



**OFFICIAL REPORT**

**OF THE**

**MICHAELMAS MEETING**

**OF CHIEF PLEAS**

**OF THE**

**ISLAND OF SARK**

**HANSARD**

**Assembly Room, Sark, Wednesday, 4th October 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. 12**

**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

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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MICHAELMAS MEETING OF CHIEF PLEAS, WEDNESDAY, 4th OCTOBER 2017

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## Michaelmas 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 23 Conseillers, the Seigneur and the Speaker of Chief Pleas present.

### **Welcome to the Lieutenant Governor**

**The Speaker:** May I, first of all, welcome the Lieutenant Governor to our meeting.

### **Apologies for absence**

5

**The Speaker:** Apologies have been received from Conseiller Hazel Fry, who you will all be aware is not present because she was involved in a car accident in Ireland, and I would just like to place on record our best wishes to her and that she makes a speedy recovery.

10

**Conseillers:** Hear, hear.

### **Approval for unbudgeted expenditure**

**The Speaker:** I wrote to His Excellency immediately after the Extraordinary Meeting of the Chief Pleas on Wednesday 23rd August, requesting approval for two items of unbudgeted expenditure.

15

I received His Excellency's approval, dated 25th August, for the expenditure of £13,000 to fund the work of a Commissioner as defined in the Control of Electricity Prices (Sark) Law 2016; and to spend £17,500 to appoint a Reach2 Reviewer to carry out a review into the provision of Education on Sark. So they have been approved.

Thank you, sir.

**Dog laws –  
Statement by Conseiller Helen Plummer**

20 **The Speaker:** Statement by Conseiller Helen Plummer regarding dog laws.

**Conseiller Plummer:** Thank you.

It has been brought to the attention of the Agriculture, Environment, Sea Fisheries & Pilotage Committee that recent issues with the dogs and bitches on the Island have raised concerns over the present legislation regarding these animals. Therefore the Committee is seeking to understand all the issues and will present a report to the Policy Development Group prior to bringing a report to Chief Pleas to take further action.

Thank you.

**Inter-Island Environment Meeting –  
Statement by Conseiller Jane Norwich**

30 **The Speaker:** A statement by Conseiller Jane Norwich regarding the Inter-Island Environment Meeting.

**Conseiller Elizabeth Norwich:** At Michaelmas Chief Pleas last year, I informed the Assembly of the proposed Inter-Island Environment Meeting.

Well, a year has passed and I am pleased to inform the House that Sark hosted on 21st and 22nd September the 18th Inter-Island Environment Meeting. It was a first for Sark and celebrated the 10th anniversary of our precious Ramsar site at the Gouliot Caves and Headland. For those on Sark who could not come, you missed something special.

It was fully booked with 70, the largest the meeting has ever had. Delegates came not just from the Channel Islands, but from the Isle of Wight, the Isle of Man and the UK. I think the environment departments of Guernsey and Jersey were on skeleton staff with over 15 attending. The RSPB was represented at director level along with the UK Overseas Territories Environment Forum Chairman.

Presentations covered topics from the seabed to the skies above. All related in some way to habitat management and taking care of the environment on behalf of the next generation.

Particularly relevant to Sark were presentations on invasive marine species, sadly some of which are already here. Also, how we need to maintain a diverse flora to support all pollinators not just the honey bee, which is a tropical import – 85% of our pollinating bees are not honey bees and need pollen and nectar at specific times of year. The need for increasing variety in our garden plants too was raised. The possibility of a bird observatory on Sark was discussed. An observatory has not only raised Alderney's profile, but attracted significant numbers of visitors in shoulder and off-season months. If Philip Guille was still alive we would probably be well ahead of the other Islands – something we should be considering as we have a key position in the migrating birds map and Alderney is fully in support of Sark having its own.

A cross-Channel Islands Ramsar support group held its first meeting on the Thursday and will help in future to co-ordinate the necessary maintenance and assist in sharing of experience and expertise across the Channel Islands.

Another first for this important meeting, which I wish all of Sark could have seen and heard, was the presentation to the entire meeting by Katie Knight, aged 11, and assisted by Georgia Bateson. The clarity and content of her passionate talk on Sark Watch, which she herself wrote, was inspiring. Katie also led the rock pool site walk. Sponsorship from the Insurance Corporation, the Noble Trust and Adventure Sark, providing their services free, as well as support from La Société Sercquaise, ensured a financially no-cost-to-Sark event.

We have been inundated with thanks and compliments on the content and arrangements of this important meeting, and to quote: ‘Thank you for all the hard work that went into making it a success and an event that Sark can be proud of’; ‘Sark was so welcoming’; ‘Enjoyed every minute and learnt a lot too’; ‘Congratulations on hosting a very successful event. It is our turn next year and you will be a very hard act to follow!’

There were those who did not think Sark could cope – and two of those comments are from those people – and did not have the resources, but we showed that we can and we did step up to the plate. We wanted to let Sark shine and she really did.

**The Speaker:** Thank you.

**Harbour crane –  
Statement by Conseiller Rob Cottle**

**The Speaker:** Statement by Conseiller Rob Cottle on the harbour crane.

**Conseiller Cottle:** The purchase of a new harbour crane was approved in July at the Midsummer Chief Pleas Meeting. A maximum expenditure of £159,000 was approved for buying the new crane, part-exchanging the old Kato crane which had done eight years’ service, and for transporting both cranes to and from the Island.

As you will probably know, the new crane arrived. It was delivered from the UK to Guernsey via Condor and onward to Sark by the *Normandy Trader* landing craft at the end of August, with the agreement and supervision of Sark Shipping.

Everything went smoothly to plan in Creux Harbour. The new crane was driven by Jeremy via the dropdown ramp of the *Trader* onto the beach and then up on to the quay. The old one was then loaded onto the ship in the same way, the ramp raised and away it sailed for eventual delivery back to Rivertek, the supplier.

I can report that the net overall cost of the purchase was £148,965.20 with the part exchange, including all transport costs and a credit for depreciation included, as the old crane was valued at £10,000 more than its depreciated value in the sale part exchange. That confirmed that this was a good time to trade in. We now have a new crane that should give us many more years of reliable service.

Thank you.

**The Speaker:** Thank you.

**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 18.

## Business of the Day

### 1. Midsummer Meeting, 5th July 2017 – Matters arising

*Matters arising from the Midsummer Meeting held on 5th July 2017.*

**The Speaker:** We go to Agenda Item 1, matters arising from the Midsummer Meeting of Chief Pleas held on Wednesday, 5th July 2017.

100 Are there any matters arising? I have two.  
Conseiller Reg Guille.

**Conseiller Guille MBE:** Item 7 on page 37, at line 1435, Conseiller Cottle undertook to let us know how much the Seneschal's Court Review cost, which he did by email on 6th July. So that there is a *Hansard* record of the amount I can tell you that the review costs were £4,553.69. The costs were included in the Seneschal's Court expenses as presented in the 2016 Financial Statements. Thank you.

110 **The Speaker:** Conseiller Diane Baker.

**Conseiller Diane Baker:** Item 12, the Marine Ambulance Service, Conseiller Guille asked if we could provide figures concerning the call-outs for the Marine Service. We did this within a week of the meeting and circulated a 10-year summary to all Conseillers. I believe it would be helpful, sir, if we could attach the figures to the minutes of this Chief Pleas which would then make them available to anyone. You would have noted that for the first half of 2017 only three call-outs came for Sark for the Marine Ambulance, similar to 2016 when there were six call-outs for the whole year.

I would like to take this opportunity of saying a very big thank you from Sark to John Beausire who has retired from the St John Ambulance and Rescue Service, following a 31-year career with the organisation, leading it as Chief Officer for the past 10 years. John was a volunteer in the late 1970s before joining St John Ambulance and Rescue Service in 1986. He became Guernsey's first registered paramedic in 1992. He was a member of the Cliff and Inshore Rescue team and operator of a hyperbaric recompression chamber, and a crew member of the Marine Ambulance. John was a paramedic on the Royal Navy Rescue Helicopter for the World Powerboat events during the 1990s. He held management roles which include Head of Operations, Training Officer and Deputy Chief Officer, becoming Chief Ambulance Officer in 2008. John was awarded the Queen's Ambulance Medal, Ambulance Long Service Medal and is a member of the Order of St John.

120 There is quite a long media information sheet which makes interesting reading and I wish we had the time for me to read it all out to you; but one small sentence stood out for me, and I quote, 'The ultimate accolade for me is to have organised the Emergency Ambulance Service in such a way that I will not be missed.'

So, happy retirement, John.

135 **The Speaker:** Thank you.

When you say you want those figures attached to the minutes, the meeting is recorded so are just happy for the statement to be reported in the *Hansard* for this meeting?

140 **Conseiller Diane Baker:** There is a table of minutes which perhaps gives a little bit more information and I thought that would be –

**The Speaker:** Would you kindly let the Greffier have that?

**Conseiller Diane Baker:** Yes.

145

**The Speaker:** Thanks.

Are there any other matters arising? Okay.



**ST JOHN MARINE AMBULANCE SERVICE**



**Date from 1<sup>st</sup> January to 6<sup>th</sup> July 2017**

|  |          |
|--|----------|
| <b>Total number of requests/response</b>                     | 16       |
| <b>Analysis of response</b>                                  |          |
| Flying Christine   | 14       |
| Relief Boat  | 1        |
| Exercise with other Services                                 |          |
| Social, Publicity etc  | 1        |
| <b>Location of response (excluding Exercise and Social):</b> |          |
| Guernsey   |          |
| Herm   | 9        |
| Jethou   | 1        |
| Brecqhou   |          |
| <b>Sark</b>  | <b>3</b> |
| Jersey   |          |
| Aircraft (and airport emergency)                             |          |
| Cruise Ships   | 2        |
| Other  | 1        |
| <b>Time of day of response</b>                               |          |
| (A) Midnight - 0759  | 2        |
| (B) 0800 – 1659  | 4        |
| (C) 1700 – 1759  | 1        |
| (D) 1800 – 2359  | 9        |
| <b>Total number of patients</b>                              | 16       |

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**ST JOHN MARINE AMBULANCE SERVICE**



**St John**

**Yearly Summary of Statistics**

| YEAR:                                     | 2006      | 2007      | 2008      | 2009      | 2010      | 2011      | 2012      | 2013      | 2014      | 2015      | 2016     |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------|
| <b>Total number of requests/response:</b> | 34        | 25        | 63        | 63        | 55        | 56        | 55        | 29        | 37        | 21        | 24       |
| <b>Analysis of response:</b>              |           |           |           |           |           |           |           |           |           |           |          |
| Flying Christine                          | 22        | 0         | 54        | 44        | 39        | 32        | 48        | 22        | 15        | 20        | 21       |
| Relief Boat                               | 7         | 25*       | 2         | 19        | 13        | 21        | 4         | 2         | 21        | 1         | 1        |
| Exercise with other Services              | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 1         | 0         | 0         | 1        |
| Social, Publicity etc                     | 3         | 0         | 3         | 0         | 0         | 0         | 1         | 3         | 1         | 0         | 1        |
| <b>Location of response:</b>              |           |           |           |           |           |           |           |           |           |           |          |
| Guernsey                                  | 3         | 2         | 5         | 0         | 1         | 2         | 3         | 0         | 0         | 0         | 0        |
| Herm                                      | 4         | 1         | 5         | 7         | 6         | 12        | 6         | 7         | 21        | 8         | 8        |
| Jethou                                    | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0        |
| Brecqhou                                  | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0        |
| <b>Sark</b>                               | <b>21</b> | <b>22</b> | <b>46</b> | <b>52</b> | <b>42</b> | <b>40</b> | <b>37</b> | <b>12</b> | <b>13</b> | <b>10</b> | <b>6</b> |
| Jersey                                    | 0         | 0         | 1         | 0         | 0         | 0         | 0         | 1         | 0         | 0         | 0        |
| Cruise Ships                              | 3         | 0         | 3         | 3         | 6         | 2         | 8         | 5         | 2         | 1         | 8        |
| Other                                     | 0         | 0         | 0         | 1         | 0         | 0         | 0         | 0         | 0         | 2         | 0        |
| <b>Time of day of response:</b>           |           |           |           |           |           |           |           |           |           |           |          |
| (A) Midnight - 0759                       | 5         | 5         | 7         | 9         | 9         | 9         | 6         | 5         | 1         | 1         | 2        |
| (B) 0800 – 1659                           | 21        | 12        | 37        | 33        | 28        | 32        | 34        | 17        | 23        | 8         | 17       |
| (C) 1700 – 1759                           | 2         | 8         | 4         | 2         | 5         | 3         | 7         | 3         | 2         | 1         | 0        |
| (D) 1800 – 2359                           | 6         | 0         | 15        | 19        | 13        | 12        | 8         | 4         | 11        | 11        | 5        |
| <b>Total number of patients:</b>          | 36        | 22        | 58        | 65        | 51        | 55        | 57        | 23        | 36        | 18        | 23       |

*\*This was the year that the Flying Christine was out of service due to the accident whilst responding to Sark, which resulted in extensive repairs.*

150

**2. Questions not related to the Business of the Day –  
Agriculture, Environment, Sea Fisheries and Pilotage Committee–  
Question by Conseiller Guille MBE**

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

**The Speaker:** Agenda Item 2, Questions not related to the Business of the Day, a question from Conseiller Reg Guille to the Chairman of the Agriculture, Environment, Sea Fisheries & Pilotage Committee.

155

**Conseiller Guille MBE:** Thank you, Mr Speaker.

I wish to ask the Chairman of the Agriculture, Environment, Sea Fisheries & Pilotage Committee a question relating to the disgraceful condition of the fields that were, until January, planted with vines. Since the vines were uprooted, between January and March, and piled in  
160 heaps along with the posts and wire used to support the vines, there has been no movement by the landowners to eradicate these eyesores – notwithstanding that Sark had to present itself for inspection by the Britain in Bloom judges in August this year.

I also understand that representations have been made to the landowners urging them to make good the land and not least to return them to pastoral land. The fields are so unkempt  
165 that they must contain many types of noxious weeds. Having noxious weeds growing on agricultural land is an offence under Sark Law.

My question to the Committee is to ask what steps have they taken, or are planning to take, against the landowners to resolve this awful situation?

170 **The Speaker:** Conseiller Helen Plummer to respond.

**Conseiller Plummer:** Yes, I would like to hand this question over to the President of the Douzaine.

Thank you.

175

**The Speaker:** Conseiller Edric Baker.

**Conseiller Edric Baker:** Yes, sir, actually it is Development Control. (**Conseiller Plummer:** Sorry.) No, that is fine.

180

**The Speaker:** We are not going to have a demarcation! (*Laughter*)

**Conseiller Edric Baker:** We are not.

The Development Control, under their law, the heading is 'Removal of unsightly refuse  
185 dumps' and the law quotes:

Where in the opinion of the Committee the presence of any refuse dump on any site is offensive or unsightly, the Committee may serve notice upon the owner or occupier of the site requiring him to remove the dump ...

The Committee wrote to all the landowners that we had concerns with. Following that we received a reply from one landowner stating that the heaps would be removed and we notice that in those particular fields the heaps have been removed.

We had no reply from the majority of the landowners.

190

**The Speaker:** Conseiller Reg Guille.

**Conseiller Guille MBE:** Supplementary question, sir.

195 As you have had no reply from those landowners can you tell us what actions you plan to take to enforce the law that you have just quoted to us, please?

**The Speaker:** Conseiller Edric Baker.

**Conseiller Edric Baker:** Thank you.

200 Yes, sir, at our next meeting it is proposed to discuss this matter again with a view to following the letter up. The letters went to a BVI address and with the recent hurricanes it is possible that they have not arrived! *(Laughter)* But that may be just an excuse, we are going to follow this up.

205 **The Speaker:** Thank you.

### 3. Election of a Constable – Mr Paul Burgess elected

*Douzaine: To Elect a Constable to replace Mr G R Williams, whose term of Office expires.*

**The Speaker:** We go to Agenda Item 3, Douzaine: to elect a Constable to replace Mr Glen Williams, whose term of Office expires.

A report from the Constable is enclosed at the end of the Agenda. Would the Constable like to say a few words?

210

**The Constable:** Nothing else, sir, to add to the Report, but obviously everybody has been supportive along my term of being Constable. They have always asked me how it is going and I have always said, 'Good, as long as the phone does not ring!' *(Laughter)* So obviously, as it is coming up to Budgie's term now, I hope that the phone does not ring too much.

215

Thank you.

**The Speaker:** Thank you.

Chairman of the Douzaine, Constable Edric Baker, would you like to speak on the outgoing Constable?

220

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

Both Constables have done a superb job. They have been the subject of masses of intimidation, unfortunately, as seems to happen on a regular basis and I do sympathise with some of the work they have had to do, but they have done an excellent job.

225

I would like to propose Mr Paul Burgess to fulfil the role of Constable.

**The Speaker:** Thank you.

On a show of hands can we have those in favour; any against? It seems unlikely, doesn't it! *(Laughter)* That is carried.

230

**4. Election of a Vingtenier –  
Ms Sue Daly elected**

*Douzaine: To Elect a Vingtenier to replace Mr P Burgess, whose term of Office expires.*

**The Speaker:** We go to Agenda Item 4, Douzaine to elect a Vingtenier to replace Mr P Burgess, whose term of Office has expired and who is now to be the next Constable.

Chairman of the Douzaine, I ask you to propose the person selected by Mr Glen Williams, approved by the Independent Policing Panel and brought forward by the Douzaine to be  
235 appointed to the office of Vingtenier for election by Chief Pleas.

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

The name from the Independent Panel was Sue Daly. Sue Daly has asked me to read out the following statement:

As you may know, one of my many jobs here in Sark is freelance camera work for ITV Channel Islands. When I was invited to consider the role as Vingtenier I contacted Karen Rankine, the head of the station, to ask whether she would be happy for me to carry on with this work if I was to become Vingtenier. She discussed this with the management team and the reply was that they were happy for me to continue freelancing, with the proviso that I request a crew from Guernsey for any stories that I may consider compromised due to my policing role here on Sark. So I shall continue the work for ITV. To put this in context it would be eight years that I have worked with ITV, I have only reported on two issues that have involved the Police.

240 Therefore the Douzaine would be very happy to bring forward her name, sir.

**The Speaker:** Thank you.

So Sue Daly has been proposed as Vingtenier. Those in favour; any against? That is **carried**.

**5. The Affiliation Proceedings (Sark) Law, 2017 –  
Policy and Performance Committee Report considered –  
Proposition carried as amended**

*To consider a Report from the Policy & Performance Committee entitled 'The Affiliation Proceedings (Sark) Law, 2017' and approve a Projet de Loi entitled 'The Affiliation Proceedings (Sark) Law, 2017'.*

*Proposition:*

*That Chief Pleas approves The Affiliation Proceedings (Sark) Law, 2017.*

245 **The Speaker:** We go to Agenda Item 5, to consider a Report from the Policy & Performance Committee entitled 'The Affiliation Proceedings (Sark) Law, 2017' and approve a Projet de Loi entitled 'The Affiliation Proceedings (Sark) Law.

Conseiller Reg Guille to introduce the Report.

250 **Conseiller Guille MBE:** I am presenting this Report on behalf of Conseiller Hazel Fry who, as we know, cannot to be within us today.

There is an amendment to the Proposition.

**The Speaker:** Conseiller Reg Guille, have you got your microphone on?

255 **Conseiller Guille MBE:** I certainly have not, sir, but I have now! *(Laughter)*

**The Speaker:** Admittedly, it is unusual that we cannot hear you up here! (*Laughter*)

**Conseiller Guille MBE:** Let me start again then.

260 I am introducing this Item on behalf of Conseiller Fry, who is unable to be with us today. I would like to inform Chief Pleas that there is an amendment to the Proposition and the Proposition now reads:

*Proposition:*

*That Chief Pleas approves the Projet de Loi entitled The Affiliation Proceedings (Sark) Law, 2017.*

We cannot approve a law, the laws are approved by Her Majesty; we approve a Bill or Projet de Loi.

265 I have nothing further to add to the Report but would be happy to take any questions and I ask that the Proposition as amended be approved.

Thank you.

**The Speaker:** Thank you.

270 Are there any comments or questions? Conseiller Sebastian Moerman.

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

275 I wrote to the Policy & Performance Committee a while ago, when the Chief Pleas papers went out, saying that I fully support the proposal in the recent public consultation, but I was slightly surprised when I looked at the Projet as it only covers a situation where a mother is abandoned with a child, but what about cases where it is a father that has been abandoned with a child? Of course these are very limited cases, but off the top of my head I can think already of two cases like this in Sark. So I was wondering wouldn't it be fair for these cases also to be covered by the law?

280 The second point I wanted to make is the law gives the Court of the Seneschal total discretion in respect of the level of maintenance, i.e. there is no cap on the total amount. This is similar to English law but in other jurisdictions there is a cap. This is, for example, the case in Alderney, which is £100 a week; in Germany €500 a month; and in Switzerland it is 17% of a net income for one child. So I appreciate that one of the consequences of this law would be a reduction on the reliance of a Procureur, but another consequence could certainly be an increase in legal aid and more extensive use of the court, i.e. taxpayers' money. A cap or an indication of a level of maintenance depending on the age of the child would be more efficient, in my view. I asked that

285 a while ago and I agreed with Conseiller Guille that I would raise it today.

Thank you.

290 **The Speaker:** Thank you.

Does anybody else wish to contribute before I ask Conseiller Reg Guille?

Okay, Conseiller Reg Guille.

295 **Conseiller Guille MBE:** I thank Conseiller Moerman for his question, which I sent to the Law Officers for legal advice on.

300 The reply that I had for the first part of his question was that an affiliation jurisdiction is different from a normal maintenance jurisdiction. The crucial difference is that a woman who has given birth is clearly the birth mother of the child and has parental responsibility, whereas a biological father might claim that he is not the father. Thus the primary purpose of the affiliation jurisdiction is to enable the mother to establish paternity. Any subsequent order for the father to pay maintenance is secondary, although of course it is the reason why many, perhaps most, affiliation orders are obtained.

305 However, where a father is left with a child this does not apply. He knows, and it is apparent, who the birth mother of the child is. He can therefore make an application for maintenance using the jurisdiction of the court under the Children (Sark) Law 2016, whereby the court is empowered to make an order for financial provisions against any person who has parental responsibility, i.e. including the birth mother, if the child has not been adopted, whenever it makes a Section 16 order, including residence and parental responsibility orders.

310 She goes on to add that the Projet would enable any person with parental responsibility to apply for an affiliation order, not just the mother. So where a 'stepfather' has been left by the mother of her illegitimate child, or she has died, her partner would, if he has or obtains parental responsibility for that child, be entitled to apply for an order against the natural father or apply for a variation – such a payment should be made to him on behalf of the child. Essentially the combination of the Affiliation Proceedings Law and the Children Law cover the issue that  
315 Conseiller Moerman raised.

To do with a cap on maintenance, she replies there is no cap in Guernsey or Alderney and nor in the UK, as far as she is aware. The considerations to be taken into account by the court in assessing the amount are clearly set out in the Projet in Section 3:

the financial needs of the child; the income, earning capacity, if any, property and other financial resources of the child; any physical or mental disability of the child; the income, earning capacity, property and other financial resources which the applicant and the respondent has or is likely to have in the foreseeable future, including in the case of earning capacity any increase in that capacity which it would in the opinion of the Court be reasonable to expect either party to take steps to acquire; and the financial needs, obligations and responsibilities which the applicant and respondent has or is likely to have in the foreseeable future.

320 The overriding principle is that a court must have regard to *all* the circumstances of the case, the paramount consideration being the welfare of the child.

A cap could, perhaps, be incorporated if Chief Pleas so wish, although this would involve further consideration and possibly a deferral of the Projet. But it was the adviser's considered opinion that such a cap would unnecessarily restrict a court's powers to affect justice for the child, for example, a wealthy father who wished to avoid his responsibilities to a child in  
325 particular need.

It should also be noted that in the event of the court making an order which the father considers to be too high, there is a right of appeal to the Royal Court Matrimonial Causes Division, and which court has extensive experience of making maintenance orders.

330 So whilst I thank Conseiller Moerman for the question, I do not at this meeting propose that we make any changes to the Proposition.

Thank you.

**The Speaker:** Thank you.

335 Anybody else? In that case we will go to the Proposition, as amended, that Chief Pleas approves the Projet de Loi entitled The Affiliation Proceedings (Sark) Law, 2017. All those in favour; are there any against? That is **carried**.

**6. Reduction in number of Conseillers –  
Policy & Performance Committee Report considered –  
Proposition carried**

*To consider a Report from the Policy & Performance Committee entitled ‘Reduction in Number of Conseillers from 28 to 24’ and to approve the Ordinance entitled ‘The Reform (Sark) Law, 2008 (Amendment) Ordinance, 2017’.*

*Proposition:*

*That Chief Pleas approves the Ordinance entitled ‘The Reform (Sark) Law, 2008 (Amendment) Ordinance, 2017’, to be effective immediately.*

**The Speaker:** We go to Agenda Item 6, to consider a report from the Policy & Performance Committee entitled ‘Reduction in Number of Conseillers from 28 to 24’ and to approve the Ordinance entitled ‘The Reform (Sark) Law, 2008 (Amendment) Ordinance, 2017’.

340 Again, Conseiller Reg Guille to introduce the Report.

**Conseiller Guille MBE:** Thank you, sir.

345 Prior to the Chief Pleas Meeting on 23rd August a copy of the draft ordinance was circulated to Members. There were no issues raised at that meeting on the draft albeit that it did not form part of the Chief Pleas papers, and outside of Chief Pleas no-one had queried any aspects of that draft to me.

350 During that meeting all the queries surrounding the subject were dealt with to the satisfaction of the questioners. There have been no changes from that draft to the Ordinance put to you for approval today. Should you approve the Ordinance it comes into immediate effect. I ask that you approve the Proposition.

Thank you.

**The Speaker:** Are there any questions from the floor or any comments?

355 In that case, we will move to the Proposition, that Chief Pleas approves the Ordinance entitled ‘The Reform (Sark) Law, 2008 (Amendment) Ordinance, 2017’, to be effective immediately. All those in favour; are any against? That is **carried**.

This Ordinance will be numbered XI of 2017.

**7. The Reform (Sark) (Amendment) Law –  
Policy and Performance Committee Report considered –  
Proposition carried**

*To consider a Report from the Policy and Performance Committee entitled ‘The Reform (Sark) (Amendment) Law, 2017’ and approve a Projet de Loi entitled ‘The Reform (Sark) (Amendment) Law, 2017’*

*Proposition:*

*That Chief Pleas approves the Projet de Loi entitled ‘The Reform (Sark) (Amendment) Law 2017’.*

360 **The Speaker:** Agenda Item 7: to consider a Report from the Policy & Performance Committee entitled ‘The Reform (Sark) (Amendment) Law, 2017’ and approve a Projet de Loi entitled ‘The Reform (Sark) (Amendment) Law, 2017’

Conseiller Jane Norwich to introduce the Report.

**Conseiller Elizabeth Norwich:** I have got nothing really to add, the Report is as you have there in front of you. There is no substantial change to any of the wording within the Projet and I would ask Conseillers to support the Proposition.

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**The Speaker:** Are there any questions from the floor, or comments?

In that case we will go to the Proposition that Chief Pleas approves the Projet de Loi entitled 'The Reform (Sark) (Amendment) Law, 2017'. Those in favour; are there any against? That is **carried**.

**8. Electronic transactions and cheque imaging –  
Policy and Performance Committee Report considered –  
Proposition carried**

*To consider a Report from the Policy & Performance Committee entitled 'Electronic Transactions and Cheque Imaging Legislation' and to approve the Ordinance entitled 'The Electronic Transactions (Commencement and Cheque Imaging) (Sark) Ordinance, 2017'*

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*Proposition:*

*That Chief Pleas approves the Ordinance entitled 'The Electronic Transactions (Commencement and Cheque Imaging) (Sark) Ordinance, 2017.*

**The Speaker:** We go to Agenda Item 8, to consider a Report from the Policy & Performance Committee entitled 'Electronic Transactions and Cheque Imaging Legislation' and to approve the Ordinance entitled 'The Electronic Transactions (Commencement and Cheque Imaging) (Sark) Ordinance, 2017'.

375

Again, Conseiller Reg Guille to introduce the Report.

**Conseiller Guille MBE:** Thank you, sir.

I have nothing to add to the Report you will be pleased to hear, but if I could just make the comment that this is a technical piece of financial legislation designed to keep Sark and the Bailiwick in line with financial developments in the UK. Please support the Proposition.

380

**The Speaker:** Are there any questions from the floor, or comments?

In that case we will move to the Proposition that Chief Pleas approves the Ordinance entitled 'The Electronic Transactions Commencement and Cheque Imaging) (Sark) Ordinance, 2017'. Those in favour; any against? That is **carried**.

385

This Ordinance will be numbered XII of 2017.

**9. Public holidays –  
Policy and Performance Committee Report considered –  
Proposition carried**

*To consider a Report from the Policy & Performance Committee entitled 'The Public Holidays (Sark) Ordinance, 2017' and to Approve the Ordinance entitled 'The Public Holidays (Sark) Ordinance, 2017.*

*Proposition:*

*That Chief Pleas approves 'The Public Holidays (Sark) Ordinance, 2017'*

**The Speaker:** We will go to Agenda Item 9, to consider a Report from the Policy & Performance Committee entitled 'The Public Holidays (Sark) Ordinance, 2017' and to approve the Ordinance entitled 'The Public Holidays (Sark) Ordinance, 2017'.  
390  
Conseiller Charles Maitland to introduce the Report.

**Conseiller Charles Maitland:** Thank you, sir.  
The Committee has been asked to bring in this Ordinance which is of particular relevance to the operation of the Sark Court. If, for instance, you were given 14 days to pay a debt, those 14 days will not include a Saturday or Sunday or any day which is a public holiday – they are all non-business days. Some residents have questioned why Christmas Day and Good Friday are not included as public holidays, and it is explained because in the Bills of Exchange (Guernsey) Law, 1958 –which is applicable to Sark – Saturdays, Sundays, Christmas Day and Good Friday are already non-business days.  
395  
400

This law also provides that any day appointed a public holiday by Ordinance of Chief Pleas shall also be a non-business day. So here this Ordinance defines what days are to be considered public holidays in addition to Christmas Day and Good Friday along the lines of public holidays in Guernsey and the UK, except of course here in Sark we have Liberation Day on 10th May.  
405  
Thank you, sir.

**The Speaker:** Thank you.  
Are there any questions or comments from the floor? In that case we will move to the Proposition that Chief Pleas approves 'The Public Holidays (Sark) Ordinance, 2017' Those in favour; are there any against? That is **carried**.  
410  
This Ordinance will be numbered XIII of 2017.

**10. Deputy Speaker's term of office –  
Policy and Performance Committee Report considered –  
Proposition carried**

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

*Proposition:  
That Chief Pleas agrees that the term of office for the Deputy Speaker of Chief Pleas is from his election on 31st May 2017 until 26th February 2022.*

**The Speaker:** Agenda Item 10: to consider a Report with Proposition from the Policy & Performance Committee entitled 'Term of Office of the Deputy Speaker'.  
415  
Conseiller Charles Maitland to introduce the Report.

**Conseiller Charles Maitland:** Sir, this item is self-explanatory and just details the term of office for the Deputy Speaker.  
Thank you.  
420

**The Speaker:** Are there any questions or comments from the floor? In that case we will go to the Proposition that Chief Pleas agrees that the term of office for the Deputy Speaker of Chief Pleas is from his election on 31st May 2017 until 26th February 2022. Those in favour; are there any against? That is **carried**.  
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**11. Control of Occupation and Senior Administrator post –  
Policy and Performance Committee Report considered –  
Proposition carried**

*To consider a Report with Proposition from the Policy & Performance Committee entitled 'The Control of Occupation and the Post of Senior Administrator'*

*Proposition:*

*That Chief Pleas approves the role of Senior Administrator be made that of a Prescribed Person under the 2014 Ordinance and that the Douzaine add that role to the list of Prescribed Persons.*

**The Speaker:** We go to Agenda Item 11, to consider a Report with Proposition from the Policy & Performance Committee entitled 'The Control of Occupation and the Post of Senior Administrator'

Conseiller Reg Guille.

430

**Conseiller Guille MBE:** You could not hear me at the start, sir, but unfortunately you are hearing quite a lot from me afterwards.

Before I just make a very short introduction I would ask you to note an amendment to be made to the Report in the second paragraph, second line, the word 'Proscribed' is used and it should of course be 'Prescribed'. However, the Proposition wording is correct.

435

This prescribing of the post of Senior Administrator could, and possibly should, have happened upon Chief Pleas resolving to appoint a full-time permanent Senior Administrator which they did in May 2013, so that by the time the post was filled in December of that year the postholder could have rented and occupied a local market house. Therefore this Report is to tidy up that anomaly for the future. I would ask that you support the Proposition.

440

**The Speaker:** Thank you.

Are there any questions or comments from the floor?

Conseiller William Raymond.

445

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

I just wonder whether it is time for a review of a number of roles including, say, that of the Treasurer. If we do not recruit a Treasurer locally, will the Treasurer's post be similarly treated as qualifying for local market accommodation?

450

**The Speaker:** Thank you. Are there any other comments?

Conseiller Reg Guille.

**Conseiller Guille MBE:** I am concerned about the issue of the Treasurer being prescribed at the moment because the issue surrounding the Treasurer is not knowledge that Chief Pleas as a body is aware of what is going on. Therefore I think we only need to look to the current post of Senior Administrator and if such a situation arises with any other post it is a very simple matter of a report to Chief Pleas asking for a resolution that that post be prescribed. There is no lawmaking involved, it is a very simple matter for us to do. Therefore I would like the waters not to be muddied now with any other position than just to retain the aspect of providing the Senior Administrator post as a prescribed post.

460

Thank you.

**The Speaker:** Is there anybody else, at all? In that case we go to the Proposition that Chief Pleas approves the role of Senior Administrator to be made that of a Prescribed Person under

465

the 2014 Ordinance and that the Douzaine add that role to the list of Prescribed Persons. Those in favour; are there any against? That is **carried**.

**12. New shape and functioning of Chief Pleas –  
Policy and Performance Committee Report considered –  
Proposition carried**

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

*Proposition:*

*That Chief Pleas directs the Policy Development Group to cease the work of the Good Governance Policy Development Team on the New Shape of Chief Pleas.*

*That Chief Pleas requests all committees to nominate at least one of their members to work with the other nominees to prepare a plan setting out how Chief Pleas is to operate to support the New Shape of Chief Pleas, reporting back to Chief Pleas no later than 15th November 2017.*

*That the resulting presentation of the plan, with a proposition for approval, would detail how operational work will be organised, managed and implemented to achieve the required standards of good governance. Further, that the report shall inform future prospective Conseillers how the New Shape of Chief Pleas will function.*

**The Speaker:** Agenda Item 12, to consider a Report with Proposition from the Policy & Performance Committee entitled 'New Shape and Functioning of Chief Pleas'.

470      Conseiller Jane Norwich to introduce the Report.

**Conseiller Elizabeth Norwich:** The Report clearly states based on evidence what we know and where Chief Pleas is right now. In this Assembly and in public consultation we were told clearly what the public views are: that is 25% of the adult population said what they wanted and we should respect that.

475      We already know that we ought to be doing the work required now so that undue strain is not put on Conseillers and CSOs. We all have the day job to do in running the Government plus our own lives outside this Assembly. Trying to do this vital work to come up with the framework for the future with all the necessary checks and balances is a significant piece of work that needs time. We need the outline by mid-November at the latest. Leaving it until later, as has been suggested by some, means that Conseillers will be working on this significant piece of work during the tourism season next year. That is not something I believe current Conseillers would be happy to do.

480      The draft framework can come to Christmas Chief Pleas with the final version after we have all had our say at Easter Chief Pleas, with a plan that is then fit for purpose. There is then time to get it ready to be fully functioning by the autumn next year, just at the time when prospective Conseillers will be looking at the prospective workloads if they join this House. If we do not have it in place there is less chance of getting residents willing to take up public service in future.

485      The PDT has considered the Proposition at length and will not be changing the Proposition. I have also been asked to ask for a named vote, please.

490

**The Speaker:** Thank you. Are there any questions or comments from the floor?  
Conseiller Charles Maitland.

495 **Conseiller Maitland:** I have met some angry residents over the last few weeks, some of them  
no doubt the same residents who bothered to reply to the exhaustive consultation sent out by  
the Good Governance PDT earlier in the year. They cannot understand why Chief Pleas cannot  
grasp the need for reform and get on with it, and they consider that much of this attitude is  
driven by self-interest. Certainly I think Chief Pleas is in danger of becoming a laughing stock. We  
500 fudged the issue of reducing our numbers to 14, settling on the dangerously high number of 18,  
and then to make matters worse refused to take the logical next step of agreeing to the  
establishment review which asked the Committees to look at what functions could be delegated.

There is a perception out there that some Conseillers are more interested in what Sark can  
do for them rather than looking forward to see what they can do for Sark. Self-interest and  
505 protection of their jobs and the way they are to take those jobs, preferably only supervised by  
the Committee of which they are a member, would seem to be paramount. This work cannot be  
put off and I agree with Conseiller Jane Norwich that it should be undertaken within this very  
tight time frame.

Thank you.

510

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

515 **Conseiller Guille MBE:** I wrote to the Good Governance Policy Development Team and also to  
the P&P team raising my concern with that very early date of next month for a report to be  
ready. My current concern – and I am not going to read the whole issue out that I wrote to them  
– was the fact that if you look at the Proposition, it is a single proposition but in three  
paragraphs:

That Chief Pleas directs the Policy Development Group to cease the work of the Good Governance Policy  
Development Team on the New Shape of Chief Pleas.

520 So the Good Governance Policy Development Team have brought this to Chief Pleas through  
P&P but are asking Chief Pleas to tell the PDT to stop working on it. Then in the next paragraph  
they are asking that the date 'to operate to support the New Shape' is no later than  
15th November – that is only six weeks away. I do have a concern.

525 The Proposition goes on to say that all Committees to nominate one person, and I assume  
that will not cover members of the PDT, because they do not wish to work on it any more. So we  
have got to form that grouping if we approve the Proposition, we have to approve that new  
grouping of people after Chief Pleas and give that new grouping a month to go in and come up  
with a solution. I just think that is too soon.

530 I felt that the issue is, and the backstop is, we have to have something in place for December  
next year when the election is held. So the latest possible time that the new shape of Chief Pleas  
must be approved is Michaelmas next year. I would prefer to see it approved earlier than that  
but I am concerned about the slightly early date that the PDT, through the P&P Committee, are  
proposing. But I will leave that up to my fellow Conseillers to decide whether they are happy to  
leave that date in or ask for it to be changed.

535 **The Speaker:** Is there anybody else who wishes to comment?

Following on from what Conseiller Reg Guille has said, I would just make an observation that  
Chief Pleas directs the Policy Development Group to cease the work of the PDT; it is entirely  
within the competence of the PDG to take that that decision without a direction from Chief  
Pleas. But if that does not bother anybody else in the room then I will let it go.

540 Conseiller Edric Baker.

**Conseiller Edric Baker:** Yes, sir, once again we are asked to be responsive to the 88 residents  
that responded to the public consultation. There was always a problem with this statement:

545 which group should we consider? The 28 who believe that an Executive Government is the way forward, or should we consider the 19 who have no wish to be the target of abuse and personal attacks in the weekly hate mail?

I also have a problem with the Proposition and the wording:

... to achieve the required standards of good governance.

550 Good governance has been debated in countless meetings that I have personally attended in Sark and Guernsey and can be interpreted differently by different people. I believe this could be a complication that need not be there.

**The Speaker:** Thank you. Is there anybody else?  
Conseiller Sebastien Moerman.

555 **Conseiller Moerman:** Eighty-eight is actually 25% of the adult population of Sark.  
Thank you.

**The Speaker:** Thank you for that statistic, Conseiller Moerman.  
Conseiller Rob Cottle.

560 **Conseiller Cottle:** Thank you.

On the matter of good governance, Conseiller Baker clearly has different views on that but we understand that we are held accountable for the way we behave and govern the Island, and the outside world does look at us and expect us to demonstrate good governance and understand what it is. So it is there and we have to deal with it.

565 With regard to any proposal that we extend the process, our view in drafting this proposal was that we need a concentrated effort on it and people's minds need to be focused. Any delay to the end point of the process will merely mean that the start of the process will be delayed and people will kick their heels while they think that we do not have to start yet, and that the end result will be the same but just further down the line.

570 Chief Pleas rejected the proposal for Committees to identify which of their tasks could be delegated to public servants to make the workload of a reduced Conseiller membership of 18 manageable. So now we have no current idea how 18 Conseillers will be able to get those tasks done. But that cannot be the end of the matter: how could anyone consider standing for Chief Pleas at the end of next year if there is no plan for carrying out the responsibilities of Chief Pleas and knowing that a workload, already identified as daunting, would have to be shared amongst fewer Conseillers?

580 The Good Governance PDT has had its proposal rejected and therefore considers that a different group should work together to produce a workable plan. This cannot be put off, hence the deadline. If those who rejected the PDT's proposal are not prepared to work on an alternative, then how will they work as part of a smaller group in future and how will they demonstrate to others that Chief Pleas has resources to effectively continue operating?

I will support the Proposition before us.

585 **The Speaker:** Thank you, is there anybody else?  
Conseiller Jane Norwich, do you wish to respond to the points that have been made?

590 **Conseiller Elizabeth Norwich:** I hear what everybody says, nobody likes doing any more work than they need to but if we want more people to join us next year – and some of us will not be here at the end of next year – what do we leave them in terms of a structure?

I would like in a way to repeat something I said earlier but emphasise one particular point: we have all got the day job to do in running the Government, plus our own lives outside this

595 Assembly, and trying to do this vital work to come up with a framework for the future with all  
the necessary checks and balances which is a significant piece of work that needs time, we need  
the outline – and I emphasise outline – by mid-November.

The PDT, having had its Proposition last time rejected – we do need all other Conseillers to  
decide what that is, and that is a democratic decision today.

600 Leaving this work until later on as has been suggested by some Conseillers, means that  
Conseillers here in this room will be working on this significant piece of work during the season  
next year – so, after Easter – and that is not something I believe current Conseillers would be  
happy to do. So, some concentrated work now to get an outline will at least push it on and get it  
ready for next year.

Thank you.

605 **The Speaker:** Thank you. We have been asked for a named vote.  
Greffier.

*There was a named vote.*

*Carried – Pour 20, Contre 1, No Vote 2*

**POUR**

Conseiller Diane Baker  
Conseiller Edric Baker  
Conseiller Peter Byrne  
Conseiller Charles Maitland  
Conseiller Nicolas Moloney  
Conseiller Elizabeth Norwich  
Conseiller Dr Roger Norwich  
Conseiller Helen Plummer  
Conseiller Stephen Taylor  
Conseiller Alan Blythe  
Conseiller Robert Cottle  
Conseiller Antony Dunks  
Conseiller Reginald Guille MBE  
Conseiller Peter La Trobe-Bateman  
Conseiller Sebastien Moerman  
Conseiller Christopher Nightingale  
Conseiller Cormac Scott  
Conseiller Anthony Ventress  
Conseiller Sandra Williams  
Conseiller Pauline Mallinson

**CONTRE**

Conseiller Colin Golds

**NO VOTE**

Conseiller William Raymond  
Conseiller Paul Williams

**The Speaker:** The result of that is there are 20 *pour*, 1 *contre* and 2 no votes. I declare that  
**passed.**

**13. Role of the Senior Administrator –  
Policy and Performance Committee Report considered –  
Proposition not carried**

*To consider a Report with Proposition from the Policy & Performance Committee entitled 'The Role of the Senior Administrator'.*

*Proposition:*

*That Chief Pleas approves the revised job description as attached for the role of the Senior Administrator and also agrees that the enhanced salary of £53,425, as recommended by Adam Barker, should be paid to the Senior Administrator from the beginning of the 2018 financial year.*

610 **The Speaker:** We go to Agenda Item 13, to consider a Report with Proposition from the Policy & Performance Committee entitled 'The Role of the Senior Administrator'. Conseiller Charles Maitland.

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

615 With the appointment of the Senior Administrator's role nearly four years ago, Sark took tentative steps to behaving more like an established democracy. I say 'tentative' because democracy in Sark is still very fragile and because there is still quite a cohort of Conseillers who do not like the thought of change.

620 In my view the role of the Senior Administrator is of vital importance if the Island is going to move forward and prosper. When Sark has had to bring in professionals from outside the Island it has been accepted that we have to pay the market rate and either provide housing or include housing in the package. Also, as with the teachers, some compensation should be given for the lack of pension provision. For some reason these elements were not included in the Administrator's salary package four years ago and it is about time these deficiencies were  
625 addressed.

The Committee took advice on the level of salary appropriate to the role with the increased responsibilities contained in the rewritten job description and followed the advice of Adam Barker from the UK Local Government Association on settling on this figure. Conseillers also had the chance to meet Mr Barker on his visit to the Island during the summer. Line one of the new  
630 job description should be emphasised:

As Head of the Paid Service the post holder is responsible for the efficiency of the Government ...

There is no doubt that Government employees, wherever employed, should be line managed as in any properly managed organisation, and should be accountable for the way they carry out their work. This is particularly true when taxpayers' hard-earned cash is concerned – the Government should be accountable. However, the motions of transparency and good  
635 governance do not fit happily with the way some Committees run their affairs, and although I have been in the Government much of the time since 2008 I could not possibly say that the Government is efficiently run – in fact I strongly suspect that it is not.

The work of the Finance Committee makes it quite clear that a proper salary for the Senior Administrator's role *can* be afforded without a rise in general taxation. The Committee looks to  
640 Chief Pleas to support this Proposition. I also ask for a named vote.

Thank you.

**The Speaker:** Thank you. Are there any comments or questions from the floor?

645 Keep your hands up, please. Okay, I have Conseillers Reg Guille, William Raymond, Pauline Mallinson, Sam La Trobe-Bateman and Jane Norwich. Have I missed anybody? Rob Cottle.

Conseiller Reg Guille.

**Conseiller Cottle:** Conseiller William Raymond as well?

650 **The Speaker:** Yes, I have got him next.

**Conseiller Guille MBE:** At the Midsummer Meeting I spoke strongly against this review having been conducted before the Establishment Review had been completed and the way that it had been done. I shall not go through those arguments again today. They are recorded in *Hansard* 655 which was the subject of Agenda 1 of this Meeting, Matters Arising.

The reported Item 8 of the Midsummer Meeting was to note the report and this was carried on a named vote 13 in favour and 10 against. I lost the argument that day.

Today, under this Item, that 'to note' has returned in a new report and a new Proposition but this time to approve the revised job description; and, in the same Proposition, to approve an 660 enhanced salary of 53,425. That is a whopping increase in salary of £16,938. That is more in a pay rise than the Seneschal currently gets at £16,060, and only marginally less if his salary is uprated to the Venne Report recommendation of £18,000. That salary uplift for the Senior Administrator is an inflation-busting 31.7% – and this at a time when we are planning to restrict or cancel RPI increases for every Government employee including the lowest-paid employees of 665 Chief Pleas. Wouldn't they just *love* a salary uplift of 31.7% to go into their pay packets on 1st January 2018? The role of Senior Administrator was sold to Chief Pleas in May 2013 on the premise that it would only cost us £35,000 a year – but note, please, that the annual RPI increases since then have already uplifted the starting salary by £1,487.

I have been approached by many constituents over the past weeks and months when the 670 news of the increase filtered out to the taxpayers. Several have said to me that they will not pay their taxes if this rise goes through. I did advise them against doing that but when they see other wealthier persons refusing to pay taxes with high-powered legal representation which, whatever the outcome of any court case, will inevitably lead to higher taxes for the rest of us. So I would say to people who have said to me they will not pay their taxes, please continue to pay your 675 taxes no matter what happens. I have no problem with adopting an updated senior administrator job description, only with the salary increase.

When I was appointed Seneschal in the year 2000 I took over a role that had no job description, only the provisions of the Law to guide me. So I set about, over time, to document what the actual job entailed and that became my job description, which was approved by the 680 then Committee in charge. I continued to refine that job description throughout my 17 years in office; but writing down my actual description of work and informing Chief Pleas' Members of it did not lead to an increase in salary. I just got on with the work. I continued to refine the job description as changes were made to legislation and procedures including the enforced splitting of the dual role. In fact, when the role was split and I took 80% of the work with me to the new 685 role of President of Chief Pleas, and with the same description for that new role, I was given a huge salary decrease of about 80%. So my job description did not count a toss for what I actually did. The same thing happened to the Seneschal but with a lesser degrees with his new salary starting at £15,000. Chief Pleas in effect from 2013 cut the dual role wage bill by £8,000 for those two positions to help fund the new post of Senior Administrator.

690 We have spoken a lot about how we can get more people to stand for election as Conseillers: well, here is an idea, why not allocate the money saved in not giving the Senior Administrator an enhanced salary, but instead give the 18 Conseillers that are elected in December 2018 an allowance of £1,000 per head for expenses relating to telephone calls, computers, printers, their supplies, etc. and then guarantee that any loss of wages due to Chief Pleas work during the 695 working day is compensated for? So, give a little bit of a carrot to the working people of this Island to give them the ability to stand for Parliament without losing salary.

700 Because the Proposition of approving the revised job description also includes the enhanced salary, I cannot vote for the Proposition as it stands. I would be content to support the revised job description but I cannot if I must also support the enhanced salary. Therefore, with the current structure of the Proposition, I must vote against the Proposition in its entirety.

705 Before I sit down, let me also say that there are some aspects of the job description that I disagree with. This job description should have been brought to the Policy Development Group for a detailed line-by-line examination of the content before it came to Chief Pleas, but it has been rushed through for an artificial deadline of 1st January to link it in with a massive pay hike. The job description, in my opinion, should have been looked at in conjunction with other descriptions, such as the Speaker's, to ensure there are no gaps or that the Senior Administrator's job description does not become a power grab from other areas of Government. As an example, I would say look at number 7, under Principal accountabilities:

7. To promote Sark as a tourist destination developing partnerships with commercial organisations as appropriate to increase visitor spend.

710 That is why I thought we had a Tourism Committee and Tourism Officers. There are other examples that I could use, but I am not going through them all here today.

715 Job descriptions can and do change and there are aspects of the revised job description with which I take issue. However, the job description before us has developed over the last four years of having a senior administrator and I would have been amazed if it had not changed in that four years. But to me, fleshing out what was a very basic job description does not affect the salary that should be given to that job. The Senior Administrator is doing the work for which she is employed, for which she has a contract and for which she has terms and conditions.

As a named vote has been called, as it stands, I will be voting against the Proposition.

720 **The Speaker:** Thank you.  
Conseiller William Raymond.

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

725 We have presented to us today a single Proposition in connection with the role and the salary of the Senior Administrator. At a private meeting between Conseillers and Adam Barker, who reviewed the matter for Policy & Performance Committee, I stated that I took the view that the matter fell into two parts: in the first instance we should review the performance of the existing Senior Administrator against her original job description and any revision to her salary that might be appropriate. We could then go on to debate and consider any amendments to the role and then ensure that they fit in with other official duties and the mandates of Chief Pleas Committees. This single Proposition shows that what I said then has not been followed and I must therefore repeat here today: in my view this Proposition should be split into two parts and considered separately – and especially the future job description should be debated separately by all Conseillers as this has yet to be agreed by Chief Pleas.

735 The tone of the original job description was one of support for the administration of Government matters, and the revised proposal is vastly different as it confers authority to promote Sark in a number of areas. It suggests that the incumbent will lead the annual budget-setting process – to the exclusion of the Finance Committee, I ask? It proposes a considerable involvement in matters of governance, to be the lead point of contact for all outside agencies including St James's Chambers and also the Lieutenant Governor, Ministry of Justice, Foreign Office and other Crown Dependencies.

740 I have to ask: where does this leave the Seigneur, for one; and the Seneschal, or indeed the President of Chief Pleas? (*Interjection by the Speaker*) Sorry, the Speaker of Chief Pleas, my apologies, sir. I am sure nothing hinges on it and there is no pay involvement is there?

745 **The Speaker:** I just like to get things right in here!

**Conseiller William Raymond:** Yes, of course!

It also raises the issue that if the Senior Administrator is engaged in this way then presumably there will have to be *another* to carry out the duties of the present job description.

750 We have gone through a period of extreme change in the last three years. The old operational system of Chief Pleas working through Committees has been largely superseded by a two-tier system of Committees with defined subjects being developed by policy development teams and the creation of the Policy Development Group which acts as an overseer of all matters.

755 In addition to that, we had the unfortunate and unexpected death of the late Seigneur and the splitting of the historic role of the Seneschal. Administrative matters have therefore become disorganised whilst persons relocate and establish themselves in new roles, but that does not in my view mean that a whole lot of new responsibilities should be attributed to a position which was originally intended to be entirely supportive. I say this especially when the external adviser who recommended a substantial increase in salary has done so without understanding that the  
760 job description he has worked to has not been authorised by Chief Pleas.

In a small community it is very difficult to remain objective without it appearing personal. That is not the purpose of what I am saying today. The Proposition seems to recommend the job description and salary of the Senior Administrator without naming the present incumbent, and I understand why. I understand that stance but, ignoring the title, the job proposed has changed  
765 so materially that one must ask whether it should go back on to the open market and be advertised at the proposed salary. I do not regard the present approach as being satisfactory as I believe that this job description, as included, impinges too much on other persons' responsibilities. There may be other people out there, if this is what Chief Pleas decides they need, who are better qualified for this new position – for that is what it is: a new position.

770 I therefore ask P&P to withdraw the Proposition as it is drawn and to give consideration to reviewing the present incumbent's salary based upon the original job description, and then bring forward revisions to the role as part of the establishment review following consideration of the mandates of Chief Pleas' Committees as well as the future roles to be performed by the Seigneur and the others I have already mentioned.

775 Thank you.

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

Before we continue I would just like to emphasise what Conseiller Raymond has said. That in the Mother of Parliaments it is not considered to be good practice to actually discuss an  
780 incumbent or a civil servant. Whilst politicians may bite lumps out of each other, civil servants are not here to defend themselves personally, and I think the two speakers that we have had so far in that respect have been okay.

Conseiller Pauline Mallinson.

785 **Conseiller Pauline Mallinson:** I understand exactly what Conseiller Raymond and Conseiller Guille are saying about us focusing on the role and responsibilities rather than the individual. However, I do feel it is important to say, as a new Conseiller starting a few months ago, the position of the Senior Administrator was immensely supportive in terms of understanding what can sometimes seem a very complex and very difficult role to take on without, I have to say, very  
790 much in the way of induction or training. So I personally feel that this role is extremely valuable and extremely important to Chief Pleas.

I also went to the meeting where the evaluation of the job was discussed and I feel that, having sought professional advice, we on Sark have to be prepared to consider that advice and we also have to be prepared to accept the value that the outside world puts on roles and  
795 responsibilities that we are asking people to undertake. I do, however, feel that perhaps even if the size of increase that is being proposed is appropriate, as I said in that meeting perhaps there would have been ways that were more palatable that this could have been discussed – for

instance, with part of it being as a performance-related bonus set on certain criteria within the job description, or perhaps having been phased as a significantly above-inflation rise over a number of years. So I do feel that it must seem to people outside this Chamber *very* unpalatable that it is such a large rise in a single lump – sorry I was looking for a better word than that! I find that a slightly unfortunate part of the proposal. Having said which, I will support the Proposition because I think it is a significant role and we should value it as such.

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

**Conseiller La Trobe-Bateman:** I wrote a bit of a speech here but I do not think I need to read it out because I support Conseiller Williams' and Conseiller Guille's views.  
810 Thank you.

**The Speaker:** I do not think we have had a Conseiller Williams –

815 **Conseiller Sam La Trobe-Bateman:** William, sorry.

**The Speaker:** William Raymond, yes.

**Conseiller Sam La Trobe-Bateman:** Oh yes, first name terms!

820 **The Speaker:** Too many Williams here, really.  
Conseiller Jane Norwich.

**Conseiller Elizabeth Norwich:** I would just like to confirm there has been no PDG meeting that I am aware of that has been held since May, so we have not had the opportunity to discuss the job description as might have been helpful.  
825

I think there are at least three parts to this Item, an Item that is about a role and not a person. There is a cost issue, a standards issue and a change issue. Taking the last bit first, change can be hard and painful but it can have benefits. In 2008 Sark made the big change towards making a full democratic process of Government. There will be continuing consequences to that decision which we were all part of. One consequence was to change our method of Government to improve its efficiency, to ensure good standards were observed and to improve our links with the outside world. Part of that was to have a Senior Administrator, or Chief Executive as some of you may wish to call it.  
830

Part of that role which I reiterate was not a temporary change or a fixed term was to help Conseillers in their new roles, to put in place normal accepted ways of undertaking Government in a democratic form and no longer in the feudal way. The workshops helped, including giving advice on undertaking public consultation and developing policy – something most of us take for granted now – so the job description has changed. This helps us to meet the standards expected of us by the public and others on and off Island. The role helps join the dots across Government, not just in the way of secretarial help, as some people view the role, but truly joining things up, assisting Government to work in a co-ordinated fashion. Communication with the outside world – be that in the Bailiwick, the Channel Islands, the Brexit office, or the MOJ, etc. – has become much more efficient. If you do not have the senior administrator role in place, with that as part of the job description, then to whom do the 200-plus emails every day go? How do any of those outside senders know who to send it to if that role is not there? Which CSO? Which Conseiller?  
840  
845

A CSO, you may say, but as some of you have made plain you do not want them to do more than they do already. They are not in office every day. What about continuity? Do they have the experience to do a conference call with the Brexit Minister, or deal with the complex HR issues

850 as have happened recently? If you need that help then you need a senior administrator. I do not think there is anyone on Sark who meets the qualification requirements that we do need.

855 And finally, cost. There is a cost if you do and cost if you do not in all decisions. There is a risk if you do not have the role in place working at that level and standard that we require and undertaking the workload we ask of that role – a role that includes working into the evening and at weekends just like most of those do, too. But if the role is advertised in future will an applicant be attracted to a jurisdiction that thinks it can pay half rates and still get the same standard of work and cope with the responsibility? I believe we will send out the message that Sark is not really serious about how it works. Sark does not set the market price for a job, the commercial world does. F&R have shown us how this can be paid for without increasing taxation. I will be supporting Proposition.

860

**The Speaker:** Conseiller Rob Cottle.

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

865 I am very aware of the concerns about constantly increasing costs and this Proposition may well get defeated on those grounds. But there seems to be a desire at the moment to look backwards rather than to the future, and the future is what Sark will have to deal with whatever that brings. My fear is that Chief Pleas may be shooting itself in the foot by putting cost above everything. As Conseiller Norwich has just said F&R have looked very carefully at ways that these proposals could be funded and have come up, after a lot of research and question-putting, with proposals that can support; but if the decision of Chief Pleas is contrary to that then so be it.

870

875 When the senior administrator job description was written four years ago, during the recruitment process we had no experience of making such appointment or in reality how wide-ranging the responsibilities would become. I believe this report accurately reflects what the role now is, albeit with some of the qualifications that have been mentioned about the detail of it. It has now significantly expanded from what was originally described and is very demanding upon current postholder. It is not about personality, but it is about the job and the requirements to fulfil that job. It may not be apparent to all Conseillers what the Senior Administrator does, but from experience in the Finance and Resources Committee decision-making would be much less well-informed and new situations handled much less well with all the risk implied in that – costs and otherwise, reputation, whatever – without the input of the current incumbent.

880

885 The workload of F&R has been very large this year, with some tricky situations to deal with, and often very time-consuming. Being able to offload some of that and know that sensible advice and professionalism will be applied to problems, has made that bearable. Government has become more difficult and the demands upon it have become greater, whether we like it or not, and having professional assistance available is essential to cope with that. Not having someone to deal with the responsibilities set out in the job is the risk, if we undervalue what the responsibility is. If we have nobody to deal with those responsibilities that are set out, it does not mean they will go away and make things simpler, but quite the opposite – things will not get dealt with and they will inevitably get worse.

890

There is a cost to having things done well and efficiently, and that is what is reflected in the independently reassessed salary proposal that goes with a more realistic job description. If the collective view is that we can get away with cheaper, then I do not share that view. I will vote in favour of the Proposition.

Thank you.

895

**The Speaker:** Does anybody else wish to contribute to this debate?  
Conseiller Charles Maitland, do you wish to respond to the debate?  
Sorry, Conseiller Edric Baker.

900 **Conseiller Edric Baker:** Yes, I have found it very interesting listening to the debate and there is such a mixture of views. I am saddened that there is open hostility between the Policy Committees and the Operational Committees and this has been borne out with some of the comments today. But as regards the Proposition, a lot of people have spoken about this but one point that has been left out is section 32 of the job description:

Liaise directly with the management team of Isle of Sark Shipping (IoSS) Co. Ltd.

905 I happen to serve on the Shipping Committee and that is the job that we do. There is no point having a Shipping Committee if the Senior Administrator is going to do that role; and the same with the Tourism that has also been mentioned. I will not be voting for this Proposition.

**The Speaker:** Before I call Conseiller Maitland, is there anybody else? Conseiller Maitland, do you wish to respond to the debate so far?

915 **Conseiller Maitland:** We have heard arguments for and against but I would just say, having experienced the work of the Government without a senior administrator for four or five years, I have no hesitation in saying that it is absolutely essential. And if you are going to be looking at the role and you have to go out there today and find someone to take on this job, a very difficult job, then you will have to pay this sort of salary. (**A Member:** Or double.) Or double. But I think at least start at this sort of amount.

920 We cannot go backwards and if we do we are going to be in trouble, because there are all sorts of difficult situations which over the last four years the Senior Administrator has quietly dealt with, and we are not capable of doing that work ourselves. Please vote for this Proposition.

**The Speaker:** Thank you. A named vote has been called.

Oh, sorry, I will read the Proposition, otherwise you will not know what you are voting for!

925 The Proposition is that Chief Pleas approves the revised job description as attached for the role of the Senior Administrator and also agrees that the enhanced salary of £53,425, as recommended by Adam Barker, should be paid to the Senior Administrator from the beginning of the 2018 financial year.

Greffier.

*There was a named vote.*

*Not carried – Pour 8, Contre 15*

**POUR**

Conseiller Charles Maitland  
Conseiller Elizabeth Norwich  
Conseiller Dr Roger Norwich  
Conseiller Robert Cottle  
Conseiller Antony Dunks  
Conseiller Sebastien Moerman  
Conseiller Anthony Ventress  
Conseiller Pauline Mallinson

**CONTRE**

Conseiller Diane Baker  
Conseiller Edric Baker  
Conseiller Peter Byrne  
Conseiller Colin Golds  
Conseiller Nicolas Moloney  
Conseiller Helen Plummer  
Conseiller William Raymond  
Conseiller Stephen Taylor  
Conseiller Alan Blythe  
Conseiller Reginald Guille MBE  
Conseiller Peter La Trobe-Bateman  
Conseiller Christopher Nightingale  
Conseiller Cormac Scott  
Conseiller Paul Williams  
Conseiller Sandra Williams

**The Speaker:** That is **lost** by 8 *pour*, and 15 *contre*.

**14. Independent Commissioner Interviews –  
Policy and Performance Committee Report considered –  
Proposition carried**

*To consider a Report with Proposition from the Policy & Performance Committee entitled 'Report from the Panel on the Interviews for the Independent Commissioner, the Control of Electricity Prices (Sark) Law, 2016'.*

*Proposition:*

*That Chief Pleas, on the nomination provided by the Policy and Performance Committee, appoints Dr Anthony White as The Sark Electricity Price Control Commissioner for the next five years, commencing when the Oath of Office has been administered by the Seneschal's Court.*

930 **The Speaker:** We go to Agenda Item 14, to consider a Report with Proposition from the Policy & Performance Committee entitled 'Report from the Panel on the Interviews for the Independent Commissioner, the Control of Electricity Prices (Sark) Law, 2016'.

I cannot see Hazel Fry down. Who is doing this one?  
Conseiller Charles Maitland.

935

**Conseiller Charles Maitland:** I am introducing this report on behalf of Conseiller Hazel Fry who is languishing in hospital in Tralee. It is a sadness that she is not with us today to savour the successful conclusion of this part of the work of the Sustainable Electricity PDT, which she has so ably led for the last three years. I should also like to thank the Senior Administrator and Committee Support Officer, Jan Guy, for the efficient and timely way that we have moved to the appointment of the Sark Electricity Price Control Commissioner. This Report is very full and describes the process carried out, how the panel came to its unanimous conclusion, and that P&P have accepted the recommendation of the panel. It also outlines the cost of the work of the Commissioner for the first year, which is within the budget approved by Chief Pleas at the Extraordinary Meeting on 23rd August.

940 As this was a new role the research and work done has been difficult and time-consuming. In total the Senior Administrator and the CSOs have worked a total of 160 hours carrying out tasks such as research, seeking advice from professionals in the field of regulation, writing progress reports for P&P, finding professionals to make up the appointment panel, devising interviews, querying points of law with the Crown Officers, drawing up application forms, and seeking references and taking notes.

945 The interview costs of the appointment, I think, were going to be about £2,000 originally, and because the lawyer had to be found to take on the job of giving legal advice, rather than the Law Officers, of course that has meant an increased amount has been spent. But on the whole the total figure is just under £3,500. Advocate Simon Howitt reduced his payment by half and this amount has now been taken out of the Committee's budget.

If anyone has any further questions I would be happy to try and answer them.

**The Speaker:** Are there any questions or comments from the floor?

960 Okay, in that case we will go to the Proposition: that Chief Pleas, on the nomination provided by the Policy and Performance Committee, appoints Dr Anthony White as the Sark Electricity Price Control Commissioner for the next five years, commencing when the Oath of Office has been administered by the Seneschal's Court. Those in favour; are there any against? That is **carried**.

**15. Securing Sark's future –  
Policy and Performance Committee Report considered –  
Proposition carried**

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

*Proposition:*

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

965 **The Speaker:** Agenda Item 15, to consider a Report with Proposition from the Policy & Performance Committee entitled 'Securing Sark's Future – Progress Report'.

I will ask Conseiller Charles Maitland to introduce the Report. I have not actually – and it is unusual – been given any names of people who wish to speak to specific bits of it.

970 **Conseiller Maitland:** I have got nothing to add to the information given in the Report, but I believe that Conseiller William Raymond is going to give a verbal report on behalf of Land Reform.

**The Speaker:** Okay, is there anybody else?

975 Conseiller William Raymond.

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

At the Easter Chief Pleas I made a statement on behalf of the PDT about the progress of this research. I reported that we had a meeting planned with the Law Officer which duly took place.  
980 This meeting resulted in advice on certain actions which have proved to be unachievable.

Since then, in order to assist momentum on the project, the team has asked for the involvement of the Seigneur as head of the land ownership chain and also advocate Nick Van Leuven, who I am pleased to say have both agreed to assist us.

The aims of the team articulated at the Easter meeting remain unchanged: these include the  
985 establishment of an agricultural tenancy regime which is relevant in the context of Item 16 which follows this Item. In addition we wish to improve the availability of secure occupation of housing by permitting voluntary divisibility of tenements which, coupled with mortgaging, should enable residents to improve their position. We continue to believe that we need to have a mechanism to protect against forfeiture and leases. This is a real requirement if they are to  
990 provide security for mortgages. The team acknowledges that there have been delays but they wish it to be understood those delays are not of their making.

Thank you.

**The Speaker:** Is there anybody else wishing to comment on this Report?

995 Conseiller Pauline Mallinson.

**Conseiller Pauline Mallinson:** I just have to say I understand this is an extremely complex matter but I find it very disappointing that in the six months since before I joined Chief Pleas we emailed Policy & Performance and expressed the views of a large number of leaseholders that  
1000 this was vitally important piece of work for the Island. We still have not managed, apparently, make any progress. But more specifically I find it very disappointing that we had to wait until this morning and only have a verbal report from the Policy Development Group because it makes it very difficult for Conseillers to discuss this vital matter with residents of the Island once the papers are published in order to use send out their views before Chief Pleas.

1005 So could I please ask that for next Chief Pleas we have a written report before the meeting, and I believe Conseiller Guille actually did say at the last Chief Pleas that we would have a written report for this Chief Pleas.

Thank you.

1010 **The Speaker:** Is there anybody else? In that case we will go to the Proposition that Chief Pleas takes note of the contents of this progress report. Those in favour; are there any against? That is **carried**.

**16. The Dairy Industry in Sark –  
Policy and Performance Committee Report considered –  
Debate commenced**

*To consider a Joint Report with four Propositions from the Agriculture, Environment, Sea Fisheries & Pilotage and Policy & Performance Committees entitled 'The Dairy Industry in Sark'.*

*Proposition 1:*

*That Chief Pleas authorise the Agriculture, Environment, Sea Fisheries and Pilotage Committee to secure a long-term government rental or lease agreement on the current dairy site, from the landowner, with the ability to sub-let.*

*Proposition 2:*

*That Chief Pleas authorise the Agriculture, Environment, Sea Fisheries and Pilotage Committee to enter into long-term government rental or lease agreements with landowners for sufficient grazing and winter feed land to support a dairy, of current size, with the ability to sub-let.*

*Proposition 3:*

*That Chief Pleas authorise the Agriculture, Environment, Sea Fisheries and Pilotage Committee, having obtained sufficient land to support a dairy of the current size, to sub-let this land to dairy farmers.*

*Proposition 4:*

*That Chief Pleas direct the Agriculture, Environment, Sea Fisheries and Pilotage Committee to request the Law Officers of the Crown, as a matter of urgency, to investigate and draft legislation to prevent the importation of liquid milk products from within and without the Bailiwick into Sark and report their initial findings to the Policy Development Group for Prioritisation*

1015 **The Speaker:** Agenda Item 16, to consider a Joint Report with four Propositions from the Agriculture, Environment, Sea Fisheries and Pilotage and Policy & Performance Committees entitled 'The Dairy Industry in Sark'.

I understand that this Report is no longer a joint Report and is being brought to Chief Pleas solely by the Policy and Performance Committee, so I will call Conseiller Charles Maitland to introduce the Report.

1020 Before I do that can I ask if there are any declarations of interest? Conseillers Nightingale, Paul Williams and Helen Plummer.

**Conseiller Nightingale:** Can I declare an interest and please can I leave the room so people can say what they truly think, please?

1025 **The Speaker:** I will put that to a vote but you are allowed to stay if people so wish, and you are probably in the best position to give technical advice on this, I would have thought. But I will put it to the room: do we ask Conseiller Nightingale leave? Those in favour?

1030 **Conseiller Guille MBE:** Sir, there are three people who have put their hands up; I think they should all be treated the same.

**The Speaker:** Yes, well it depends on whether ... Do you have a pecuniary interest?

1035 **Conseiller Plummer:** The reason I ask is because I sell milk.  
I do not know if that is, I was just – no? That's fine.

**The Speaker:** Yes, I cannot see the relevance of that to this, actually.  
Paul Williams.

1040 **Conseiller Paul Williams:** So do I.

**The Speaker:** Yes, I cannot see the relevance of that, frankly, but for a person who has a direct pecuniary interest there is – *(Interjections)*

1045 **Conseiller Maitland:** Importing milk is a pecuniary interest.

**The Speaker:** Yes, actually, that is very true, if you just sell it, but if you are importing it – I will put it separately: those who feel that Conseiller Nightingale should leave the room, those in favour; those against? I would say that is **lost**.

1050 **Conseiller Nightingale:** I am more than happy to go.

**The Speaker:** I would say that is lost actually.  
And Conseiller Paul Williams, those who feel he should leave the room; and those against?  
1055 That is **carried**.  
We have funny situation where Conseiller Nightingale stays and you go, I am afraid.

**Conseiller Nightingale:** I am quite happy to go as well.

1060 **Conseiller Paul Williams:** I need a pee anyway, it's alright. *(Laughter)*

**The Speaker:** Can we strike that last comment from the record? *(Laughter)*  
Conseiller Paul Williams has left the meeting.  
I will now ask Conseiller Charles Maitland to introduce the Report.

1065 **Conseiller Maitland:** This Item has become a P&P Report after the withdrawal of the Agriculture, Environment, Sea Fisheries & Pilotage Committee support. So P&P are metaphorically holding the baby.

1070 One can only wonder whether it was the same lack of concern – excuse me, I must take some water – about the future of the dairy industry, that left the old Agricultural Committee doing nothing to implement the 2013 Report that is included with your Chief Pleas papers. There have been over four wasted years.

I would like to thank Dr Richard Axton for the time and effort that he has put into trying to move matters forward and for the work of Conseillers Reg Guille and Chris Nightingale who put this Report together. My answer to those who question supporting the dairy industry in any way is that cows are an intrinsic part of the Sark landscape and local milk and cream form an essential part of all our diets. Milk is very price-sensitive and while subsidising milk production and banning all milk imports into Guernsey is good for Guernsey, its unintended consequence is that milk imports into Sark have damaged our local industry. A ban would obviously have to be flexible and allow imports into Sark if demand exceeded supply. I only hope that if Chief Pleas agrees to the Propositions that the Agricultural, Environment, etc. Committee can galvanise itself sufficiently to carry out this research with commitment and enthusiasm.

Thank you.

**The Speaker:** Are there any questions or comments from the floor? Keep your hands up, please. Right, I have Conseiller Rob Cottle, Conseiller Sam La Trobe-Bateman, Conseiller Reg Guille, Conseiller Jane Norwich and Conseiller William Raymond. Have I missed anybody? Yes, Conseiller Sebastien Moerman.

Okay, Conseiller Rob Cottle.

1090

**Conseiller Cottle:** Thank you.

Exploring ways to secure agreement by landowners to provide relatively long-term rentals or leases for suitable land seems like the best way forward to provide some assurance for anyone who may be considering taking on the Dairy in the relatively near future. If Chief Pleas through Agriculture Committee could achieve that then it would make a real difference to the sustainability of the herd, to the dairy industry on Sark and all the related impact on the landscape and the environment go with it. If we go ahead with that through the first three Propositions then I think it could make a real difference and I think we should.

Turning to Proposition 4, the proposal to ban imports would be copying what Guernsey already does to protect and support its dairy industry and heritage. Under the Milk and Milk Products (Guernsey) Law 1955 there is an Ordinance – the Milk (Control) (Guernsey) Ordinance 2016 – which, amongst other things, restricts and controls any imports of liquid milk permitting import only under particular circumstances which could include temporary shortage of local milk. An alternative of taxing imports has been suggested by some to ensure that imports could not be sold more cheaply than local milk. That may be possible but would probably take longer to implement due to Sark’s current import duty legislation referring only to specific products – milk not included. There is a 1950 Order in Council concerning Sark import duties which is still the basis for applying duty or Impôt, alcoholic products, tobacco products, fuel oils, petrol – and it even also permits the taxing of tea imports, which we obviously do not do. But there is no provision to apply this for milk. New legislation would therefore have to be introduced if that was considered the way to go, but it is hard to see how that would be a better option.

If we wish to support having a sustainable dairy industry in Sark then I think Proposition 4 is the way to proceed. Thank you.

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

**Conseiller La Trobe-Bateman:** I would just like to ask P&P how they think that Chief Pleas or the Agricultural Committee would be able to secure grazing. Without the land reform and the agricultural leases we will have no more luck than a private enterprise does anyway.

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**The Speaker:** Conseiller Cormac Scott.

**Conseiller Scott:** Sorry, do you want me to answer that? I was distracted ... [*Inaudible*]  
(*Laughter*)

1125

**The Speaker:** No!

1130

**Conseiller Scott:** I will speak on it actually and I think the problem is that there are a few issues here: we as a Committee have disagreed with all of this, but the Chief Pleas has now been asked to actually overrun that decision and put everything back in our hands again without any consultation whatsoever with this Committee. So I think all Propositions should not be allowed to go forward; or if people want to argue it take the idea that you are going to instruct the Agricultural Committee to do stuff that they unanimously agreed not to do.

1135

Secondly, I think the first three Propositions are a complete waste of time; they are a bad business model. Why would you expect Agriculture & Sea Fisheries Committee to buy land to subsidise a private industry when the private industry themselves are actually retiring? That should be just open to them – the dairy industry should be open to all people who want to buy it. Then, the people who want to take over the dairy industry should do their own research, like all businesses have to do, and decide whether or not they want to take it on.

1140

I fully appreciate the fact that cows are important to the Island, but there are cows on the Island, there is a dairy up in Little Sark, isn't there – Phil Perrée? So do we subsidise him as well?

1145

I think this was rushed through too fast without any consultation between the two Committees, but I think Policy & Performance if they want to take it on *they* take it on; but they should not instruct Chief Pleas to direct us who are in disagreement with it to suddenly have to take it on. And I think all proposals should be withdrawn. That is my opinion.

**The Speaker:** Thank you for that, and I believe that is Conseiller Cormac Scott's maiden speech. I have never heard such an impassioned one as a maiden speech before. (*Laughter*)

Conseiller Reg Guille

1150

**Conseiller Guille MBE:** Yes, I would just go back on what Conseiller Scott has said about Chief Pleas buying land and subsidising the dairy industry. That would not happen.

1155

One of our thought processes in producing this Report, which was done at very short notice I will say, and I agree that there was not a huge amount of consultation between the two Committees, we did not sit down together, but it was a joint Report.

1160

The object of the Propositions asking Chief Pleas to secure land is not to *give* that land to the landowner, but to get the cost of leasing that land which would be paid for by whichever part of the dairy industry wanted to run those fields. We looked at it in a way that because of the lack of definitive movement on land reform, that the landowners ... who all say to us, all the time, what wonderful landowners they are. They are so supportive of the Island but they will not give leases to people of a decent length and they will not renew leases.

1165

Our hope was that if you take out the individual and let the Government purchase the leases and then the Government sub-let those leases back to the dairy industry at cost, the landowners might be more prepared to let the Government have longer leases, because the Government is not at any time in the future going to be in a position to ask for that to be purchased by the Government. I think there is confusion there between land reform, the ability to buy a property under rules of indivisibility being removed. The idea of the Government getting involved in buying leases was to try and unjam the logjam.

1170

So the idea of the Committee is that there is going to be no hidden subsidy to any part of the dairy industry. If we were able to secure leases – decent length agricultural leases – from landowners then the cost of that to the Government would be borne in sub-letting it to the dairy industry.

I also reinforce the message that Conseiller Cottle gave with regard to the Milk (Control) (Guernsey) Ordinance 2016. It is very clear in that document that Guernsey have taken steps to

1175 protect their dairy industry, to protect the agricultural nature of Guernsey. And we tried this, we  
applied and we sought advice from the Law Officers many years ago when I was sitting up there  
as the Seneschal, and we were told we could not produce a law to ban imports of milk. Well,  
blow me down, three years ago Guernsey have done it! But we were told we could not do it. So I  
cannot see why we cannot develop a similar law to ban the import of liquid milk products to  
1180 protect our dairy industry.

I had a very long conversation on Sunday night – I think at about 8 o'clock, and it went on for  
about an hour – with a constituent who was very concerned about the proposals. I think at the  
end of the hour we agreed to differ. My main concern with imported milk is that it is subsidised.  
It is competing unfairly with our dairy industry. Guernsey have stopped the import of milk  
1185 except under specific circumstances, yet Guernsey are quite happy that their dairy industry,  
which is Government-owned, sell their taxpayer-subsidised milk to Sark which is helping to  
undermine the Sark dairy industry. I think it is two-faced; I really do.

Where is the level playing field in that? How can our farmers compete with heavily subsidised  
milk from Guernsey? It said that the subsidy will be run out in a few years' time. Well, look and  
1190 see what they have made about the decision this week in their parliament with regard to  
reducing the fees for education. There is nothing to stop them changing their mind, with a  
different Assembly, of not just reducing milk subsidies but increasing it.

I was very disappointed that the Agricultural Committee who have the responsibility to look  
after our dairy industry, having produced an excellent report in 2013 and yet done nothing  
1195 about it – and it is in your papers – at the last minute failed to support the Policy & Performance  
Committee in the joint Report. I do not know the way forward on it.

I am bemused as to what P&P can do on its own because we are not mandated to do that.  
The mandated Committee to look after the agriculture on Sark is the Agriculture Committee,  
plus all its other bits. If they are not prepared to do anything then I am afraid I can see that the  
1200 Sark dairy industry will go to the wall and more and more imported milk will be brought in. If we  
cannot get decent agricultural leases as a government, then I think the dairy industry on Sark will  
go and we are going to end up with more fields looking like those rubbish ex-vineyard fields that  
we had before.

Thank you, sir.

1205

**The Speaker:** Thank you.  
Conseiller Jane Norwich.

**Conseiller Elizabeth Norwich:** Coming from a smallholder background, I fully understand the  
1210 economics of this Item. I also do not wish to lose Sark milk and cream. I appreciate its freshness  
and taste. Milk from Guernsey is not the same in flavour – I think we would all agree – and  
would be at least one day older if I did buy it, which I do not. However, once we decided as a  
Committee that this really should come to Chief Pleas with a joint Committee with Agriculture, I  
was absolutely horrified to find that a report was done four-and-a-half years ago, as you can see.  
1215 The Agriculture Committee has not done what was agreed in Chief Pleas. What has happened in  
between? I could not believe it.

The Dairy is a commercial business but it has effects in all sorts of areas: visual impact on  
grazing and animals to our tourism industry; environmental impact controlling invasive species;  
supporting our diverse grassland flora – something I spoke about earlier, flora that is  
1220 disappearing fast elsewhere; products to support our catering industry; and also having food  
yards, not miles. That has an impact on our carbon footprint – small, I know, but an impact – and  
the Kyoto Agreement. Something should have been done years ago – four-and-a-half years ago,  
at least. Maybe now is not too late, but we should at least try.

1225 **The Speaker:** Thank you.  
Conseiller William Raymond.

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

I entirely agree with the thrust of the proposals in this paper, we do need to produce our own milk and we need to maintain grazing animals to preserve our rural landscape.

1230 The paper highlights the problems of one industry which has already become established on Sark and the continuity of which is now threatened. The reasons which threaten the Dairy may be the same as those which deter people from coming to Sark and starting or developing businesses here. The problems may be land tenure and reasonably priced housing. The problems have already been identified by the Land Reform PDT which unfortunately has become becalmed.

1235 We have for some time been advocating legislation along the lines of the agricultural tenancy legislation in 1995 in the UK, which has worked well there. It makes land available for farmers from those that do not want to farm, on terms which guaranteed as far as the farmer is concerned, and the farmer has secure occupation for a given term. That is fine for the occupation of bare land but is much more complex where buildings are involved, as the normal tenancy length is at most 10 years and buildings will have a life expectancy in excess of 30 years.

1240 The paper proposes that there should be a lease between Chief Pleas and a landowner where Chief Pleas will then be empowered sub-let. There is no mention of the terms of the lease or any of the other conditions which may be key to whether landowners will be attracted to it – and I emphasise the fact that landowners will have to want to let on those terms. The proposal seems to contemplate a voluntary agreement on behalf of landowners. There is then the problem over the buildings and any slurry dispersal arrangements which will have potentially a longer life than perhaps the contemplated lease length.

1245 It has therefore occurred to me that we might borrow or adapt the alienation provisions which would give landowners the ability to alienate the land to the Island for the purpose of dairying which, if the dairying ceased on the land, would be returned to the landowner in good condition. This might secure land in the long term for this purpose with genuine security for the farmer. Alienation to the Island, as I understand it for specific public purposes, is perfectly possible.

1250 The matter of the capital for the construction or acquisition of buildings will need to be considered separately as the borrowing climate on the Island is not easy. There is also the question of housing and whether the farmer or dairyman should be classed as a prescribed person under the Control of Occupation legislation.

1255 There is much to consider in this very worthwhile proposal; I would, however, like to ask the Committee to defer instructions to the Law Officers until the question of land tenure for future dairymen, together with the housing occupational rights, have been investigated. I would also like the Committee to reflect on the possible prohibition of importation of milk: will that create a monopoly? We have just spent a lot of time, effort and money trying to overcome another monopoly in another industry.

1260 Thank you.

**The Speaker:** Before I call Conseiller Maitland to respond to the various points – (*Interjection*) Oh sorry, Conseiller Sebastien Moerman; and are you indicating, Conseiller Sandra Williams, as well? Conseiller Sebastien Moerman, sorry.

1270

**Conseiller Moerman:** Thank you.

1275 First of all, I fully agree with thanking Dr Richard Axton because he has done very extensive work and he has been working on this for a long time. Secondly, some of you may know my strong views about the interference of the state in the economy, which seems to be a common practice in this room. However, on this particular matter, I would say that I fully agree with Conseiller Guille. It is unfair competition and the Dairy has to be protected.

What I would like to understand is actually the background and the reasoning behind the Agriculture Committee asking for that proposal to be withdrawn; and also, is it appropriate that such a request is made by anonymous letters? I am not sure it is appropriate.

1280 Thank you.

**The Speaker:** I am not sure I fully understand the latter part of that, it sounded more like MI5 than anything else.

1285 Can I call Conseiller Sandra Williams, and I have also got Conseiller Helen Plummer. Conseiller Helen Plummer you have already declared an interest in this.

**Conseiller Plummer:** Yes, it was withdrawn because I was just selling the milk.

1290 **The Speaker:** Conseiller Sandra Williams, followed by Conseiller Tony Ventress, followed by Conseiller Helen Plummer.

**Conseiller Sandra Williams:** Thank you.

I have to sympathise with the Agriculture Committee, it does sound to me like they have been thrown into something that they cannot agree to agree on.

1295 I buy Sark milk and I will continue to buy Sark milk all the time that I can for my business and for my personal use. I would just like to question Proposition 4:

That Chief Pleas direct the Agriculture, Environment, Sea Fisheries and Pilotage Committee to request the Law Officers of the Crown, as a matter of urgency, to investigate and draft legislation to prevent the importation of liquid milk products ...

1300 Does that mean that we can no longer buy soya milk, or we can no longer buy other milk, yoghurt and all the things that have milk in them – ice cream? It seems to me that it goes too far to try and deal with one item. If it is Guernsey milk we are trying to ban importing then it should say 'Guernsey milk'. I do not agree that it should say 'liquid milk'. We buy a lot of soya milk, we have to buy lots of different types of milk to suit people's dietary requirements these days, and I would hate to think that if we are going to ban it that we are going to ban it *carte blanche*.

**The Speaker:** Thank you.

1305 Conseiller Tony Ventress. I will call a break shortly if this is likely to continue for a length of time.

But, Conseiller Ventress.

1310 **Conseiller Ventress:** Propositions 1, 2 and 3, I feel fall under the long-overdue Land Reform legislation and until this goes through I cannot see any landowner wishing to enter into any leases. We know that they are already tending not to allow land of any condition, because they are afraid that when they have let land the results of their leases might be changed.

1315 Then on Proposition 4 – and I will be voting against the first three, I think – regarding subsidies: I can see no problem in banning the subsidised milk because the European legislation, which the UK at the moment is still legislated by, bans any subsidised commodities. And there is also of course the thing with Boeing and Bombardier. Therefore I can see no reason why Sark cannot ban imported liquid milk, and this of course does not infringe upon the import of things like yoghurt and so on which have been manufactured.

Thank you.

1320

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

1325 **Conseiller Plummer:** This has been a very, very difficult item to be discussed within our  
Committee – really very personal, really very awkward – and we are still at an array of  
disagreement. I am very sorry that people think we have let the industry down, we do not want  
the cows to go, we do not want the dairy industry to go, it was just that we felt like – as  
Conseiller Ventress and Conseiller Scott have said – at the moment, all the land reform and  
everything is up in the air. And, yes, I do feel for the other Conseillers, but I am pleased this is  
1330 having a good airing in Chief Pleas.

I will ask if after this meeting, whichever way the Committee votes, that the Agriculture,  
Environment, Sea Fisheries & Pilotage Committee can go back again with all these and have a  
member – or go and sit with P&P – so that we can air this together. It is such an important part.  
We do not want to get rid of our cows, we want to keep everything and the pastoral landscape  
1335 as we possibly can. But as you would all appreciate it is such a problem that was dealt with three  
years ago – in 2013 – and this new Committee had taken it on at the beginning of the year and  
we still have not come to an agreement. If I could hear the views of people and if people come  
and see me, which they have, and some of the public have spoken out very very loudly about  
the banning of milk coming into the Island, and about not banning it coming into the Island, and  
1340 I am really grateful that it has had a very good airing today.

So if I could just listen to the rest of the discussion – but we have not let the dairy industry go  
out of our hands. It is such a complex piece of paper.

Thank you.

1345 **The Speaker:** Thank you.

Before I call Conseiller Maitland, is there anybody else? Yes, Conseiller Reg Guille.

1350 **Conseiller Guille MBE:** Liquid milk: we are talking about milk from cows, not soya. We are not  
talking about cheese – I do like Guernsey cheese but I am buying that in competition with  
cheeses from around the world. So when we were discussing this Report and putting it together  
the issue was the subsidised milk from Guernsey. And beyond the subsidised milk from  
Guernsey, if they can stop imports of milk into Guernsey, they would not allow us to import our  
milk into Guernsey, it is against the law. So they have a law which would prevent us exporting  
1355 milk. If we suddenly had a massive herd here we could not export it to Guernsey, yet they can  
export it to us. I think that was the angle that we on P&P took, which was that we should protect  
our industry the same way that they do theirs.

The securing of agricultural land which people have been saying should not happen – we  
should wait for land reform – we were hoping that the Agricultural Committee, plus all their  
other bits, would be able to negotiate as a government to secure some long-term leases on  
1360 agricultural land ahead of any land reform coming in, as a measure to protect the dairy industry  
– not to subsidise it, but to protect the dairy industry.

I would ask, sir, that you call a recess prior to any summing up by Conseiller Maitland to  
enable the Policy & Performance Committee and the Agricultural Committee to meet outside  
the Assembly to discuss what we are going to do today and whether we are going to pull some  
1365 of the Propositions or go to the vote on them.

**The Speaker:** Is that acceptable to P&P and the Agricultural Committee? (**Several Members:**  
Yes.) In that case, how long do you want?

1370 There are sandwiches available at the Hall, but what I was going to suggest was that we break  
at 1 p.m. for lunch, but if you would like say five or 10 minutes now – but do not go by that clock  
up there, it is about 10 minutes slow. It is now 10 past 12, so if we could all be back by, say, 20  
past 12. (**A Member:** Yes, thank you.)

Conseiller Nightingale.

1375 **Conseiller Nightingale:** Would I be able to make any comments or speak after the vote?

**The Speaker:** Oh, I see, after the vote in this Chamber? I was going to say that what you do outside is your own –

**Conseiller Nightingale:** No, I meant in this Chamber, sorry!

1380

**The Speaker:** We accept you here for technical advice, I am not sure how that could be helpful after a vote, if indeed we do go to a vote.

**Conseiller Nightingale:** Well, things have moved on rapidly and I would like at some time to ... but I do not want to muck people about any more than I am forced to.

1385

**The Speaker:** Just before I call a recess, on a lighter note, a lady on this Island did give me a cup of tea yesterday made with soya milk and as a result she has left on the first boat this morning. *(Laughter)*

1390

So, 10 minutes, back please at 20 past 12.

*Chief Pleas adjourned at 12.10 p.m.  
and resumed its sitting at 12.22 p.m.*

**16. The Dairy Industry in Sark –  
Policy and Performance Committee Report considered –  
Debate concluded; Propositions withdrawn**

**The Speaker:** We are all back, are we?

I have been requested to allow Conseiller Chris Nightingale to make a statement.  
Conseiller Nightingale

1395

**Conseiller Nightingale:** All this started, briefly, my idea was four years ago when I realised that I was not going to go on forever, I looked round for a way of keeping the Dairy going because it was my baby, and I found that I could not get any leases from most of my landlords for any of the land or for the buildings. When I realised that, I knew that there was nobody local interested in taking it over and as there would be no way you could get anybody from outside to gamble by investing in a Dairy that needs money spending on it, and land that you have today but you might not have tomorrow, and buildings that were the same, I knew there was really no way forward, which is when I came and asked Chief Pleas and the Committees if there was any way forward.

1400

Unfortunately, recently, things have moved very fast and I have lost my number one girl who has gone on, hopefully, to bigger and better things in England. My health is not that good, I am 76 years old and quite honestly I am getting more and more nervous every day about how long I can go on. So my decision at the moment which I am afraid is going to have to stand, is that when I run out of bottles, which will be roughly the beginning to the middle of November, I cannot carry on any longer.

1405

I am very sorry, but again I do not feel I can do anything about it. And thank you all for your help and for all you have tried to help.

1410

Thank you.

**The Speaker:** Well, thank you for all that you have done for the Island and we are all very sorry to hear that news. *(Interjections)*

1415

I think probably now I will call – unless anybody else wants to say anything – Conseiller Charles Maitland.

**Conseiller Maitland:** I would just like to thank on behalf of us all, for all that Chris has done for the Island and for all that delicious cream and milk that he has given us over the years. Obviously in the light of this, we cannot carry on with the Propositions. The Report will still stand but we will not go to a vote. But the Committee –

**The Speaker:** Can I just understand – ?

**Conseiller Maitland:** We are not going to go ahead with the vote, we are withdrawing the Propositions.

**The Speaker:** You will withdraw the Propositions? Okay, thank you.

**Conseiller Maitland:** Yes.

The Committee really likes Conseiller Raymond's very good suggestion on the alienation of land for agriculture and we shall be looking into this. Obviously we hope that eventually we will be able to revive a Dairy on Sark but obviously there is a great deal of work to do in order that this could be achieved in the future.

Thank you.

**The Speaker:** Conseiller Helen Plummer.

**Conseiller Plummer:** Thank you.

I too would like to thank on behalf of everybody and myself, being a shopowner, Conseiller Nightingale for all his years and I hope that his health goes on until he gets a telegram from the Queen. *(Laughter)* **(Conseiller Nightingale:** Thank you.)

What I would say is that we have spoken together and the Agriculture, Sea Fisheries, Committee, etc. will go and we will meet urgently with P&P, and I agree with Conseiller Maitland that we will come back with a report.

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

So the Propositions to Agenda Item 16 have been withdrawn. *(Interjections)*

**17. Sark Slaughterhouse Upgrade –  
Agriculture, Environment, Sea Fisheries & Pilotage Committee Report considered –  
Debate commenced**

*To consider a Report with Proposition from the Agriculture, Environment, Sea Fisheries & Pilotage Committee entitled 'Sark Slaughterhouse Upgrade'*

*Proposition:*

*That Chief Pleas approve the expenditure of up to £(figure to be available on the day), from capital funds, for the upgrade of the Sark Slaughterhouse.*

**The Speaker:** We go to Agenda Item 17, to consider a Report with a Proposition from the Agriculture, Environment, Sea Fisheries & Pilotage Committee entitled 'Sark Slaughterhouse Upgrade'.

Are there any declarations of interest? **(A Member:** Me again!) Conseillers Nightingale, Blythe and Moloney. You all have direct pecuniary interest? You derive income from it? Okay.

1455 Can I just put it to the meeting as to whether you believe that these three gentlemen should  
leave the meeting. Those in favour; those against? Yes, everybody is against, yes, sorry – it is a  
rather negative Proposition that, isn't it?

**Conseiller Diane Baker:** Sorry, I cannot hear what you are saying, so I could not vote then,  
obviously, because I could not hear it.

1460 **The Speaker:** I have actually talked to the Greffier because I think we need to get these  
things switched up, we should not have an amplified system where I have to shout at the  
Assembly. But I was just putting it to the meeting as to whether the three people who have  
declared an interest should actually leave the meeting, and they are indeed staying.

1465 **Conseiller Dunks:** I propose they stay.

**The Speaker:** Yes, okay, well we have voted on that.  
Conseiller Helen Plummer to introduce the Report.

1470 **Conseiller Plummer:** Thank you.  
The Report is quite detailed, a lot of work has been done and we would like to thank Mr John  
Robinson for all the work he has been doing for us. I would like now to ask that if there are any  
technical questions they be put forward to Conseiller Antony Dunks, please.

1475 Thank you.

**The Speaker:** Can I just ask, because the Proposition I have is that an expenditure of 'figure to  
be available on the day' ...

1480 **Conseiller Plummer:** Yes. Conseiller Antony Dunks, please.

**The Speaker:** Yes, you should know by now, I do not like mysteries. *(Laughter)*  
Conseiller Antony Dunks.

1485 **Conseiller Dunks:** The figure supplied to the Committee from the architect is £137,979.57,  
which includes a 5% contingency. I shall repeat the figure, £137,979.57.

**The Speaker:** Right, I have got £137,979.57. **(Conseiller Dunks: Yes.)** Okay.  
Conseiller Dunks ... Is that it?

1490 **Conseiller Dunks:** That is the figure to go in the Proposition.

**The Speaker:** Okay, but you do not wish to say any more?

1495 **Conseiller Dunks:** I will answer questions, yes.

**The Speaker:** This is from Capital Funds? Okay.  
Is this unbudgeted expenditure? Can somebody answer me that?

1500 **The Treasurer:** It is capital expenditure.

**The Speaker:** It is capital; okay then that is fine.  
Are there any comments or questions from the floor? Right, I have got Conseiller Rob Cottle,  
Conseiller Edric Baker, Conseiller Pauline Mallinson – there was somebody else – Conseiller  
1505 William Raymond. Anybody else?

Okay, Conseiller Rob Cottle

**Conseiller Cottle:** Thank you.

1510 Firstly, I note that the original guidance that we were given on what might be the cost of the slaughterhouse when this was last brought to Chief Pleas was somewhere between £60,000 and £100,000, and the figure that is before us today is significantly greater than that. So that may have some bearing on what we think about this.

1515 There was a comprehensive report presented to Easter Chief Pleas earlier this year containing a lot of relevant information and three Propositions were approved: firstly, and I think we were pretty unanimous in this, to support the ongoing work on the proposed upgrade; secondly, to issue an invitation to tender for the upgrade work, which has happened recently; and thirdly, that Finance & Resources Committee works with Agriculture, Environment, etc. Committee to identify funding options for the upgrade and its cost, and the subsequent costing of managing the slaughterhouse operation.

1520 The third Proposition which was passed, though, has not been followed-up or followed through yet and F&R have not been involved in considering any alternative to what is being proposed today, that the whole cost should be drawn from the Capital Reserve. This point has been raised by one resident to several of us by email, pointing out that originally it was proposed that some contribution might be seen as appropriate as coming from those who would directly benefit from the upgrade allowing them to export their product to Guernsey for sale; and, if they made some contribution, it would be rather than entirely from the public purse, which is being proposed today.

1530 Can I ask if it has now been decided to bypass that step, or would the Committee still wish to do that and allow for the time required to consider that alternative, as agreed before? The proposed cost involved is very significant, and more significant now, and despite the necessary delay maybe what was approved originally should be adhered to. I would welcome any comments from the Committee on that.

I think the reasons for the upgrade are still valid but we have not completed what we had previously agreed.

1535 Thank you.

**The Speaker:** Before I call everybody else in, can I just ask Conseiller Helen Plummer to address that specific point, please?

1540 **Conseiller Plummer:** Yes, thank you, it is just that we were in fact waiting also for the lease to be signed, etc. at the time, but yes it is more expensive than we had planned. We have listened to Mr Robinson and his reports, and he has worked closely with David Chamberlain the States Vet. If this is put on delay for *too* long – and I mean too long – it will mean that the whole project will probably get behind by about one year. We are hoping to start in January of this year when that is the best place and time to start.

1545 Yes, it is a problem with the money.

Thank you.

**The Speaker:** Thank you.

1550 Conseiller Edric Baker.

1555 **Conseiller Edric Baker:** Yes, sir, I think going back quite some time, how the Guernsey slaughterhouse was changed and the new slaughterhouse was built I think at the cost of £2 million. I think the writing was on the wall then. We have been involved with Guernsey and David Chamberlain and so on for some time, and what we have got here is basically what they think is the best way. The facilities are just so extravagant. The issue at the slaughterhouse was hygiene, that is what happened originally when environmental health got involved and they

recommended various small adjustments. Now this has blown up into something ... it is like a new slaughterhouse.

1560 Sorry.

**The Speaker:** Thank you.  
Conseiller Pauline Mallinson.

1565 **Conseiller Mallinson:** I also had an email from a resident this morning and the question that was raised that I wanted to ask for a little bit of clarification on is that this amount of money, we are spending on a building on which we have a maximum lease of 15 years. If that is the case, it seems like a lot of money to invest in a building that we do not have for that long. I do not know what the projected lifetime of the enhanced slaughterhouse would be, and maybe I am  
1570 misunderstanding, but I would just welcome a comment on that aspect please.

**The Speaker:** Thank you.  
Conseiller William Raymond.

1575 **Conseiller Raymond:** Thank you, sir, that is one of the points that I was going to raise. I was concerned that we were putting potentially long-life expenditure into a short length of lease and should we in fact be looking at an Island-owned property instead?

Can I also ask if there is any information on the cost of management of the slaughterhouse which might have to be borne by the Island? I cannot find anything in next year's budget but it  
1580 seems as though the service may be provided in future by the present incumbent but at the Island's expense.

Thank you.

**The Speaker:** Is there anybody else before I call Conseiller Helen Plummer?  
1585 Sorry, Conseiller Sandra Williams – I did have you down.

**Conseiller Sandra Williams:** Thank you.

I agree with the majority of the comments that have been made, which you all might find quite bizarre.

1590 I have to say I have been asked by residents of the Island are we being seen to be subsidising a business, or a couple of businesses, by having this upgrade – £137,000 seems an awful lot of money to me. As Conseiller Baker has said, it started off being a few initial upgrades and a few hygiene problems, and to me now it has blown out of all proportion.

1595 Is there enough stock, enough meat, enough stuff being slaughtered in the slaughterhouse to benefit the amount of money being spent? It would be interesting to know how many carcasses, and how many people are actually using the facility, and what they will be paying towards the upgrade of this – and if they are not paying anything then really should we be seen at this stage to be supporting such a huge expenditure?

1600 **The Speaker:** Thank you. Anybody else?  
Conseiller Reg Guille.

**Conseiller Guille MBE:** Can I just ask Conseiller Cottle how much the crane cost us again, please?

1605

**Conseiller Cottle:** Off the top of my head it was £149,000, or in that region, the net cost of the crane.

**Conseiller Guille MBE:** So we have just spent £149,000 on a crane which will last us hopefully for about eight to 10 years.

1610 My concern is the massive increase in the projected price range of £60,000 to £100,000, and  
now we are being told £137,000 – that is a massive increase. I believe that I cannot support that  
price tag for the slaughterhouse and I think I will vote against the Proposition and ask the  
Committee to go back and look again at what is *essential* to be done for the slaughterhouse –  
1615 the essential bit to enable us to keep exporting meat, but also to make sure that the meat that  
we buy on the Island from the slaughterhouse is done in a hygienic manner. So I would ask the  
Committee, and I know they have done an awful lot of work on it, what would be the essentials  
pared down to the bone – I am talking slaughterhouse, so pare it down to the bone – as to what  
*actually* needs to be done and what the bottom line would be on that, and come back to us at  
one of these next two or three Extraordinary Meetings we will be having before Christmas.

1620 Thank you, sir.

**The Speaker:** Okay, thank you.  
Conseiller William Raymond.

1625 **Conseiller Raymond:** Just to take that forward, if people are concerned about the total cost  
should the Agriculture Committee actually be looking at the possibility and the consequent costs  
of live export?

**The Speaker:** Conseiller Sandra Williams.

1630 **Conseiller Sandra Williams:** Could I just make the point also, sir, that up until five minutes  
ago we were not aware of the amount of money that was going to be spent, and I would be hard  
pushed to go out into the public today after voting in favour of it when not one member of the  
public outside of this meeting knows what the figure is that we are voting for.

1635 I would like to ask the Agriculture, Environment Committee to withdraw this Proposition and  
come back to us at a later date once the public have had time to look at the information that has  
been put towards us today.

Thank you.

1640 **The Speaker:** Thank you.  
Conseiller Edric Baker, followed by Conseiller Rob Cottle.

**Conseiller Edric Baker:** Yes, I would like to ask if in fact the sub-lease for the slaughterhouse  
has been signed. (**A Member:** No.) (*Interjection*)

1645 **The Speaker:** And Conseiller Rob Cottle.

1650 **Conseiller Cottle:** I can answer that question first, before what I was going to say anyway.  
The lease still has not been signed at the moment, it is still being finalised and I have just had  
information from Conseiller Dunks this morning that what we believe is the final copy has left  
the Law Offices and is on its way here as we speak. So, imminent but not signed at the moment.

Conseiller Raymond asked the question about –

1655 **Conseiller Dunks:** Can I just clarify that, because it is not quite true?

**Conseiller Cottle:** Well, you told me it was in the post.

**Conseiller Dunks:** I know.

1660 **The Speaker:** You cannot just interrupt from a sedentary position, I will call you in a minute and you can actually speak.

**Conseiller Cottle:** What he said was 'it is in the post' so I think that is the accurate description, but if he has got more information then I will happily hear it.

1665 **The Speaker:** When you say 'in the post' are you talking about actually in the post, or in the post as a euphemism? (*Interjection by Conseiller Dunks*)

**Conseiller Cottle:** Shall I sit down and let Conseiller Dunks speak?

1670 **The Speaker:** Yes, come on, Conseiller Dunks, you are champing at the bit there.

1675 **Conseiller Dunks:** The final draft of the lease went to F&R on Thursday and they gave no objection to any changes to it, so as of Monday morning I communicated to the Law Office in Guernsey and they prepared the final bound copies to be signed, and they are currently in the post as of Tuesday morning and as I speak could be even sat outside in the office. So the final copies could be on site right now or they could be in a postbag coming across from Guernsey.  
Thank you.

1680 **The Speaker:** Conseiller Rob, we should have had the postmistress here, shouldn't we, really?  
(*Laughter*)  
Conseiller Rob Cottle.

**Conseiller Cottle:** Where was I?

1685 **The Speaker:** I do not know!

1690 **Conseiller Cottle:** Conseiller Raymond asked a question about any subsidy or funding in the budget for next year for the slaughterhouse. It is there, it is part of the Agriculture Committee's grants and there is an element of contributing towards the cost of running the slaughterhouse at the moment. It is a small number of thousands of pounds, off the top of my head I cannot remember if it is two or three, or something like that.

1695 I, as well as other speakers, would prefer this to be deferred while we do what was in the Proposition at Easter that the Finance & Resources Committee worked with the Agriculture, etc. Committee to look further into the funding options for the upgrade. That also involved looking at the subsequent cost of managing the slaughterhouse and that would involve what element of uplift in the slaughter charges that would be required if that was a decision of how to recoup the investment that is being proposed. So I would request that this is deferred or withdrawn so we can carry out what was proposed in the first place.

Thank you.

1700 **The Speaker:** Conseiller Helen Plummer.

**Conseiller Plummer:** May I just answer Conseiller William Raymond about animals being exported for slaughter?

1705 We are very proud of our meat over here, the animals are looked after very, very well, but to get them down to the harbour, to put them on the boats, would probably decrease the value of the meat. I have taken instruction on this and even an animal going to slaughter and how it is actually handled at the point of slaughter, all determines the state of the meat. The meat that comes out of the slaughterhouse is beautiful on all our animals and we are really, really proud of our meat over here and that is why.

1710

1715 Also, yes we did look at the time of, 'We will repair this bit and we will repair that bit and it will tide us over'. Mr Robinson has given his time free of charge to explore this and we just felt if we are going to make do and then the States' Vet that comes back and says to us, 'No, you have spent £40,000 and we are still not going to accept your meat, we are not going to live with that, I am not going to put up with it' – when, if we had spent extra and had a good quality abattoir ... that was the way we looked at it. But you must decide. And also, we have a lot of farmers on the Island who do sheep, lambs and pigs and we have got to consider them too.

Thank you

1720 **The Speaker:** The question has arisen though, Conseiller Helen Plummer, about withdrawing the Item, bearing in mind that we have certainly got an Extraordinary Chief Pleas on 7th December and, depending on the progress of the next Item, possibly another one in November.

1725 **Conseiller Plummer:** May I just have a quick word with the rest of the Committee, please?

**The Speaker:** Yes, okay.

1730 **Conseiller Dunks:** Can I just interrupt there, seriously? This is not meant to scare or worry, but things are set up such that on Monday the tenders will go out – the tenders that have been offered and the prices quoted are for the following few months. If we delay by a month, the tenders will become invalid.

1735 We have to start work in the window of January to February this year. If any delay is going to happen you may as well withdraw this and put it back for the whole year, because our tender quotes only run for the current few months and we would have to renegotiate them all, and we would then miss the window to start in January. So, if you wish to withdraw, we will just delay it for the year.

1740 This is not to worry you, it is just to let you know what will happen and the consequences of the decision. This does not mean that you should go ahead on that basis.

**The Speaker:** Yes, okay.

Conseiller Sebastien Moerman.

1745 **Conseiller Moerman:** The next Item will require an Extraordinary Meeting before 7th December.

**The Speaker:** Yes, I rather felt that was the case.

Conseiller Helen Plummer

1750 **Conseiller Plummer:** Can I just have a quick word with the rest of the Committee?

**The Speaker:** Yes, of course. If everybody could stay there, and if you want to just pop out with your Committee or whoever you wish?

*Chief Pleas adjourned at 12.49 p.m.  
and resumed it sitting at 12.53 p.m.*

**17. Sark Slaughterhouse Upgrade –  
Agriculture, Environment, Sea Fisheries & Pilotage Committee Report considered –  
Debate concluded; Proposition carried, as amended**

1755 **The Speaker:** It has just been pointed out to me that Conseiller Roger Norwich has indicated to speak on several occasions and I have not called him – he obviously has considerably shorter arms than I realised. *(Laughter)* Do you wish to say something or shall we continue?  
Conseiller Roger Norwich.

1760 **Conseiller Dr Roger Norwich:** Yes, I just wanted to ask one question in relation to the financial aspects of this Proposition, and that was to ask whether anybody has a figure for the value of the meat industry to the Sark economy on an annual basis?

**The Speaker:** Conseiller Helen Plummer.

1765 **Conseiller Plummer:** No, I do not think we have the figures on an annual basis, but if you work it out that if the lease stands at 15 years, that is about £8,000 a year, that we would give the slaughterhouse £137,000.

1770 But I would also like to point out and ask Conseiller Christopher Nightingale to come up on the animal's welfare. Is that possible to speak now?

**The Speaker:** Yes, it is technical advice.  
Conseiller Christopher Nightingale.

1775 **Conseiller Nightingale:** I just wanted to explain the problems of live export which was brought up. If at this time of year you were exporting live animals for slaughter in Guernsey, they would have to leave on Thursday morning to Guernsey because they slaughter on Monday, and Tuesday as well if they are very busy. So you would have to send them off on Thursday morning, you would have to pay for accommodation for those animals until Monday morning  
1780 and then you would have to pay somebody to take them down to the slaughterhouse – and that is apart from the welfare problems, which are well known.

Thank you.

1785 **The Speaker:** Okay, thank you.  
Conseiller Helen Plummer.

**Conseiller Plummer:** Thank you.

1790 The Committee have had a little chat and we are going to hold with this Proposition. We feel that if we came back and we lost our window of opportunity, by the time we came back again next year the costs will have risen significantly. We just feel that a lot of work has been done and it would cover us.

Why should the Sark resident have meat if the slaughterhouse has not been passed, if we are stopped from exporting our meats? Why shouldn't the Sark residents have just as good as anywhere else?

1795 So we are going to leave the Proposition and I hope that it will go through; but it is a lot of money, I agree. We have worked hard on this and we will see what the Proposition holds and what the outcome will be. But I do say, please, if you can possibly vote it in we can carry on and get this delivered on time.

Thank you.

1800 **The Speaker:** Conseiller Antony Dunks.

**Conseiller Dunks:** A number of questions were raised during the debate which we have not had chance to answer.

1805 Turning to the first one which was lairage, which Conseiller Nightingale has answered. The second was why the lease only runs for 16 years: this is a sub-lease, we cannot run longer than the head lease – so the sub-lease cannot run longer than the head lease. If it is any consolation the lease is taken from the Seigneur and that is why the lease is only 16 years long.

1810 The question was why it has to be such an upgrade. The original specifications came about as a consultation with David Chamberlain in Guernsey and these are – I would not like to use the words ‘the bare minimum’, but they are the standard to which the slaughterhouse has to be raised in order for the meat to be acceptable for export to Guernsey. I do not think you would get away with a lesser upgrade.

Thank you.

1815

**The Speaker:** Right, are we ready to go to the Proposition now?  
Conseiller Helen Plummer.

**Conseiller Plummer:** May I ask for a named vote please, sir?

1820

**The Speaker:** Right, a named vote has been called for. The Proposition, as amended, is that Chief Pleas approve the expenditure of up to £137,979.57 from capital funds, for the upgrade of the Sark Slaughterhouse.

Greffier.

*There was a named vote.*

*Carried – Pour 10, Contre 7, No Vote 6*

**POUR**

Conseiller Colin Golds  
Conseiller Charles Maitland  
Conseiller Elizabeth Norwich  
Conseiller Dr Roger Norwich  
Conseiller Helen Plummer  
Conseiller William Raymond  
Conseiller Stephen Taylor  
Conseiller Antony Dunks  
Conseiller Cormac Scott  
Conseiller Anthony Ventress

**CONTRE**

Conseiller Peter Byrne  
Conseiller Robert Cottle  
Conseiller Reginald Guille MBE  
Conseiller Peter La Trobe-Bateman  
Conseiller Sebastien Moerman  
Conseiller Paul Williams  
Conseiller Sandra Williams

**NO VOTE**

Conseiller Diane Baker  
Conseiller Edric Baker  
Conseiller Nicolas Moloney  
Conseiller Alan Blythe  
Conseiller Christopher Nightingale  
Conseiller Pauline Mallinson

1825 **The Speaker:** Right, there are 10 votes *pour*, 7 *contre* and 6 non-votes but that does include three people who had already declared an interest. So I declare that Proposition **carried**.

Now, we will break for lunch, it is two minutes past one, can we be back at 1.45 p.m. Yes?

*Chief Pleas adjourned at 1.02 p.m.  
and resumed its sitting at 1.48 p.m.*

**Procedural**

**The Speaker:** Welcome all back.

1830 Before I call Agenda Item 18, I just want to make a comment on Agenda Item 17 because I am advised now that this capital expenditure is unbudgeted and will require me to write to His Excellency for permission to spend unbudgeted expenditure. In view of the closeness of the vote, his Excellency would really need a much more substantial business case for this

1835 expenditure than has been put into the Report and debated so far. I will be writing to the Agriculture, Environment, Sea Fisheries & Pilotage Committee just asking for that so I can pass it to his Excellency.

**18. 2018 Budget and Taxation –  
Finance & Resources Committee Report considered –  
Proposition 1 carried; Proposition 2 withdrawn.**

*To consider a Report with two Propositions from the Finance & Resources Committee entitled '2018 Budget and Taxation'.*

*Proposition 1:*

*That Chief Pleas accepts the proposed individual expenditure budgets for 2018 as shown in Table 1 of this Report, subject to an RPI increase at the prevailing rate, for inclusion in the final budget of expenditure and income for 2018.*

*Proposition 2:*

*That Chief Pleas directs the Finance and Resources Committee to finalise the draft Budget for 2018 and submit it in a timely manner to an Extraordinary Chief Pleas Meeting, with the associated propositions and Taxation Ordinance required, in order to have an approved Budget in place before the commencement of 2018.*

**The Speaker:** Agenda item 18 is to consider a Report with two Propositions from the Finance & Resources Committee entitled '2018 Budget and Taxation'.

Conseiller Sebastien Moerman to introduce the Report.

1840 **Conseiller Moerman:** Thank you, sir.

Previously, all expenditure requests were finalised before Michaelmas Chief Pleas. This is not the case this year due to the following reasons: first, the mandate of F&R was changed with the approval of Chief Pleas at Easter this year without any comment from anyone. This now requires this Committee to examine the budget request of the Committees with spending powers in light of information that those Committees have provided about their plans for the following year. This led to various reductions and adjustments suggested by the Committee and these are to be brought to Chief Pleas for approval.

1845  
1850 Second, proposals made by the Policy & Performance Committee for new or reassessed roles have been presented but not yet approved by Chief Pleas – some of them are actually unapproved this morning. Therefore, we have not been able to finalise an expenditure budget for next year and an Extraordinary Meeting of Chief Pleas will therefore be required.

1855 On the expenditure side there have been, during recent years, an underspend trend, for example £84,000 in 2016. We have therefore taken the view that a more rigorous and realistic approach should be taken. We have compared what has been requested for 2018 with what was actually spent in previous years and the underspend trend is clearly continuing. Detailed information was provided to Committees centred on what had been spent on recent years and of course in the current spending so far this year. Requests for further information following the production of this revised budget have not produced any substantial evidence that more money will be required to fulfil planned activities. The result of that work is contained in Table 1 of the Report and the Committee presents this as an evidence-based assessment of what is required to fund the expenditure plans that have been submitted for 2018.

1860 Unless there is any further information forthcoming which changes the Committee's view then it is not proposed to change these figures which are carried forward into the draft

1865 expenditure proposal in Appendix 1. We have been able to establish a total reduction of £72,988 in the 2018 Budget. The proposed Budget presented in all reports is realistic considering that the average total underspend in the past seven years, from 2010 to 2016, was £102,413 per annum.

1870 Proposition 1 refers to the figures in Table 1 which have been included in the draft Budget in Appendix 1 having had an RPI increase in pay rates included as appropriate. The underspend does not reduce any work or obligation but they are loath to deploy resources to work over new needs.

1875 Table 2 sets out the cost of proposals that have been made by Policy and Performance Committee because it considers them necessary for the continued functionality of the Chief Pleas that is able to demonstrate good governance. Those are changes in existing roles, and you will have seen the Senior Administrator, the Seneschal, Deputy Seneschal, Treasurer and Deputy Treasurer, that would move from £71,000 in 2017 to a proposed £101,625 in 2018. The Senior Administrator role has been considered earlier in the Agenda and has been rejected. The Committee considers the support provided by the Senior Administrator central to its ability to fulfil its role and therefore is not now sure how it will function in the future. Perhaps Chief Pleas Members will wish to ponder this.

1880 Going down the list the increase to the Seneschal's and Deputy Seneschal's remunerations has been proposed in the Venne Report. But the Remuneration Panel set up to make a recommendation to Chief Pleas has not yet produced their findings. If the provisional figures shown, £18,000 and £6,000 respectively, are not put into the budget then pay increases will have to wait until 2019; the alternative is to wait until the Panel's recommendations and then have to request approval for unforeseen expenditure which will not have been budgeted for.

1885 The Treasurer's remuneration has not been reviewed for some time and during that time the actual workload and hours worked by the Treasurer have increased from 400 hours per year when Wendy Kiernan initially took over the role to around 700 hours per year currently in order to do all the work required. Our current Treasurer has received no recognition for an increased workload and she will be retiring at the end of this year before that happens. This will be a great loss to us. We, as a Committee, are most grateful for the work she does in managing and reporting on Government's finances in a very sound way, and we have known for some time that appointing someone to take over will not be easy.

1890 We need to make provision for someone to do that work and we do not consider that it will be achieved with the current salary provision. We are looking at an interim solution for the beginning of next year while a more permanent appointment is worked upon. Therefore we recommend that the figures shown for the Treasurer and Deputy should be put into the budget for next year to allow sufficient funds to make an appointment.

1900 Turning to the new roles, we were expecting the first three proposals from the Establishment Review to be brought by Policy & Performance Committee by consideration, but as they have not been we cannot include them for 2018 currently until the report is brought. The proposed new roles, including the £15,000 for the Electricity Commissioner, are set to £41,000 in 2018. So we would have a total new need of £71,282 and that would mean a total expenditure budget of £241,550. Since the non-approval is morning of an increased salary for the Senior Administrator we can deduct the £16,938 that was proposed, but probably we will have to look at some additional funding going forward. Therefore the proposed reduction would be able to cover all your needs and the total effect of this proposal is cost-neutral.

1905 On the income estimate for 2018, these are outlined on page 3 of Appendix 1. These figures assume no tax rise is being proposed for 2018. Direct Tax rate would remain as in 2017, both Property Tax and Personal Tax, and also no increase in Impôt. Without any increase in taxation for 2018 income is forecast at £1.363 million and comparing with a proposed expenditure of £1.352 million this would a budget surplus of roughly £11,000. Other than the Senior Administrator role we do not know which of the others are going to be approved, so we would ask, sir, that Proposition 2 be withdrawn and we will receive feedback, if any, from all Conseillers about which expenditure will be approved and added to the budget, and that we will have to

bring an Extraordinary Meeting as a finalised Budget. We will need to do that in time to be able to submit it to His Excellency the Lieutenant Governor for approval and have a workable Budget in place for the start of next year. That means we will have to request a meeting in November where any additional new costs are presented for approval before the final Budget Report. This is not an ideal situation but we need to determine what Chief Pleas wishes to put in place to support its Conseiller Members as it progresses first to 24 and then 18 Members.

This Committee considers that all of these additional roles and expenditure form an important part of putting a structure in place to enable Chief Pleas to function effectively. Therefore, we wish to put Proposition 1 to Chief Pleas with a named vote and to withdraw Proposition 2 pending further input and a decision from Conseillers.

Thank you.

**The Speaker:** Before I call for contributions I would ask the Chairman of the Finance & Resources Committee to come into my office at some time – this is normally the way in which we organise an Extraordinary Meeting, we will determine the date and then work back from it what needs to be done in terms of getting the papers out and closing the Agenda.

For the record, Conseiller Diane Baker has just returned to the meeting.

Can I call for anybody who wishes to speak or have a question on this?

Conseiller Reg Guille.

**Conseiller Guille MBE:** I miscounted, sir, that I am the only one who wishes to speak on what is a very complicated Budget Item.

However, let us launch into it. Table 1, can I ask why the Tourism figure has only come down by £2,500 for next year when the office has just reduced from three visitor officers to two? Surely there must be a bigger saving to accrue?

Table 2 – and that is table 2 of the main Report: I am against the proposed budget increase for the Treasurer. You may recall that at the Midsummer Meeting in 2016 the proposed increase for the Treasurer was rejected until all salaries had been reviewed, as it was deemed to be unfair to single out one role for an increase. *Nothing* has changed in that regard. Also, we have the situation where the current Treasurer retires at the end of this year. There have been various allusions made to the Treasurer's role beyond the retirement of the current Treasurer but that information, as I said earlier, is not privy to this Assembly therefore how can we possibly agree to an unknown requirement based on an increase that was rejected by Chief Pleas just 14 months ago?

This is not the time to be making such a swingeing increase of £7,346 up to £22,000 which is a 67% increase on the current salary. Extra hours cannot justify that sort of increase. What has happened to the system of salaried persons being employed to do a job and doing it irrespective of the number of hours to be put in to do the work? As an example, the Greffier has taken on increased responsibilities over the years and is often in his office for many more than his published hours, but has he been afforded a wage hike for the extra responsibility and the extra hours that he puts in? Well, you all know the answer to that and the answer is no. Why is the Treasurer being made a special case?

I ask Members to support me and leave the salary of the Treasurer exactly where it is at £14,654, plus any RPI increase for 2018. As and when this Assembly is aware of what is being proposed for the role of Treasurer I believe it would be unwise to put a figure on that role, and we should if necessary when that information is given to us with proposed costings, take any increase that is required to a meeting to get approval for unforeseen expenditure.

Under the old system of producing the Budget we have been told that actually we have been saving too much money on the Budget and we have been running at an unhealthy surplus of £100,000. I just hope we have not gone too far the other way and that suddenly we are going to find in the middle of next year that we have reduced our expenditure budget by so much that

we actually have to ask for an increase – because, remember, we are not allowed to run a deficit Budget in the law.

1970 I now move on to the proposed new roles and spending. Under that heading there are two  
items, Economic Development and Promotion role at £10,000 and Communications, Media and  
PR role also at £10,000. May I remind you that at the Midsummer Meeting of 2016 there was so  
much opposition to these two additional roles that the P&P Committee withdrew them. The  
note in Table 2 against them says here ‘Proposed in Establishment Review’ – sorry, those  
1975 proposals were withdrawn, they have not come back in another report for this Parliament to  
agree with. Well, here they are again being brought in without that further report and  
proposition. I urge Members to reject those two items. In fact if you read the new job  
description that was rejected just a short while ago you will find that actually those two roles  
form part of that enhanced job description, therefore it is something that we should be  
expecting the Senior Administrator to be doing, not having two new Departments set up to do it  
1980 for us at that cost. I say again, reject these two roles.

There is no formal way of voting on the issues that I have just raised both in Table 1 and  
Table 2 and the two Propositions do not help – now down to one Proposition. I believe that  
increases could slip through because there is no voting mechanism to prevent them. How can  
Members show their support if they support me in not making these salary increases and not  
1985 making new roles, because they are not specifically listed in the Report? And anyway that should  
have been for the Policy & Performance Committee to come back to this Parliament with a  
report detailing those roles and asking for permission to bring them into force.

Thank you, sir.

1990 **The Speaker:** Thank you.  
Conseiller Sandra Williams, followed by Conseiller Rob Cottle.

**Conseiller Sandra Williams:** I was going to bring up the Tourism Committee reduction in  
Table 1 and really just to explain how we have come to where we are today. The £2,500 that has  
1995 been taken away from the proposed budget was something that we requested for 2017 because  
we knew that Mrs Adams was leaving and that we were going to have to take on a new senior  
administrator, so we asked for provision of between £2,000 and £3,000 to cover the overlap. As  
we have not got to the end of 2017 at the moment I did say that if we got to the end of the year  
and we did not use the money it would be returned, and that is still our intention; but the  
2000 £2,500 had nothing to do with the fact that we were employing three, it had to do with the fact  
that we were having to replace the senior person in our office. But as you will all be aware now,  
we have just actually lost another visitor officer who was working 20 hours a week in the office.

So, yes, I do foresee that we will manage minus that money but we will be recruiting in the  
New Year for another assistant in the office to take over the role that Miss Lydia Bourne was  
2005 carrying out at the time. So I will accept the fact that you are removing the £2,500 because I do  
believe that by the time we get to the end of the year that money will still be sitting in the  
budget that I have not touched, which is what I said I would do – if we did not use it we would  
replace it. But I was always led to believe that if you thought you might need something ask for  
it, because it is easier to ask for it and give it back than it is to have to come to Chief Pleas every  
2010 five minutes and say, ‘I might overspend on my budget by £2,000 so can I have it, please?’ If the  
money is not used it automatically goes back into budget.

**The Speaker:** Conseiller Rob Cottle.

2015 **Conseiller Cottle:** I will respond to that first.

I think, first, we understand that there will be recruitment to replace the Tourism officer that  
has left for next year, so that salary will still be in the proposed budget for next year (**Conseiller  
Sandra Williams:** Yes.) which is listed there as £91,000-odd.

2020 The minus £2,500: it was accepted for this year that £2,500 would be needed for the  
changeover between senior Tourism officers, but when the Tourism request was made this year  
the request came in asking for the same figure again without an explanation of why a figure that  
had been asked for this year had not been removed from next year's budget. There was no  
2025 indication that it would be the same occurrence again, any kind of changeover, so we asked if  
there was an alternative reason for requesting that £2,500. We have had no substantive  
information on that, so our view is that the Committee has no plans for that money and we have  
removed it from the Committee at the moment. All this Budget is Chief Pleas' decision in the end  
but that is Finance & Resources Committee's view under our new mandated power to scrutinise  
and take into account any information that we may consider relevant and important to budget  
requests.

2030 That covers that one, but in reply to Conseiller Guille's questions: we have found ourselves in  
a very difficult position this year because of the roles that have been proposed by Policy &  
Performance Committee which have not been finalised, so when we were working on the  
Budget and compiling it to try and see how we could have a Budget that accurately reflected the  
intention of work for next year, we could not finalise things because we did not know what Chief  
2035 Pleas was going to approve. We expected the Economic Development role and the  
Communications, Media and PR role to be brought to Chief Pleas at this meeting earlier in the  
meeting and we would know if there had been a Proposition that had been passed and then we  
could incorporated into our budget which we will bring in due course to an Extraordinary  
Meeting once it has been arranged. But at the moment those roles have not been approved by  
2040 Chief Pleas therefore we cannot put them into the Budget because we can only put approved  
expenditure into a Budget for next year. There are other items here which have not been  
approved so we are going to have to do more work with Conseillers. The same with the  
Seneschal and Deputy Seneschal's remuneration; because the Venne Report Remuneration  
Committee have not reported back to us yet, we are just working on these initial figures that  
2045 were in the Report but they may not be the final ones.

Again, with the Treasurer, we do not know what Chief Pleas' view is on the salary of the  
Treasurer for next year, we need to do more work and Conseillers need to come to a decision  
about it. Our belief is that the Treasurer's role, when it comes to replace current Treasurer, will  
not be replaceable at that cost, therefore we are putting the same as an indicative number so  
2050 that all of the proposals for new roles can be looked at in the round. We have already had the  
increase in the Senior Administrator's role rejected this morning so we know where we are with  
that. We do not actually know where we are with anything else.

We need to go away from this meeting and call a PDG which we have not had for some time,  
and get the view of the majority of Conseillers. Once that view is in place we will have to bring  
2055 reports for any roles that are approved to this Meeting with the Budget so that we know we  
have got proposals that are in likelihood approved, and then will be incorporated into a final  
Budget. What we have not got at the moment is a final Budget.

We have got a pretty good indication of what we can do by way of income without increasing  
taxes and we have made a proposal in Table 1 for what we think is realistic in the way of  
2060 spending. We have got that in Proposition 1 and we would still like to put that. But Proposition 2  
was dependent upon us being given guidance about all these of these other roles. The only ones  
we have had guidance on today is the senior administrator role – we will need to do further  
work upon the others and come back in November, if that is when we arrange a Meeting, to  
bring a final Budget. The time from wherever we are in November to the end of the year is when  
2065 we will have to submit it to the Lieutenant Governor who may wish to ask questions before he  
gives us final approval.

So we have a timescale. None of this is perfect, but there we are.

The only other thing I would like to mention at the moment is we have included the  
Electricity Commissioner cost again under New Roles and Spending and there is £15,000 there. It  
2070 has been approved as unforeseen expenditure this year, but our view is that it should be made

from taxation rather than from reserves. We proposed putting that money into next year so that we raise the money ... because we have the facility without increasing taxes, we should raise that money from taxes and that is why it is there.

2075 I think that covers everything that was raised. I will leave it there and if anybody has anything else to bring up then we can take those.

**The Speaker:** Thank you.

Before I bring the Chairman back in, does anybody else – Conseiller Reg Guille is indicating – is there anybody else? Right, thank you.

2080 Conseiller Reg Guille.

2085 **Conseiller Guille MBE:** I would like to thank Conseiller Cottle for that résumé, which really supports what I was saying. There is expenditure in there which Chief Pleas has not approved and it should have been approved with reports coming to Chief Pleas, as happened with the senior administrator role, for the Chief Pleas to consider the effects and then take a decision. What I was very concerned about was that having those items being rejected in Midsummer last year but suddenly they appear in the Budget; the next thing we know we have budgeted for them and then they slip in without any formal approval by Chief Pleas.

2090 So I am heartened to hear Conseiller Cottle say that was not going to be the situation and that they will need to be the subject of separate reports coming to this Assembly for approval or otherwise.

Thank you

**The Speaker:** Conseiller Rob Cottle.

2095

2100 **Conseiller Cottle:** Can I just correct Conseiller Guille's statement, that those roles were rejected at last Midsummer? I think they were withdrawn rather than rejected, so we were expecting them to be brought back. F&R requested that they were withdrawn at the time because we did not have enough information and we were being asked to put them into the budget without a proposition at that time, so we asked that the report was withdrawn and we were expecting to come back. But at this point they have been withdrawn but not rejected.

**The Speaker:** I will call the Chairman at the very end of the debate, if you do not mind. I have got two more speakers, Conseiller William Raymond and Conseiller Diane Baker.

2105 Conseiller William Raymond.

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

2110 It is a point of clarification, really, to start with. If we look at Appendix 1 which is the Items of Expenditure: do the titles there include the items that Conseiller Cottle has been explaining to us which total £71,282? If I could just have an answer to that first then I will know where I want to go from there?

**The Speaker:** Okay.

2115 **Conseiller Cottle:** Yes, it does.

2120 **Conseiller Raymond:** It does? So what he has said to us is that he is looking for us to effectively approve Appendix 1, when it includes items that he says Chief Pleas will have to vote on before it should be included in the expenditure, which I have a problem with. And in order to make that possible, budgets have to be reduced elsewhere, mainly from the Douzaine who maintain the Island for us, and also Harbours and Shipping. I would quite like to hear from those

Committees as to how they will manage the services with such a large reduction in their funding, because it is substantial.

2125 We have dealt with the question of the proposed increases and I accept that those  
Committees that I have just referred to may not have spent all of their allocated funds in the  
past years, but actually because it relates to the maintenance of the Island I rather wish they  
*would* spend that money. You have to look at it also because there is an additional cushion this  
year from Property Transfer Tax, which has been quite buoyant in the last year, and that is  
2130 always included in the Budget a year in arrears because there is no certainty about what will be  
received next year – and there is £40,000 which has been used from last year’s underspend.

If you cut the budgets for this year, redeploy the funds into the additional administration costs, those funds will not be available next year and that will certainly lead to a rise in taxation. I just want Chief Pleas to be aware of the way that these things interact.

2135 **The Speaker:** Thank you.  
Conseiller Diane Baker.

**Conseiller Diane Baker:** I am sorry if I have perhaps not followed the whole conversation and I have also got a problem with my hearing so it does not help, so excuse me if what I am asking is  
2140 a simple question.

The proposed new roles and spending: I did hear Conseiller Reginald Guille very clearly and that is what I agree with. In my words I was asking ... and I take it these new civil servants are as proposed in the Establishment Review? I do not think we ever approved these roles so maybe this Report is looking for approval today?

2145 So with me not hearing everything and missing part of the conversation, if I vote for Proposition 1 am I voting for these new civil servants? Have I got that right or will that aspect come back to Chief Pleas for approval at a later date?

2150 **The Speaker:** Okay, thank you.  
Conseiller Rob Cottle again.

**Conseiller Cottle:** In reply to Conseiller Diane Baker’s question the answer is no, approving Proposition 1 will not approve any of the new roles.

2155 Proposition 1 refers to Table 1, not Appendix 1 which is what Conseiller Raymond was asking about. Table 1 is just the current Committee spends, with the proposed reduction of £72,000 included in it. We have had no feedback other than what we have just heard from Conseiller Sandra Williams about the Tourism Committee.

2160 In respect of Conseiller Raymond’s comments about the Douzaine: the Douzaine this year again, looking at the latest figures that we have had from the Treasury – the monthly reports we receive – at the end of August the Douzaine is again on target to spend £160,000 this year. They have £190,000 budget, but watching and comparing year-on-year they continually spend under what they budgeted for and we have not received any information that they are planning anything new. As Conseiller Raymond says, there is work to be done around the Island and I too share the view that the Douzaine should be doing more work where it is needed, but if they do  
2165 not do the planning and provide us with the evidence that they have planned and are going to carry out the work, then we can come to no other conclusion that next year is most likely to be the same and the same expenditure will be needed, allowing for RPI rises for their employees. But, other than that, we do not see the need for a rise, and we have had no response to that today.

2170 **The Speaker:** Conseiller Sam La Trobe-Bateman followed by Conseiller Edric Baker.

2175 **Conseiller La Trobe-Bateman:** I sit on both the Douzaine and the Harbours Committees and at the beginning of each year we sit down and we go over our budget in quite a depth to try and work out our costings. It is very difficult in both cases but we come up with a figure that we think is enough to see us through.

The Douzaine have done *massive* underspending and when you look around the Island you can see the underspend. So I think we need the money to carry on with the work. Just because we have not used it before does not mean we are not going to use it this year.

2180 The Harbours continued underspend was quite apparent with the recent repairs that had to be done – over £10,000 was spent to stop the harbour from falling into the sea. If we keep cutting budgets then we are going to have some big problems; and just because we do not spend it does not mean it should not be there.

2185 **The Speaker:** Conseiller Edric Baker.

**Conseiller Edric Baker:** Yes, sir, I can understand Finance coming to this conclusion about the underspend. It is very difficult to plan ahead when the various circumstances occur, particularly when we had insufficient manpower and also the material to repair the roads. That was our problem last year. We have the manpower now and we are putting together material for the roads, so hopefully that will be going through this year and into next year as well.

2190 But we will just have to accept this reduction.

Thank you.

2195 **The Speaker:** Thank you.  
Conseiller Sebastien Moerman.

**Conseiller Moerman:** I would just like to reply.

During the past seven years the average underspend was in excess of £100,000 – so it is just not the odd year where we underspend.

2200 I think the priority should be economic development, despite what Conseiller Guille says. I think we have a declining economy with the number of taxpayers reducing, and we really need Economic Development to actually create an environment that can attract new taxpayers and new investors coming into Sark – because if we carry on that way it could well be that this Island will become a retirement home.

2205 Thank you.

**The Speaker:** Right, is everybody done?

2210 I will go to Proposition 1 and we have been asked for a named vote. Proposition 1 is that Chief Pleas accepts the proposed individual expenditure budgets for 2018 as shown in Table 1 of this Report, subject to an RPI increase at the prevailing rate, for inclusion in the final Budget of Expenditure and Income for 2018. There has been a call for a named vote.

Greffier, please.

*There was a named vote.*

*Carried – Pour 21, Contre 2*

**POUR**

Conseiller Diane Baker  
Conseiller Edric Baker  
Conseiller Peter Byrne  
Conseiller Colin Golds  
Conseiller Charles Maitland  
Conseiller Nicolas Moloney  
Conseiller Elizabeth Norwich  
Conseiller Dr Roger Norwich  
Conseiller Helen Plummer  
Conseiller Stephen Taylor  
Conseiller Alan Blythe  
Conseiller Robert Cottle  
Conseiller Antony Dunks  
Conseiller Reginald Guille MBE  
Conseiller Peter La Trobe-Bateman  
Conseiller Sebastien Moerman  
Conseiller Christopher Nightingale  
Conseiller Cormac Scott  
Conseiller Anthony Ventress  
Conseiller Sandra Williams  
Conseiller Pauline Mallinson

**CONTRE**

Conseiller William Raymond  
Conseiller Paul Williams

2215 **The Speaker:** That is **carried** with 21 *pour*, 2 *contre*.  
Proposition 2 has been withdrawn.

**19. Procureur des Pauvres and Deputy Procureur des Pauvres –  
Douzaine Report considered –  
Proposition carried**

*To consider a Report with Proposition from the Douzaine entitled ‘Procureur des Pauvres and Deputy Procureur des Pauvres’.*

*Proposition 1:*

*That Chief Pleas confirms that the elections of Lucy Belfield to the office of Procureur de Pauvres and Estelle Day to the office of Deputy Procureur des Pauvres, both made by resolution of Chief Pleas on 5 October 2016, were both for a period of two years.*

**The Speaker:** We now go to Agenda Item 19, to consider a Report with Proposition from the Douzaine entitled ‘Procureur des Pauvres and Deputy Procureur des Pauvres’.  
Conseiller Edric Baker to introduce the Report.

2220 **Conseiller Edric Baker:** Thank you very much.

This is a very straightforward, simple Report. The only problem I have is that there is a typing error in the first line of the Proposition: at the end of the line it says ‘Procureur de’ and it should have an ‘s’ on the end of the ‘de’ so it is ‘des Pauvres’.

But I would ask Chief Pleas to accept the Proposition.

2225

**The Speaker:** Does anybody wish to speak?

2230 Okay, we will put it to the vote. The amended Proposition is that Chief Pleas confirms that the elections of Lucy Belfield to the office of Procureur des Pauvres and Estelle Day to the office of Deputy Procureur des Pauvres, both made by resolution of Chief Pleas on 5th October 2016, were both for a period of two years. Those in favour; are there any against? That is **carried**.

**20. Harbour Hill Transport Contracts –  
Road Traffic Committee Report considered –  
Amended Proposition carried**

*To consider a Report with Proposition from the Road Traffic Committee entitled ‘Harbour Hill Transport Contracts’.*

*Proposition*

*That Chief Pleas accept the two Harbour Hill Transport Contracts, that these be offered to the incumbent operators for signature and are introduced from 1st November 2017 for Contract 1 (Mr Iain Cox) and from 24th March 2018 for Contract 2 (Messrs. John & Peter Guille).*

**The Speaker:** We go to Agenda Item 20, to consider a Report with Proposition from the Road Traffic Committee entitled ‘Harbour Hill Transport Contracts’.

Conseiller Anthony Dunks to introduce the Report.

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**Conseiller Dunks:** The Report gives a brief history of the previous issuing of the contracts of the Harbour Hill Transport, set in 2007. Both contracts are due to expire in October this year and are due to be replaced. In line with the decision taken at the Midsummer Meeting of Chief Pleas, Item 14, the contracts have not been put out to tender and the Committee proposes to award them to the current operators.

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There are as it shows there no major changes to this year’s versions compared to the 2007 versions which are attached to the Report. We have gone with the current operators in line with the opinion that seemed to be been put forward at the last meeting.

Any questions, please ask.

2245

**The Speaker:** Conseiller Roger Norwich.

**Conseiller Dr Roger Norwich:** Right, this document shows a lot of detail concerning the micromanagement of the contract, therefore I have got no embarrassment at bringing up a question concerning a particular clause. I think it is a very good rule of thumb to always regard any document that contains the word ‘paramount’ with deep cynicism and at number 17:

2250

Customer care and safety must be paramount.

We talk about people being seated and we also in the document talk about relative trivia concerning what the driver must be wearing, etc. I am very disappointed not to see a particular point in this contract and it is something that I am surprised about because I brought it up with two members of the Committee during the last months, and it concerns safety.

2255

There is no way of anybody, in the event of an emergency, contacting the driver to suggest that he stops. This could lead to serious accident. You could imagine a Tallulah Bankhead incident – and those who are younger and were not around in the 1920s or 1930s may be reminded of the actress who was garrotted when her scarf was caught in the wheel of an open vehicle in which she was travelling. I can envisage a small child falling off the side and getting

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caught under the trailer. I can envisage someone's clothing getting caught in some moving part. And nobody can contact the driver.

2265 I believe that any contract that is awarded must include a provision whereby a mechanism is put in place so that if anybody is travelling on the trailer and an emergency occurs it should be possible to contact the driver immediately. That happens on a bus, on a plane, on every other form of transport and I think it is totally negligent that we do not have any provision for that in the Harbour Hill Transport. I must say that already having brought it up with the Committee on a couple of occasions over the last months, were any such incident to occur it would be legally completely indefensible.

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**The Speaker:** Thank you.

Anybody else?

Conseiller Antony Dunks, would you like to respond to that?

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**Conseiller Dunks:** I recall the conversations and the Committee have looked into the idea. The practicality of actually having some device or mechanism within the open trailer to alert the attention of the driver was considered, but no solid plan or proposals were envisaged by the Committee. Nothing could be envisaged that could be put in the trailer which would communicate to the driver, that could be practical and not subject to abuse.

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**Conseiller Dr Roger Norwich:** I doubt that. *(Interjections)*

**The Speaker:** Conseiller Sandra Williams.

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**Conseiller Sandra Williams:** I am sorry, I cannot accept there is nothing that can be done to provide somebody with something, in this day and age, so that the bus driver can be alerted to the fact that there could be a fatality happening behind him! A bell, an alarm, anything; just a buzzer or something electrically that can be connected to the cab of the tractor so that a bell can be pushed.

2290

We have a duty of care, surely?

**The Speaker:** Anybody else?

Conseiller Dunks, do you want to look into this?

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**Conseiller Dunks:** The Committee can look into it again. I would seriously welcome any suggestions of how you could put a device into the bus that will alert the driver without it being subject to abuse by one and all, really. *(Interjections)*

2300

**The Speaker:** I think what you are trying to come up with is those who leave on a Saturday afternoon.

Conseiller Roger Norwich.

2305

**Conseiller Dr Roger Norwich:** Yes, I am sorry, but I do not accept that argument because every form of alarm is subject to potential abuse and that is no reason not to have one on the transport.

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**The Speaker:** If there is nobody else, I will put the Proposition as it stands, that Chief Pleas accept the two Harbour Hill Transport Contracts, that these be offered to the incumbent operators for signature and are introduced from 1st November 2017 for Contract 1 (Mr Iain Cox) and from 24th March 2018 for Contract 2 (Messrs. John & Peter Guille). Those in favour; any against? One against; that is **carried**.

2315 **Conseiller Sandra Williams:** I am not against the contracts, sir, I am against the theory that we have passed something that has not got the legislation in place to protect the people on the back of the bus.

**The Speaker:** But you are nevertheless voting against the Proposition.

**Conseiller Sandra Williams:** Yes.

**21. Committee elections –  
Conseiller Dr Roger Norwich elected to Finance & Resources Committee**

2320 *Committee Elections: To elect Conseillers to Committees, as required.*

**The Speaker:** Agenda Item 21, Committee Elections: to elect Conseillers to Committees, as required.

2325 There is a vacancy on the Finance & Resources Committee and I have received two nominations, firstly from Conseiller Roger Norwich and then, secondly, from Conseiller Pauline Mallinson. Are there any nominations from the floor?

In that case I will put those two names in the order in which I received them. Please only vote for one. *(Laughter)* Believe me, Your Excellency, it has happened before! *(Laughter)*

2330 Right, this is for a vacancy on Finance & Resources Committee. Those who wish to vote for Conseiller Roger Norwich please show; and those for Conseiller Pauline Mallinson. So that is in favour of Conseiller Roger Norwich who I declare a member of the Finance & Resources Committee. And may I thank Conseiller Pauline Mallinson for putting herself forward and I am sure there will be something coming up in the not-too-distant future for you to jump on!

**22. Annual Report on Sark School –  
Education Committee Report considered**

*To consider an Information Report from the Education Committee entitled ‘Annual Report on Sark School’.*

2335 **The Speaker:** Agenda Item 22, to consider an Information Report from the Education Committee entitled ‘Annual Report on Sark School’.

Conseiller Anthony Dunks to introduce the Report.

**Conseiller Dunks:** The Report is for information purposes and I present it to Chief Pleas. If there are any questions please feel free to ask.

2340 **The Speaker:** Right, are there any questions or comments on the Report? Clearly not. So that is for information, okay?

**Ordinance Laid Before Chief Pleas –  
The North Korea (Restrictive Measures) (Sark) Ordinance 2017;  
Sark Statutory Instrument 2017 No.1 –  
The Electronic Transactions (Exemptions) (Sark) Order, 2017**

2345 **The Speaker:** I am now going to move to the Ordinances laid before Chief Pleas: firstly we have Laid Before, the North Korea (Restrictive Measures) (Sark) Ordinance 2017. That does not go to a vote but if anybody objects to it then they can.  
Conseiller Edric Baker.

2350 **Conseiller Edric Baker:** Yes, sir, for as long as I can remember I have objected to these ridiculous ordinances coming through to Sark. Why can't it simply be a Bailiwick law and we do not have to have this nonsense?

**The Speaker:** I think it has been brought up with the Bailiwick on more than one occasion actually, but it is something to bear in mind. But I presume you are not voting against this one?

2355 **Conseiller Edric Baker:** No.

**The Speaker:** Good!

This Ordinance will be numbered XIV of 2017.

2360 Also, there is a Sark Statutory Instrument, the Electronic Transactions (Exemptions) (Sark) Order, 2017, laid before Chief Pleas. Once again, is there anybody who objects?

In that case this Statutory Instrument will be numbered Sark Statutory Instrument 2017 number 1.

**Procedural**

2365 **The Speaker:** There is to be an Extraordinary Meeting of Chief Pleas at 19.00 on Thursday 7th December at which Bailiwick legislation regarding Data Protection Law will be on the agenda. I will be getting in touch with you all regarding the additional Extraordinary Meeting that has been requested by Finance & Resources.

The Seneschal is currently in his office waiting to administer the Oaths of Office to the Constables immediately after the conclusion of Chief Pleas business, so if the Constables could remain behind and have their oaths administered.

2370 That concludes the business of the meeting at 2.40 p.m.

Greffier, the Grace, please.

**PRAYER**

*The Greffier*

*Chief Pleas closed at 2.40 p.m.*