would like a named vote on it, please.

275 **The Speaker:** Okay, thank you.
Does anybody else wish to make a comment, to contribute? Conseiller Reg Guille.

Conseiller Guille MBE: As you all know, I argued quite strongly against the reduction to 12
and suggested it would change Sark much more than I think any other reform that we have done
since 2008.

280 **The Speaker:** Conseiller, you mean 14, don't you?

Conseiller Guille MBE: What did I say?

285 **The Speaker:** Twelve.

Conseiller Guille MBE: That was an error, it was 14.

The Speaker: Thank you.

290

Conseiller Guille MBE: I argued against the reduction to 14. However, the eventual outcome was to go to 18 but to continue the same process of the Civil Service increasingly providing more and more information to smaller and smaller numbers of Conseillers.

295 I lost that argument; I accept democratically I lost that argument. I think people voted the way they did possibly because it was to note for future reports. I am not sure many people expected the future report to come back within days at the beginning of August.

Having said all that, the Report, I believe, reflects what Chief Pleas agreed to at Midsummer Meeting and I shall be supporting the Proposition – reluctantly, but I will be supporting it.

300 **The Speaker:** Thank you.

Is there anybody else? In that case we will go to the Proposition, and a named vote has been asked for, that Chief Pleas directs the Chairman of each of the 10 Committees of Chief Pleas to instruct their respective public servants to identify the administrative tasks to be delegated to public servants under the Public Functions (Transfer and Performance) (Bailiwick of Guernsey) Law, 1991, for their Committees to decide and report back via the Establishment Review, the
305 conclusion of that work at Christmas Chief Pleas in January 2018.

Conseiller Edric Baker: Sorry, sir. You said ‘instruct’. The word is ‘direct’.

310 **The Speaker:** I accept that.

Conseiller Edric Baker: Thank you.

315 **The Speaker:** Actually, to be honest with you, I think the first word is that Chief Pleas directs the Chairman of each of the 10 Committees of Chief Pleas to *instruct* their respective public servants. I do not know if the proposer of the Proposition wishes to change to that because I think in its original wording that seems reasonable to me.

Chief Pleas directs Committees, as it says in the wording. The Committees can instruct their public servants.

320 **Conseiller Edric Baker:** do you still –

Conseiller Edric Baker: I do not like the word ‘direct’. *(Laughter)* It is far too wide.

325 **The Speaker:** I am happy to just call a recess while the Committee itself actually discuss this and whether they want to change the wording of the Proposition if you so wish. I am getting noes all round.

I think Members of Policy & Performance are actually shaking their heads at that, Conseiller Baker, so I will have to put the Proposition as it is, as I have just read it, okay.

There was a named vote.

Carried – Pour 11, Contre 12

POUR

Conseiller Charles Maitland
Conseiller Elizabeth Norwich
Conseiller Dr Roger Norwich
Conseiller Stephen Taylor
Conseiller Robert Cottle
Conseiller Antony Dunks
Conseiller Hazel Fry
Conseiller Reginald Guille MBE
Conseiller Sebastien Moerman
Conseiller Anthony Ventress
Conseiller Pauline Mallinson

CONTRE

Conseiller Diane Baker
Conseiller Edric Baker
Conseiller Peter Byrne
Conseiller Nicolas Moloney
Conseiller Helen Plummer
Conseiller William Raymond
Conseiller Alan Blythe
Conseiller Peter La Trobe-Bateman
Conseiller Christopher Nightingale
Conseiller Cormac Scott
Conseiller Paul Williams
Conseiller Sandra Williams

330 **The Speaker:** That is **lost** with 11 votes *pour* and 12 *contre*.

**6. Appointing an Independent Commissioner as defined in
The Control of Electricity Prices (Sark) Law, 2016 –
Policy and Performance Committee Report considered –
Proposition carried**

To consider a Report with Proposition from the Policy & Performance Committee entitled 'Appointing an Independent Commissioner as defined in The Control of Electricity Prices (Sark) Law, 2016'.

Proposition:

That Chief Pleas approves the sum of £13,000 as unforeseen expenditure, to fund work, in 2017, of a Commissioner as defined in the Control of Electricity Prices (Sark) Law 2016.

The Speaker: We go to Agenda Item 6, to consider a Report with Proposition from the Policy & Performance Committee entitled 'Appointing an Independent Commissioner as defined in The Control of Electricity Prices (Sark) Law, 2016'.

I understand that Conseiller Hazel Fry will introduce the Report.
Conseiller Hazel Fry.

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

This Report is self-explanatory. We are pleased that the process is moving forward smoothly. I understand there have been three applicants for the role of Commissioner as set out in The Control of Electricity Prices (Sark) Law, 2016.

340 There is one small change in the timeline of the Report. The interviews are now to take place in Guernsey on 31st August, not the 30th. The date has been moved to accommodate the panel and the candidates. All three applicants have been invited for interview.

The Appointments Panel is set out in the Report: an independent lawyer, as recommended by the Batonnier, Simon Howitt; the Senior Executive of the Channel Islands Competition and Regulatory Authority, Michael Byrne; and our Senior Administrator, Kath Jones.

345 The reason we are asking for £13,000 now from unforeseen expenditure to fund the work of the Commissioner is, happily, because the Law received Royal Sanction sooner than anticipated.

The Treasurer has suggested we also use £2,000 from Policy & Performance budget for professional fees. Obviously, this £15,000 will not now be requested from the 2018 Budget.

Thank you.

350

The Speaker: Okay.

Just one quick comment, Conseiller Fry, which does not really need an answer, but, of course, as you know, under the Reform Law we have to get His Excellency's approval of any money (**Conseiller Fry:** Yes.) that is not ... The timeline obviously is exceedingly tight to do that because normally the President, and now me as Speaker, would actually send this request off with *Hansard*, so we would miss all the dates you have got in your Report, but I will be writing to the Lieutenant Governor with your request.

355

Conseiller Fry: Yes, I only heard the change of date this morning.

360

The Speaker: Okay.

Are there any questions or comments? Conseiller Reg Guille.

Conseiller Guille MBE: I am content with this Report, and believe it reflects the decisions taken at previous Chief Pleas meetings. I shall be supporting the Proposition.

365

However, with the unwelcome news of a price hike of 5p a unit to 69p effective from our January bills, blamed entirely on Chief Pleas by the supplier in this letter dated 2017 to his customers, I believe that the Commissioner may struggle to gain much of a reduction for us for users of the electricity supply. I would therefore, in the interests of his company and his customers, urge the Director of the company to co-operate with the appointed Commissioner in order that his company and customers may benefit from this regulatory law which is now in force.

370

The Speaker: Thank you.

Are there any other contributions from the floor? Conseiller Roger Norwich.

375

Conseiller Dr Roger Norwich: I would tend to agree with Conseiller Guille.

However, I think we should also consider the fact that pressures on price may come from areas other than purely the Commissioner and that we will soon, I believe, be looking at genuine competition in the supply of electricity on the Island at a very much lower price than is currently available. I think we should consider the fact that this is an area which will change, and quickly, on the Island.

380

The Speaker: Thank you.

Is there anybody else? In that case we will move to the Proposition that Chief Pleas approves the sum of £13,000 as unforeseen expenditure, to fund work, in 2017, of a Commissioner as defined in the Control of Electricity Prices (Sark) Law, 2016. Those in favour; any against? That is **carried**.

385

**7. Review into the Provision of Education for Sark –
Policy and Performance Committee Report considered –
Proposition carried**

To consider a Report with Proposition from the Policy & Performance Committee entitled 'Review into the Provision of Education for Sark.'

Proposition:

That Chief Pleas approves the appointment of the Reach2 Reviewer working with the Oasis Reviewer to carry out a review into the provision of Education for Sark as set out in the Terms of Reference and approve unforeseen expenditure of up to £17,500

390 **The Speaker:** We go to Agenda Item 7, to consider a Report with Proposition from the Policy & Performance Committee entitled 'Review into the Provision of Education for Sark'.

It has been put to me from a Conseiller who studies things rather more closely than I apparently do that under the Rules of Procedure the Conseiller introducing this Report should be described in the Report as a 'temporary Member' rather than a 'co-opted Member' of the Policy & Performance Committee, so I shall ask Conseiller Pauline Mallinson, temporary Member of the P&P, to introduce the Report.

Conseiller Mallinson: Can I just say, please, sir, it is actually a report with a Proposition, not an information report.

400 **The Speaker:** Yes, you are right.

Conseiller Mallinson: What this Report is seeking is Chief Pleas approval and funding to proceed with an independent review of the provision of education for Sark.

405 You will see from the terms of reference with the agenda that the review proposes to look wider than just the school itself and to cover all stages of education, looking at what should be provided and how that can best be provided within the financial and other constraints that Sark has.

After discussions with a number of bodies we are proposing that we use the reviewers that the Department for Education in the UK recommended to us, Reach2, supported by another organisation, Oasis, as detailed in the Report.

410 I have been made aware by some Conseillers, and also a member of the public who is an ex-Conseiller, that they feel that the budget is too expensive. If that is a general feeling I am more than happy to discuss how it was arrived at and why and I am also happy to respond to any other questions.

415 But I just wanted to clarify one point in the Report, which I think is perhaps not totally clear. The Report talks about the visit of the reviewers to Sark and that they would need to be on Sark for seven to 10 days. This is not the entire time that the reviewers are going to be working on this review. They anticipate that about half the time that they will need to spend will be the time that they spend on Sark. The reason for making that a longer time than perhaps just coming in and doing a very short review, such as an inspection review would be, is to make sure that there is ample opportunity for the public to meet the reviewers individually, in groups, however they would like to, and let the reviewers understand the concerns and the issues that there are on Sark. But, as I say, the anticipation is that that is only about half the total time.

420 They will also need to research, produce recommendations, a draft report, and then there is an anticipation that it is likely that after we have had an opportunity through the PDG to review that draft we will need to go back to them and raise the issues, discuss it with them.

So I am sorry if that point was not completely clear.

But, as I say, I am very happy to take any other questions that anybody may have.

430 **The Speaker:** Right, are there any questions or comments from the floor?
Conseiller Sebastien Moerman.

Conseiller Moerman: I will be voting against this Proposition for several reasons.

435 First of all, the unforeseen expenditure; so I guess reserves again. I would have wished to see actually two Propositions because I do not have a particular problem with the terms of

reference; I feel they are perfectly adequate. I am more concerned about those two or should I say comprehensive organisations and also that budget of £17,500.

Thank you.

440 **The Speaker:** Thank you.

Is there anybody else? I have seen Conseiller Rob Cottle, Conseiller Charles Maitland and Conseiller Diane Baker. I will call Conseiller Rob Cottle first.

Conseiller Cottle: Thank you.

445 This review has been recognised as being essential for the future of the Island and the provision of education that we need to make for Sark for the future, and for the future of the children of Sark and the wider population of Sark. Education is essential for the sustainability of the Island.

450 Having recognised that we need a review, and it was welcomed when it was recognised, we have now come up with proper people to do the job and realistic costs for them. If we want cheap then we are not going to get a proper review.

455 As I have brought up before, in the past we have underspent our budget every year, we have raised money and then failed to spend it, and we did the same again last year. We raised £102,000 more than we spent and to be quibbling about money that will provide us with a real document to guide us for the future because we are saying it may come out of reserves when we have raised it through taxes that we have managed not to spend for various reasons, I do not think is a good reason to reject this.

Thank you.

460 **The Speaker:** Conseiller Charles Maitland.

Conseiller Maitland: I would like to commend Conseiller Mallinson for all her work on this. As a new Conseiller she has really put her heart and soul into it.

465 Also, look at the cost of running the school each year. Over five years we will be spending a million pounds at the present rate, and £17,000 to actually see what we are doing and whether we are doing enough, too much, is a very vital part of the Government's work and it cannot be put to one side merely because of cost.

The Speaker: Thank you.

470 Conseiller Diane Baker.

Conseiller Diane Baker: The review into education on Sark was a subject I supported but, I have to say, I did not expect such a cost to be attached to it.

475 I hesitate to complain and appear penny pinching but three people over the course of seven to 10 days seems excessive. I would like to support this review but I must ask if there is a way to reduce the cost without damaging the process.

480 The terms of reference are wide reaching and maybe we could narrow them down. The problem then is that many parents expect or hope for more than is supplied by the Government of Sark. I believe education on Sark has continued to improve over the years but the problem on Sark for any subject is that the taxpayer must pay and we are few in numbers by comparison to most communities.

485 Each of us will have a view on education and the review is in place to voice your opinion, but I would like to draw attention to an email we all received from someone who has been a head teacher and very much involved in education elsewhere as well as having a great deal to do with education on Sark. It is suggested that validation reports should have been included in the terms of reference. I believe all paperwork concerning the school will be available and if anyone wishes

to speak to the reviewers they will have the opportunity. Surely that is what we all expected. What would be the point of a review without the reviewers being made fully aware?

490 The paper goes on to make good points and relevant points but this is not the time for me to make my view or anyone else's view on education known. For now it is do we want a review? My answer would be yes, but at an approximate cost of £17,500 I am not sure.

Can I ask the PDT when they are looking at this as things move on if there is any way the cost can be cut without damaging the review?

495 **The Speaker:** Before I invite Conseiller Pauline Mallinson to answer any points is there anybody else who wishes to raise an issue?
Conseiller Reg Guille.

500 **Conseiller Guille MBE:** I would like to echo Conseiller Maitland's words and congratulate Conseiller Mallinson for the speedy way that she has implemented the review into education for Sark.

I hope that the reviewers will think outside the box and not just concentrate on the current Sark school and tinker with that. Otherwise, as was said, it is just another review of the school.

505 It should be a radical review to see where and how our children should be educated and must be done in conjunction with the parents of school age children and include those young adults just embarking on family life. They are the future of Sark; they are the future who will bring children into the education system.

510 The review may well lead to an increased cost to the taxpayer in order to provide the best place or system to educate our children in the future. Might it be that all secondary age children will be educated off Sark in an arrangement with Guernsey education providers, be it state or private schools or to similar establishments in the United Kingdom? If that were to be the recommendation, how would this be received by the parents of our children – that from a certain date their children will leave Sark for education elsewhere, because no secondary provision will be provided on Island? Would that sort of scenario encourage our young families
515 to stay on Sark, especially if the system was fully funded, or would they still leave to set up a family home elsewhere, near to a school of their choice? Should we encourage all children to go away to board and fully fund their education, expanding on the way that many parents currently self-fund their children's education, which is difficult or impossible for some to fund, and gives them no other option but to have their children educated on Sark?

520 I was contacted by a member of the electorate late last evening raising with me concerns as to the single Proposition, which they felt should be split into two, and other issues. They were saying much the same thing that Conseiller Moerman has said, that it would have been better in his opinion for there to have been two Propositions, their idea being to take the first Proposition to approve the review and the terms of reference and then a second proposition to approve the reviewer and the expenditure. I also understand from the caller that they had spoken with
525 Conseiller Mallinson raising their concerns about the reviewers, and I would ask Conseiller Mallinson to elaborate on that aspect in her summing up. The caller felt that these were 'inner-city' reviewers and it may have been appropriate for rural or Scottish Islands reviewers to be appointed and at a lower remuneration, which the caller felt to be excessive.

530 On a personal note, I was wholly educated on Sark. I passed my 11-plus but my parents could not afford to send me to the Grammar School in Guernsey so I remained here. I left school the term that I reached the age of 14. I joined the army at 15 and received further education until I was 17 and a half. Later, I took adult evening classes to improve my educational qualifications. Full-time education provision on Sark is not bad. It much depends on the aspirations of the child,
535 the quality of the teachers and the ability of the parents or the taxpayer to fund those aspirations. And I would like to hear what others have to say before deciding to support the Proposition or any amended Propositions.

Thank you.

The Speaker: Thank you.

540 Is there anybody else? Conseiller Edric Baker.

Conseiller Edric Baker: Yes, sir.

I listened with interest to all the speakers, particularly Conseiller Cottle, and I came here this evening with a set view that I would vote against this Proposition, based simply on the amount
545 of money it was going to cost.

I have changed my mind and I will support the Proposition.

The Speaker: Anybody else?

550 In that case, Conseiller Pauline Mallinson, would you like to say some summing up words?

Conseiller Mallinson: Thank you all for your input and comments.

A number of issues there which I think underline the fact that this piece of work is very wide ranging and very important to us.

To take specifically the comment from Conseiller Guille about the suitability of the reviewers,
555 I think that the Department for Education has recommended these reviewers not specifically because of where in the UK they are based but because of the breadth of experience that they have within their teams because we are not employing single individuals to do this review, we are deliberately using organisations that have a range of different skills and experiences available to them and I am happy to trust the judgement of the director that we spoke to of the
560 Department for Education that they do have the appropriate experience for us.

In terms of thinking outside the box, one of the reasons for the third person that they are recommending to involve in the team, who is ... my brain has gone very soft, I am sorry! Ross ...

A Member: Ross Hall.

565

Conseiller Mallinson: Ross Hall – I am so sorry – is that his experience includes international education of different types. He has worked with the Open University, which obviously has some interesting concepts in the light of Sark and remote learning and different things. He has also worked with an examining body so he has some very relevant experience, I think, to bring in
570 terms of challenging perhaps narrower ways of thinking and, as Conseiller Guille said, thinking outside the box.

In terms of the cost, we are talking about very experienced people. We are talking about quite a large number of days of work. If we wanted to reduce that cost, I think there are two ways we can do it. We can look at the expenses element and that £2,500 is allowing for air fares
575 and accommodation, and yes, there are different ways of approaching that. At the moment we do not actually know from which airport the reviewers will be travelling, so I have tried to be conservative in the budget I have put together there and I would hope that we can do better than that.

In terms of the actual fees element of the budget of £15,000, when I spoke to the Chief Executive of Reach2 he did say that they were, in his experience, very wide ranging terms of
580 reference. I think the only way that we could reduce that cost would be to narrow those terms of reference. If that is something that Chief Pleas wishes us to do, we will certainly do that. The only thing I would say is that if we do that and we need to bring the terms of reference back at Michaelmas, then we are going to delay the whole process and we have been asked by the school to try and make sure that any conclusions are available to them by April next year so that
585 they can make a decision about the contract teacher that they are currently taking on on a one-year contract and I would be concerned that a delay is going to make it difficult to achieve that.

The Speaker: Thank you.

590 In that case we will move to the Proposition that Chief Pleas approves the appointment of the Reach2 reviewer working with the Oasis reviewer to carry out a review into the provision of education for Sark as set out in the terms of reference and approve unforeseen expenditure of up to £17,500. Those in favour; those against? That is **carried**.

**8. Island Burial Grounds –
Douzaine Report considered –
Proposition carried**

To consider a Report with Proposition from the Douzaine entitled 'Island Burial Grounds'.

Proposition:

That Chief Pleas authorises the Douzaine to make charges for the use of the Island Burial Grounds, with effect from the date of this Resolution, as follows:

Grave sites – £200

Space of burial of ashes – £50

595 **The Speaker:** We go to Agenda Item 8, to consider a Report with Proposition from the Douzaine entitled 'Island Burial Grounds'.
Conseiller Edric Baker.

Conseiller Edric Baker: Thank you, sir.

600 I think the short Report is quite self-explanatory but I would like to add to it some figures that might be useful.

The cost of maintaining the graveyards for the last three years was approximately £3,000 a year. The grave digging can vary from grave to grave, it could be £190 or as much as £240, and funeral costs in Sark have risen to over £1,500, so the Douzaine felt that a moderate charge of
605 £200 per grave would be quite reasonable.

Thank you, sir.

The Speaker: Thank you.

610 Are there any questions or comments? I can see Conseiller Helen Plummer, Conseiller Charles Maitland, anybody else? Conseiller Reg Guille and Conseiller Roger Norwich.
Conseiller Helen Plummer.

Conseiller Plummer: Thank you, sir.

615 I would like to know – can I ask, the grave sites of £200, what if the grave has already ... and you are adding, you are putting in another member of family into that, what price would that be if it is not a new grave?

The Speaker: I will come back to you to mop this one up, okay.

620 Conseiller Charles Maitland.

Conseiller Maitland: I was just wondering what the charges are before this – present charges, or aren't there any charges at all?

The Speaker: Okay.

625 Conseiller Reg Guille.

Conseiller Guille MBE: I have a real problem with the idea of starting to charge residents for burial plots. This does not come as a surprise to Conseiller Baker because we spoke last night on the telephone for quite a long time.

630

The Speaker: You are not going to declare an interest are you? (*Laughter*)

Conseiller Guille MBE: Not just yet I hope!

635

I have no issue with charging anyone with a Sark connection but living elsewhere who wishes their body to be buried or ashes interred in our cemeteries and charging them the same rate that would apply in the area that they are resident. In other words, we should not become a cheap dumping ground for bodies from elsewhere.

640

The upkeep of the cemeteries has always fallen on the public purse and if we start charging residents for this, where will it end? What if not enough people die in any one year? How will we encourage greater take up to reduce our taxpayer costs? (*Laughter*)

645

I would like to ask the Douzaine to tell us what the maintenance costs for 2016 were, and I think Conseiller Baker made a figure, and tell us how much those costs would have been reduced by the burials or ashes interment that took place in 2016, as a snapshot for us. I do not know if he can provide those figures tonight.

I probably shall not support the Proposition today as we have no figures to go on in the Report, but with more information such as maintenance costs over the past five years and to see how these would have been reduced if the charging had been in effect over that period we could then see how much of a benefit there is going to be.

650

But it is like VAT, it started off very low in England and we are up to 20%, so we might start off with very modest increases now but who is to say that in 10 years' time, in order to increase the revenue for the public purse, we start putting the charges up more and more.

With a reworked and expanded report giving us more details on the finances I might well support a move to this direction in the future.

Thank you.

655

The Speaker: Thank you.
Conseiller Roger Norwich.

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Conseiller Dr Roger Norwich: Some of the points I had wished to make have already been made by Conseiller Guille. I would just ask Conseiller Baker if any other aspects have been considered with regard to fundraising which would avoid having to die in order to contribute to the fund? (*Laughter*) And perhaps they should consider Viking burials if the funds are very low and cannot be afforded by the Island as a generality.

665

The Speaker: Thank you.
Is there anybody else? In that case, Conseiller Edric Baker.

670

Conseiller Edric Baker: I think the easiest way would be to start with the last speaker first. No, there have not been any other schemes thought of or considered.

Conseiller Guille's points: normally there are about three burials a year. The idea of charging this moderate sum was not to actually make money for the Island but in a way was so that we could deter people from being buried at all, (*Laughter*) I think we would encourage cremation because we have got limited spaces. We are always looking at new burial sites and there has been an area of land earmarked for that but we will run out of land, it is a small Island.

675

The cost, as I said, is approximately £3,000 a year and that has not varied for the last five years. It is between £2,500 and £3,000 a year.

The point that Conseiller Maitland made: no there has not been any charge at all for burials in Sark.

680 And Conseiller Plummer's: we considered that simply opening a grave would receive that charge regardless if anybody was in there already.

Thank you.

685 **The Speaker:** We will move to the Proposition that Chief Pleas authorises the Douzaine to make charges for the use of the Island burial grounds, with effect from the date of this Resolution, as follows: Grave sites – £200, space for burial of ashes. Those in favour; those against? That is **carried** by a substantial majority.

That concludes the business. The time is eight o'clock and I am closing the meeting.

PRAYER

The Greffier

Chief Pleas closed at 8 p.m.