



OFFICIAL REPORT

OF THE

CHRISTMAS MEETING

OF CHIEF PLEAS

OF THE

ISLAND OF SARK

HANSARD

Assembly Room, Sark, Wednesday, 18th January 2017

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

Volume 3, No. 2

Present:

Seigneur

Maj. C M Beaumont Esq.

President of Chief Pleas

A J Rolfe Esq.

Prévôt

Mr K N Adams

Greffier

Mr T J Hamon

Treasurer

Mrs W Kiernan FCA

Constable

Mr G R Williams

Vingtenier

Mr P Burgess

Conseillers:

Diane Baker
Edric Baker
Peter Byrne
Colin Golds
Charles Maitland
Nicolas Moloney
Elizabeth Norwich
Dr Roger Norwich
Helen Plummer
William Raymond
Stephen Taylor

Robert Cottle
Antony Dunks
Hazel Fry
Reginald Guille MBE
Peter La Trobe-Bateman
Sebastien Moerman
Christopher Nightingale
Cormac Scott
Anthony Ventress
Paul Williams
Sandra Williams

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Christmas Meeting of Chief Pleas

Chief Pleas met at 10.00 a.m.

[THE PRESIDENT *in the Chair*]

PRAYER

The Greffier

ROLL CALL

The Greffier

The Greffier: There are 22 Conseillers, the Seigneur and the President of Chief Pleas present.

Filming of proceedings

The President: First of all, Channel TV are here and Island FM and I have given them
5 permission to film up until the point when I ask for the cameras and all the other stuff to be
switched off. Okay?

Apologies for absence

The President: Apologies for absence from Conseiller Alan Blythe.
His Excellency, the Lieutenant Governor, is unable to attend this meeting as he is currently
10 away from the Bailiwick.

Sark Vineyards Ltd – Statement by the Seigneur

The President: I would now like to call the Seigneur, who wishes to make a statement.

The Seigneur: Thank you.
15 It was with great regret I learnt of the closure of the Sark Vineyards on Sark the other day. In
particular, I am saddened for the loss of employment for those who worked in this business, but
also for the potential this business could have brought the Island.

However, I was concerned by the content of a press release from Sark Vineyards Ltd. To
those reading it, without some background knowledge and understanding of the situation on
20 Sark, it would appear that the demise of this enterprise was the fault of Sark Chief Pleas.

The press release cited a catalogue of circumstances which have prevented them from
making a success of this business venture. I do not share this view. Nevertheless, this line seems
to have been consumed by the wider press. I have read reports in the *Guernsey Press*, *The*

25 *Times*, *The Drinks Business* magazine and I have heard reports on the Jenny Kendall-Tobias Show last Monday. All these media outlets have taken the press release as fact.

30 So to be more specific on their allegations: there is no tax on the production of alcohol on Sark, nor is there any proposal to raise one. There will be a fee due for a licence under proposed regulations for producing alcohol. This is for the purpose of ensuring the product is what it says it is and can be bought with confidence, with the alcoholic content as stated. The new artisan brewery recognises the licensing system as the route to being able to export their products legitimately. Any alcoholic beverage made on Sark and subsequently sold locally would, of course, be subject to import commensurate with the alcoholic content. This is a tax on sale, not production, common to all alcoholic beverages.

35 There is no tax on land in Sark, except when properties change hands through a property transfer tax. Annual tax is raised against property only and is qualified by use and size of structures. The equivalence tax referred to in the press release relates to an option being considered by Chief Pleas to close a loophole in the taxation of transfer of property. This loophole was created when property was placed in company ownership. Under such an arrangement a transfer of company shares can result in a property changing hands. Such a transfer, if not made completely transparently, results in the property transfer tax being avoided. It is only right and proper that Chief Pleas should make every attempt to close loopholes as they are created. I leave you to discover who created the loophole.

40 The phenomenon known as fake news is growing. Companies such as Facebook and Google have undertaken to tackle it and this is what I am doing today. The reason cited by Sark Vineyards Ltd for the closure of their businesses are fake, and I believe another attempt to discredit Sark.

45 It is well-known that making a new vineyard is a rich man's hobby and creating a successful vineyard on Sark was always going to be very ambitious and consequently very expensive. It is my belief that creating a successful vineyard has simply proved to be *too* expensive. Now we will never know the validity of claims of excellence for the forthcoming vintages. The proof of the pudding will be in the tasting, but now we will never know.

50 Deflecting the truth is a classic method of saving face. I strongly advise all to take the press release from Sark Vineyards Ltd for what it really is – an attempt to save face for its investors. I understand this, but I can discriminate between the truth and deflection because I am in full possession of the facts.

55 The challenge for Sark Vineyard Ltd now is to treat its workers with fairness and decency. I hope that in keeping with their stated wish to do what is good for Sark, the owners of Sark Vineyards Ltd will make the land available for agriculture and grazing at a fair price on reasonable terms so that it might be productive and not lie empty and beyond use.

60 Thank you.

**Sark Machinery of Government (Transfer of Functions) Ordinance, 2017 –
Number 1 of 2017**

65 **The President:** I just want to make a comment about the Extraordinary Special Meeting of Chief Pleas last Friday. I omitted to announce that under Item 1, Proposition 3, the Sark Machinery of Government (Transfer of Functions) Ordinance, 2017 has been numbered I of 2017.

**Operation Basalt 75th Anniversary –
Statement by Conseiller Guille**

The President: Next up is Conseiller Reginald Guille on the 75th Anniversary of Operation Basalt.

70

Conseiller Guille MBE: Thank you, Mr President.

The night of the 2nd/3rd October this year is the 75th anniversary of the first Commando raid on Sark during World War II, named Operation Basalt. Last year, Eric Lee launched on Sark his book on the raid, *The British Raid on Sark and Hitler's Commando Order*. During the launch several people discussed the idea with Eric of marking the 75th anniversary of the raid by holding an event to commemorate the raid on Sark and to put up a memorial.

75

Christopher Harris, the tenant of Petit Dixcart, who was present agreed that a suitable place for the memorial would be on the Hogs Back, the entry point of the raid. I recently met with Christopher on the Hogs Back and we identified a suitable site.

80

On Monday night, the first formal meeting of the Operation Basalt 75th Anniversary Group met to start planning the event. Membership of the group is the Seigneur, myself, John Hunt, Julie Mann, Lynda Higgins, Tony Ventress, Jimmy Martin and presently John Dallen. We are all members of the Sark branch of the Royal British Legion. Other members are Jane Armogie, representing the Tourist Office and Christopher Harris and Eric Lee.

85

We have planned that a fundraising and information poster will go out in the very near future and hope very much that the people of Sark will get behind this commemoration and make donations and/or fundraise for the project. Any excess of funds raised will go to the Sark branch of the Royal British Legion. We have political support from Chief Pleas, that are not at this stage asking for funding from the public purse. It is provisionally planned that the commemoration will take place with events on Monday, 2nd October and Tuesday, 3rd October, with the unveiling of the memorial taking place on the 2nd. Please watch out for more information as our plans develop and we may well be calling on help more widely nearer the commemoration.

90

Thank you, Mr President.

**Alcohol Production Commencement Ordinance –
Statement by Conseiller Elizabeth Norwich**

The President: A statement by Conseiller Jane Norwich on the alcohol production Commencement Ordinance.

95

[The President of Chief Pleas is referring to Conseiller E Norwich]

Conseiller Elizabeth Norwich: Thank you.

I wish to make a statement on the content of the press release by SVL that relate to the Commencement Ordinance. There are clear inaccuracies within the statement and the related media coverage.

100

Firstly, may I say that our main concern is for those workers who will lose their jobs in due course and for those who will be unable to undertake any seasonal work in the future. Losing your job for no matter how many hours per week is a dreadful thing to happen.

105

At the risk of repeating what was said at length and in detail at Michaelmas Chief Pleas, the proposed Commencement Ordinance of the Regulation of Alcohol Production relates primarily to the safety of product production and product. Regulation of alcohol production is also covered by law in Guernsey, Jersey, the UK and France. It is a matter of normal expected standards being applied and indeed is expected by responsible wine, beer and cider producers across the world. It is a normal part of that type of business.

110

Any Impôt as covered by the existing Law would need a separate Commencement Ordinance. It will not apply to exports and so will actually encourage and support the export of Sark produce. Impôt does not become liable until the product leaves its secure storage. It is not, and never has been, a vineyard tax.

Procedural

115

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

Business of the Day

1. Extraordinary (Special) Meeting, 10th November 2016 – No matters arising

Matters arising from the Extraordinary (Special) Meeting held on 10th November 2016.

120 **The President:** Agenda Item 1: Matters arising from the Extraordinary Meeting held on 10th November 2016. Are there any matters arising?

There were none.

2. Questions not related to the Business of the Day – Sark School review – Question by Conseiller E Norwich to the Education Committee

Questions not related to the Business of the Day.

The President: In that case we will move to Agenda Item 2, Questions not related to the Business of the Day.

Question from Conseiller Jane Norwich to the Chairman of the Education Committee.

[The President of Chief Pleas is referring to Conseiller E Norwich.]

125

Conseiller Elizabeth Norwich: Thank you.

At Easter Chief Pleas 2016, during a debate on the school, the then Chair of the Education Committee said she would welcome further overview of the education provision covering the next five to ten years. Has the Education Committee discussed whether an off-Island review of the future of Sark School will be done, and if so when will that take place?

130

Thank you.

The President: Conseiller Antony Dunks.

135

Conseiller Antony Dunks: In this matter I am going to defer to my Deputy, Christine Audrain.

Several Members: Diane Baker! *(Laughter)*

The President: If it goes to Christine, she is in the Public Gallery. *(Laughter)*

140 **Conseiller Diane Baker:** I would like to refer the minutes of the Chief Pleas from Wednesday 6th April 2016, when we spoke about the recruitment of an infant teacher. During the discussion, a number of Conseillers spoke about a review as opposed to the school inspection which had been carried out.

145 Conseiller Courtney asked if we should ask the Education Committee to conduct a review of educational needs. Conseiller Maitland said, 'I feel that a review of education in Sark, not just the school, would be a good next step.' Conseiller Norwich said on this subject, and I quote:

somebody with the experience of small islands and the very interested community that supports the school. This might help in providing a five- or even ten-year plan.

Conseiller Audrain agreed it would be useful to have a further overview over the educational provision that we have within the Island and welcomed the idea. Conseiller Audrain continues, and I make no apology for quoting her words, as I cannot put it any better:

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

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

150 The Education Committee now has new Members, but surely common sense says it will be for Chief Pleas to consider if they wish to engage with a review of education and not something the Education Committee can take forward.

The President: Thank you.

**3. The Children (Parental Responsibility Agreement) (Sark) Ordinance, 2017–
Policy and Performance Committee Report considered –
Proposition carried**

To consider a Report from the Policy and Performance Committee entitled 'The Children (Parental Responsibility Agreement) (Sark) Ordinance, 2017' and to approve the Ordinance entitled 'The Children (Parental Responsibility Agreement) (Sark) Ordinance, 2017'.

Proposition:

That Chief Pleas approves The Children (Parental Responsibility Agreement) (Sark) Ordinance, 2017.

155 **The President:** We go to Agenda Item 3, to consider a report from the Policy and Performance Committee entitled 'The Children (Parental Responsibility Agreement) (Sark) Ordinance, 2017' and to approve the Ordinance of the same name.

Conseiller Charles Maitland.

160 **Conseiller Maitland:** This Item came to the Extraordinary Chief Pleas in November and was withdrawn on a question of a technicality and comes back now for us to approve.
I have nothing further to add, sir.

The President: Are there any questions or comments from the floor?
165 In that case we will go to the Proposition that Chief Pleas approves the Children (Parental Responsibility Agreement) (Sark) Ordinance, 2017. Those in favour; those against. **Carried.**
This Ordinance will be numbered II of 2017.

**4. The Reform (General Election) (Sark) Ordinance, 2017 –
Policy and Performance Committee Report: ‘The General Election’ –
Amendment: Report with Proposition to Change the Election Dates –
Propositions carried as amended**

To consider an Amendment entitled ‘A Report with Proposition to Change the Election Dates Promulgated in The Reform (General Election) (Sark) Ordinance, 2017’.

Proposition:

That Chief Pleas amend The Reform (General Election) (Sark) Ordinance, 2017 to reflect the dates as provided in this report and to approve the Ordinance, as amended.

To consider a Report from the Policy and Performance Committee entitled ‘The General Election’ and to approve the Ordinance entitled ‘The Reform (General Election) (Sark) Ordinance, 2017’.

Proposition:

That Chief Pleas approves The Reform (General Election) (Sark) Ordinance, 2017 as amended.

The President: We go to Agenda Item 4, to consider a Report from the Policy and Performance Committee entitled ‘The General Election’ and to approve the Ordinance entitled The Reform (General Election) (Sark) Ordinance. Also to consider an amendment entitled, ‘A
170 Report with Proposition to Change the Election Dates Promulgated in The Reform (General Election) (Sark) Ordinance, 2017.’ I am going to take the amendment first and debate on the amendment first.
Conseiller Edric Baker.

175 **Conseiller Edric Baker:** Thank you, sir.
I was pleased to put my name to this proposal after receiving emails from yourself relating to emails that are passed between yourself and P&P way back in November and December. I felt annoyed that you had been ignored with your advice on the dates for the election and after consideration with other Conseillers this present proposal was formulated. I think it is a far
180 better way to deal with it.
Thank you.

The President: Thank you.
Are there any questions or comments from the floor? Conseiller Reg Guille.

185 **Conseiller Guille MBE:** This is another maiden speech, my last one was made in 1998.
I fully support the proposed Amendment and Proposition brought by Conseillers Edric Baker and Sandra Williams to amend the date of the further election to take place on Wednesday 5th

190 April, for the reasons as given in their report. I believe it to be essential that more time is given for residents to have themselves put on the electoral register and to give residents more time to consider standing for election to Chief Pleas.

As explained in their Report, the closing date of the electoral register under P&P's proposal is in two days' time, having only reopened on 15th December, just over a month ago, with Christmas and New Year holidays and office closures intervening for a large part of that time. 195 The Reform Law does not specify any timeframe for a further election, only that one must be held if insufficient candidates put themselves forward.

I much regret that only 12 of us put our names forward and I would ask those persons who are on the electoral register, or could go on it with the increased timeframe under this proposal, to consider standing for those five vacant seats. Sark has a large requirement for persons to stand for various positions to help the Island function. 200

There are, of course, 28 Conseillers required at any one time. Then we have the three tribunal panels of Development Control, Road Traffic and Taxation and between them they require 18 residents, with currently two vacancies to be filled on Road Traffic and one on Taxation. Those 18 persons cannot be Conseillers and, if they stand for election to be a 205 Conseiller and are successful, are deemed to have resigned their seats and need replacing on the panel.

To that list we have recently added a Child Protection Panel – panel members on this panel can be Conseillers; and a Policing Panel, the seven members of which cannot be Conseillers. There are also many other individual appointments that cannot also take the role of Conseiller – 210 the Seigneur and Deputy Seigneur, the Seneschal and Deputy Seneschal, the President of Chief Pleas, soon to be the Speaker, and Deputy, the Prévôt and Deputy, the Greffier and Deputy, the Treasurer and Deputy, and the Tax Assessor and Deputy. I calculate that a total of 39 appointments are required to be filled by persons who cannot be Conseillers at the same time. That is a large number of people to find in addition to the 28 Conseillers from the small adult 215 population of probably just over 500 persons.

There is a significant minority of persons resident in Sark who, despite constant criticism of Chief Pleas, are not prepared to stand as a Conseiller, and I would include such organisations as Sark First, Sark Action for Families and Employment (SAFE) and the Chamber of Commerce as being some who constantly carp at Chief Pleas but do not ever criticise those who work against 220 Sark and its lawful Government. Why are they not talking publicly about the closures of the Vineyard as an action against Sark? Why are they not talking about the hotels that have been closed for the last two years? We raised no taxes on those hotels, but they are still closed. Some of those organisations spend a lot of their time running off to the European Court of Human Rights, instead of working inside Sark's Government to argue for the reforms that they perceive 225 to be needed.

I would urge those persons on those organisations to consider standing in the forthcoming further election and have your policies and views put to the wider public so that the electorate can choose whether or not they support their policies or they support the policies of Chief Pleas.

I would also ask any other resident who wishes to contribute to Chief Pleas to do so by becoming a member of the Government. We all received last night a missive from SAFE, which is very emotive. There was no criticism of the closure itself other than against the Government and, as very clearly explained by the Seigneur earlier, that is misrepresentation of the facts. 230

I will end by urging Conseillers to vote for the amending Proposition to give proper time for more people to consider standing for election and getting themselves onto the electoral roll, and I call for a named vote when the Proposition is taken. 235

Thank you.

The President: Does anybody else wish to speak? Conseiller Sandra Williams.

240 **Conseiller Sandra Williams:** Thank you.

I have not really got much more to add. Everything we feel is in the Report, and I would just like to ask people to support this Report for that very reason.

Thank you very much.

245 **The President:** Anybody else? Would the Chairman of P&P wish to speak?

Conseiller Maitland: Only on the –

250 **The President:** On the substantive? (**Conseiller Maitland:** Yes.) Yes, okay that is fine.
In that case, Conseiller Steven Taylor.

255 **Conseiller Taylor:** As a member of the P&P Committee, I do find myself in a bit of a difficult position, but having discussed in great depth with P&P at our meetings about the proposals and reasons why to have an early election, I find myself now feeling that, as we have got all of the committees quorate and have members, although it will create more work because there are currently fewer than the 28 Conseillers, I agree with the fact that waiting until a later date will be twofold: it will give more people a chance to stand for Chief Pleas, and secondly it will enable us to get through the process of electing the Speaker and the Deputy Speaker of the House and then move on from that to the next Election.

260 Thank you.

The President: Thank you.

Anybody else? In that case, we will go to ... Sorry, Conseiller Hazel Fry.

265 **Conseiller Fry:** Sorry, I was waiting to see if the other Proposition was going to be spoken about before a vote was taken.

270 **The President:** The way we will do this, Conseiller Fry, is that we will vote on the amendment. If the amendment falls, then the Proposition will stand as on the Order Paper. If the amendment is passed, then you can discuss the substantive motion as amended.

Conseiller Fry: Right, then I think I would like to say my statement, please.

275 **The President:** Are you speaking to the amendment?

Conseiller Fry: Yes, well, I am speaking as to why P&P made the decision to set that date, the earlier date. (**The President:** Okay.)

280 This decision was not taken lightly. The various people had asked questions right back in October under the remit of good governance. They were concerned about a potential shortfall of candidates standing for election, which unfortunately is now a reality.

Our Seigneur, our President and Robert Titterington, Her Majesty's Comptroller, were all part of our discussions as we worked on and explained our contingency plan.

285 **The President:** Can I just interrupt you there and say that I was not consulted.

Conseiller Fry: I think you were consulted.

290 **The President:** No, I was given the date once it had been agreed by your Committee as an 'am I available?'

Conseiller Fry: Sir, Mr President, I am referring to the telephone conversations we had in October with the Seigneur, the Ministry of Justice, the Lieutenant Governor and Mr Robert

Titterington were involved in a conference call. That is what I am referring to. (**The President:** Okay.) May I continue?

295

The President: Yes, of course.

Conseiller Fry: Our Reform Law states that if there is a shortfall, we must hold another election as soon as may be.

300

Sark now has a totally unelected Government. What message are we sending out about our democratic process? By delaying to comply with our own Law and leaving the further election for another two months surely raises issues of good governance both here and elsewhere. Whether we like it or not, this does matter.

305

However, the Government's commitment to resolve the shortfall as soon as practically possible sends out a positive message. We know we have an issue and we are dealing with it as speedily as possible. We are trying to protect Sark's future and its reputation.

310

Everyone on Sark knows the election cycle and has had two years to consider standing for election. What is going to entice them to stand now? Why do we consider it important to hold the election as soon as possible? We are looking ahead to 2018 and the very real possibility of even less people standing. I already know of six or seven people who have indicated that they will not re-stand, even if they last until the Election. The number of Conseillers can only be changed through the Reform Law and that will take time. There would need to be consultations, both within and outside of Chief Pleas to gain understanding as to why we have got ourselves into that position; then the drafting of a Projet, more debate, a completed Projet being brought back to Chief Pleas and sent to the Privy Council for Royal Assent and back to Chief Pleas for a Commencement Ordinance at Michaelmas Chief Pleas ready for the Ordinance requesting an election in December 2018. Suddenly 2018 does not seem so far away.

315

This is why P&P is recommending the date of this Proposition. It is not P&P trying to throw its weight about or to impose its will on other Conseillers. We want surely what is best for the future of Sark.

320

Thank you.

The President: Conseiller Reg Guille.

325

Conseiller Guille MBE: If the Baker-Williams Proposition is not supported then there will be an early election in February. However, Chief Pleas does not meet until the middle to end of April, at the Easter Meeting. Therefore anybody elected in February will just sit there with no committees to work on and nothing to do until Easter, because it is not until Easter that they will be allocated to committees.

330

Conseiller Fry said there will be a two-month delay; there will *not* be a two-month delay. I believe the proposed date in the P&P Report, of which I am now a member, is 20th February, with, in the Baker-Williams Report, 5th April as being the best date to hold the Election. By that time there is then just over two weeks to the Easter Meeting. The people will be sworn in, they will be able to take their seats at the Easter Meeting, be allocated to committees and get on with the work.

335

As a member of P&P now, it is said that we need the maximum amount of time to get a change to the Reform Law if it is considered – and I say *if* it is considered – that Chief Pleas might reduce its numbers from 28 to a lesser number. Delaying until Easter will have no effect on that timetable, in my opinion, at all. There is ample time to get an amended Reform Law in and through the Privy Council this year, even with the date at the 5th, because nothing can happen now after this meeting until we meet again for the Easter meeting.

340

If the Baker-Williams Proposition is supported, and I strongly urge Conseillers to support it, there is nothing to prevent P&P from developing those issues that they wish to develop and bring them to the Easter meeting for consideration. Not necessarily a draft report, a draft Law,

345 or anything like that, but to open the discussion as to which way Chief Pleas is going to move in
the future. There is plenty of time for P&P to do that.

Therefore I believe the arguments put forward by Conseiller Fry on behalf of P&P are open to
challenge and they are being challenged properly and correctly with an amendment to the
Ordinance through an amending Proposition and I, once again, would urge Conseillers to
350 support the Baker-Williams Proposition.

The President: Conseiller Jane Norwich.

[The President of Chief Pleas is referring to Conseiller E Norwich]

355 **Conseiller Elizabeth Norwich:** Thank you.

I am speaking with my P&P hat on and the Good Governance PDT which will obviously have a
lot of work to do whichever way the vote goes today.

The calling for a further General Election is necessary for one simple reason: we did not have
enough qualified persons to stand in the General Election in December. We have never been in
360 the position of needing a full election process other than for the two yearly General Election in
the off-season month of December or for a by-election usually held in the autumn. The need to
call for a further election now is required by virtue of the Reform Law.

However, the background and deeper causes have been evident for some time. It is not good
for democracy that this community is not being afforded the opportunity to vote for those who
365 represent them in Chief Pleas. Whatever the decision today – and that is a fully democratic
decision that I am quite happy with – when a further election will be held, the structure and
numbers in Chief Pleas will need to be addressed.

In December, we as a whole community failed to find enough residents willing to stand for
Chief Pleas. Our community is small and relies on willing, community-minded people prepared
370 to stand and to serve the community in which they live. Many people do already serve their
community volunteering in a variety of roles, some of whose roles preclude them from standing
for election. Some residents have been giving many years of hard work in Chief Pleas and rightly
retire, many long past a normal age for retirement. Some, despite their years, feel they cannot
let down the Island on which they live and stand again, and for that Sark should be grateful.

375 It is clear from the decreasing number of residents standing, ever since the large numbers
that stood in 2008, that for whatever reason fewer people are willing and able to stand. We are
not alone in having uncontested elections – it has happened before on Sark in elections for
Deputies. It happens regularly in Guernsey and Jersey in their parish elections, elections for
which the number of the electorate are far greater than Sark in total. However, Sark is not a
380 parish; it is a self-governing jurisdiction and each Government of the day has the responsibility
of ensuring continuity of Government to satisfy the relationship we have with the Crown.

To be sure that Chief Pleas understands the reasons for those low numbers, consultation
with all interested parties, inside and outside Chief Pleas, must be sought. If those consultations
lead to the view that fewer Conseillers will be found in future, Sark must look to the effects that
385 will have on the method of Government here on Sark. Whilst this consultation takes place, the
work of Government must still be done to allow Sark to look after itself and meet the standards
of good governance expected of a self-governing jurisdiction with a degree of independence.

Sark residents and visitors expect Sark to function as normal and be open for business. We
want to encourage people to live, work and do business here. How Sark governs itself – that is,
390 the day-to-day functions of how its public servants work, the use of volunteers, the committee
structure and functions that Sark needs to have to work properly – is rightly for this House to
decide. But that will be harder with fewer people who are prepared to ‘stand up to the plate’.
Government costs in many ways. We all want it good, fast and cheap. However, only two out of
these three are possible at any one time and good always has to be there. Sark deserves it to
395 protect its unique way of life.

Chief Pleas cannot guess the results of those consultations and the way forward, but it is clear from the advice of the Law Officers that a Projet will be required to make the necessary fundamental changes to our constitution that is the Reform Law. We know we cannot stay as we are, whatever the result of the consultation. The work of such a Projet cannot begin until Sark has followed all the requirements of the current Reform Law. During the discussions preparing for the 2008 Reform Law, consideration was given to the number of Conseillers, but not the ability to change those numbers.

The heavy workload of Conseillers is being proposed as one reason that people do not stand. Other reasons we already know are family commitments, work obligations, fear of personal attacks, and already undertaking other volunteer functions for Sark.

Under the Reform Law, we must hold an election as soon as may be and then take forward the necessary work to prepare for the Election in 2018. December 2018 may be 22 months away but the consultations, drafting of a Projet, further discussions and debate with the final draft Projet being brought to Chief Pleas, followed by the Privy Council procedures and, it is hoped for, Royal Assent, will take pretty much all of that time. Time has to be allowed for any delays in the process such as petitioning – which is something we all know about.

This Proposition is about the date of the further election. There are those that say we are in haste; that we are being pushed. Neither is the case. Policy and Performance have the responsibility for the Reform Law and the setting of a date for an election. P&P took advice from a variety of sources, including that of the Returning and Deputy Returning Officer as to when that date should be. Whilst the workload in setting up the Election takes time and must be done correctly the proposed date of the Election is for Chief Pleas to decide, and no one else. Delaying for a few weeks now will not allow for the effects of December's Election to be conducted in an orderly manner. Far more work will be required of all Conseillers during the tourist season assisting with consultation, preparation for meetings and working with the residents of Sark. Law Officer time may be diverted from other necessary matters of Government. If it is on the proposed date, that is the original Proposition, then the effects of the lack of people standing for the responsible position of Conseiller of Chief Pleas can be managed in an orderly, proportionate manner. If it is on a later date, it is unlikely the problems all of us have identified at one time or another will be resolved by December 2018.

One thing is clear, that our election process is clear, fair and complies with the law and international standards. This was recently supported by the European Court of Human Rights. We have a one-constituency, Island-wide voting system. We are not subject to political parties. Anybody watching Chief Pleas or reading *Hansard* cannot fail to see the wide range of opinions that are held here and equally, the independence of voting. P&P believe, as a Committee of Chief Pleas, it would be failing in its duties not to recommend an appropriate date, as it has done today, for this further election to take place.

The President: Conseiller Sandra Williams.

Conseiller Sandra Williams: I would just like to come back on something, Conseiller, for I mentioned earlier about being 'unelected': I am pretty fed up of hearing that now. I would rather be 'uncontested' than 'unelected', if that is all right with everybody else.

My fear is that if we go to this earlier date of an election, in February, we will end up with further uncontested Members of this House.

The President: Conseiller Anthony Ventress and then Conseiller Charles Maitland after you. Conseiller Ventress.

Conseiller Ventress: I support the change in date for this because it will, as people have said, give more time for more people, more candidates to come forward. Also, hopefully those that go to the media and so on, and object to what we are doing, also come forward and put their

views forward in this august Chief Pleas. We must remember that those of us who have come up recently, we are not 'unelected'. We are elected unopposed. That is quite a standard procedure. We are elected unopposed: we have put ourselves forward for election and if people are not prepared to stand against us, surely that gives the answer that they are happy with us.

Thank you.

The President: Thank you. Conseiller Charles Maitland.

Conseiller Maitland: I will not say very much more, as the P&P position has already been well outlined by Conseiller Fry and Conseiller Norwich, but I think that we do have to accept that there is a problem.

We were very nearly, apart from three Conseillers coming in at the last moment, we could have been down to 20 in this House, and we cannot go on not having elections. In December 2018, we have got to be in a position – and if it means reducing the number of Conseillers so be it – so that we do have an election, because otherwise 2012 will be an awful long time ago since the last one.

I would like to see a more representative Chief Pleas with younger Conseillers here as well. A lot of us are getting long in the tooth, I speak for myself here, but we have got to make Chief Pleas more appealing and talk to our electorate and find out what they would need in order to get them to stand. There are things we could do to help with costs of being a Conseiller, for instance. But all this is going to take time and I would urge Conseillers to vote for having the earlier date; but it is entirely up to the House to decide.

The President: Thank you. Any more new points or ... ? Conseiller Reg Guille, again.

Conseiller Guille MBE: In her remarks, Conseiller Norwich said that the returning officers had been consulted and were okay with the date. I can remember a pretty strong email coming out from the President, the Senior Returning Officer, after consultation with the Deputy Returning Officer, the Greffier to say that they were *not* in favour of the earlier date and that they had *not* been consulted when that earlier date was proposed. They were informed, 'were they okay to have the Election on 20th February?' And I believe you, sir, corrected Conseiller Fry when she made that same statement that you had been consulted.

I know I was not a Member of Chief Pleas at the time and I was not President of Chief Pleas but when it was realised, and I was the last person to put my name forward because I realised there was going to be a shortfall – I had not planned to stand for election, I had retired, but I would not see this Island dragged down by a lack of Conseillers, so I thought I would do my bit again ... and I have lost the thread now! *(Laughter)*

The President: Well, you have had four goes at it! *(Laughter)*

Conseiller Guille MBE: I would also just pick up on Conseiller Charles Maitland's speech: we are not talking about the whys and wherefores of the numbers of Members of Chief Pleas, that is in their report but that is an entirely separate issue to the Proposition from Baker-Williams that the election be held on 5th April. The numbers game is something that the whole of Chief Pleas is going to have to do.

The Committee say there was no pressure on them to have an early election but we have also been told that the Lieutenant Governor, the Law Officers and the MOJ were in consultation with them about the possibility of a further election, even before the election had taken place. So there is not pressure but why did those organisations get concerned about something that had not yet happened?

So you have to separate, Conseillers, the issue today: do we have an early election at the earliest opportunity as proposed by P&P; or do we take a more measured stance, give more

500 people the opportunity, having heard our debate and being able to read *Hansard* when it comes out, with us all urging people to stand?

I do urge people to stand. I commend Conseiller La Trobe-Bateman as probably the youngest Member of this Assembly for standing and I would hope that some of his colleagues of a similar age will also take the opportunity to do that.

505 Thank you, Mr President.

The President: Thank you. Conseiller Hazel Fry.

510 **Conseiller Fry:** I would just like to make it perfectly clear that there was no pressure put on us. The people who spoke to us were concerned because of the previous elections shortfall because it appeared there might not be enough people and they were very much wanting to assist us to see how we could be assisted.

515 I would also like to say to Conseiller Williams, I really also dislike being an unelected Conseiller but the sad truth is that we have not had elections for the last two elections because there have not been enough people standing. But I really did want to make that clear, *any* decision is for Chief Pleas to make and as we are a democratic society, I do not want to be fighting with people who are my friends and my colleagues. What we have put forward is purely what we think is for the best, in that if the Election is held we will know exactly where we are.

Thank you.

520

The President: Okay. Nobody else is indicating. I am now going to put the Amendment proposed by Conseiller Edric Baker, and a named vote has been called for, that Chief Pleas amend the Reform (General Election) Sark Ordinance, 2017 to reflect the dates as provided in this Report and to approve the Ordinance as amended.

There was a named vote.

Carried – Pour 17, Contre 4, No Vote 1

POUR

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 Robert Cottle
Conseiller Antony Dunks
Conseiller Reginald Guille MBE
Conseiller Peter La Trobe-Bateman
Conseiller Sebastien Moerman
Conseiller Christopher Nightingale
Conseiller Anthony Ventress
Conseiller Paul Williams
Conseiller Sandra Williams

CONTRE

Conseiller Charles Maitland
Conseiller Elizabeth Norwich
Conseiller Hazel Fry
Conseiller Cormac Scott

NO VOTE

Conseiller Dr Roger Norwich

525

The President: Right, I declare that as carried by 17 votes Pour and 4 votes Contre and 1 no vote.

I will now call the Proposition that Chief Pleas approves the Reform (General Election) Sark Ordinance, 2017, as amended. Does anybody wish to speak? Those in favour; those against.

530 **Carried.**

During a particularly illuminating discussion, two Conseillers very kindly mentioned our advancing years. I have to say that in my 75th, I have found it particularly interesting.

This amended Ordinance will be numbered III of 2017.

We now move to Agenda Item 5 to consider a report from –

535

Conseiller Guille MBE: Mr President?

The President: Sir.

540

Conseiller Guille MBE: We have not debated the remainder of the main report in the last –

The President: Well, I did ask if anybody wished to speak.

545

Conseiller Guille MBE: We were debating the Proposition and the amended Report. The fact that members of P&P started talking in general debate, there may be other issues we wish to raise with regards to the assessment of the situation.

The President: Does anybody really wish to continue debating this?

550

Conseiller Fry: No, I think a democratic conclusion has been come to. Thank you.

The President: Conseiller Reg Guille, did you wish to speak to this?

555

Conseiller Guille MBE: I would wish to speak on the assessment of the situation as part of their Report. (**The President:** Okay.) I specifically only concentrated on the amendment from Baker-Williams dealing with the change of dates. I did not talk about the change of assessment situation.

However, if people wish to guillotine it and ask me to sit down and shut up, I will do so.

560

The President: They cannot but I can and I will not, (*Laughter*) so pray be brief will you.

565

Conseiller Guille MBE: We obviously will see how many people we get on the Election, which will now take place on 5th April. Whether or not we get five or 10 people standing or three people standing, that is immaterial. As has been raised in some of the remarks made, we have to consider as an Assembly the way forward for the numbers in Chief Pleas.

570

In the build up to the Reform Law 2008 Chief Pleas considered that they would look at various options with regard to numbers. We started off with 32 and if you counted the seats here there are 32 seats available. We eventually settled on 28, but having also discussed starting at 24. However, the decision then was to start at 28 and then, seeing how things went, we might go back up to a larger number or reduce it. The evidence of the 2014 and 2016 elections were that there were insufficient people willing to put themselves forward for election so we have – even if we do get the numbers on this election to fill our numbers of 28 – we still have a problem going down the line and we need to discuss that. I would hope that that will be a report from the Good Governance PDT, I still have not got my head around who is doing what yet, but I believe the Good Governance PDT will need to come with a report through P&P to start the discussion on the numbers. Is Chief Pleas right as it is or does it need less? And that may require public consultation. There is no reason why that public consultation cannot happen immediately after Easter so that any amendment we wish to make to the Reform Law with regard to the numbers can get off to the Privy Council in July, hopefully being taken by them before the autumn recess or the summer recess.

575

580

585 The 2008 Reform Law was deliberately designed so that Chief Pleas could not just change the numbers so that there had to be a proper debate in Chief Pleas if those numbers were to be changed. It was one of the things that was looked at at the time, as to whether Chief Pleas would be able to do it by Ordinance and very firmly we were told that that should not be able to be done by an Ordinance, that we would have to come back to Chief Pleas to make that important decision of changing the number of people in our parliament. So that was a deliberate decision and I believe it was a good decision because we can change the numbers on PDTs, we can change the number on committees, sub-committees, you name it, we can do that without coming to Chief Pleas, or we come to Chief Pleas for approval, but we can do that very easily, it does not require any legislation. But to change the numbers in a parliament, it must be after public consultation and with the support of the parliament in reducing its numbers.

590 They have had those debates in Jersey and Guernsey and they are all debated in their States to get the numbers down because they were having difficulty in their very large jurisdictions getting people to stand for election to their States. So it is something we have to consider irrespective of the result of the further election which will happen fairly soon.

Thank you.

600 **The President:** Well, I am sure that PDT and P&P will take on board all of your comments on that, Conseiller Guille. Does anybody else wish to say anything? In that case I will put the Proposition again that Chief Pleas approves the Reform (General Election) Sark Ordinance, 2017, as amended. Those in favour; those against. **Carried.**

This amended Ordinance will be numbered III of 2017.

**5. The Fire Services (Sark) Law, 2016 (Commencement) Ordinance, 2017 –
Emergency Services Committee Report considered –
Proposition carried**

To consider a Report from the Emergency Services Committee entitled ‘The Fire Services (Sark) Law, 2016 (Commencement) Ordinance, 2017’ and to approve the Ordinance entitled ‘The Fire Services (Sark) Law, 2016 (Commencement) Ordinance, 2017’.

Proposition:

That Chief Pleas approves ‘The Fire Services (Sark) Law, 2016 (Commencement) Ordinance, 2017’.

605 **The President:** We now go to Agenda Item 5 to consider a Report from the Emergency Services Committee entitled, ‘The Fire Services (Sark) Law, 2016 (Commencement) Ordinance, 2017’.

Conseiller Helen Plummer.

Conseiller Plummer: Thank you, sir.

610 The Report really is self-explanatory. If the Proposition is approved today, it will bring Sark Emergency Fire Service in line with protections afforded in other jurisdictions. So I hope that the Proposition will go through today so that we can continue.

Thank you.

615 **The President:** I just want to make one comment that the laid before that is put in the Report is for information. That is for public information. The laid before will come later in the Agenda when it is possible, although I would imagine highly unlikely, that it can be voted down.

I will put the Proposition that Chief Pleas approves the Fire Services (Sark) Law, 2016 (Commencement) Ordinance, 2017. Those in favour; those against. **Carried.**

620 This Ordinance will be numbered IV of 2017.

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

To consider a Report from the Medical Committee entitled ‘The Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017’ and to approve the Ordinance entitled ‘The Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017’.

Proposition 1.

The Medical Committee asks Chief Pleas to approve The Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017.

Proposition 2.

The Medical Committee asks Chief Pleas to adopt financial responsibility for necessary registration and annual renewal fees to Guernsey.

The President: We now move to Agenda Item 6, to consider a Report from the Medical Committee entitled ‘The Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017’, and to approve the Ordinance entitled ‘The Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017’.

625 Conseiller Roger Norwich.

Conseiller Dr Roger Norwich: The long-awaited Regulation of Health Professions Ordinance Report is self-explanatory. The main points for us to consider are that the Ordinance provides protection for patients and, very importantly for Sark, allows practitioners in Sark to be able to undertake continuing professional education and thus comply with the General Medical Council requirements. That is very important to us because it will allow us at whatever time is needed to recruit doctors from the UK who will not be coming to Sark on a one-way ticket at the end of their careers. It will allow young or older doctors to come to Sark and to leave and to continue their professional practice, and this is particularly important in our ability to recruit to in the future as necessary.

635

But, as I say, the Report makes the purposes of the Ordinance perfectly clear. The long delay has been due to the considerable toing and froing between the General Medical Council and the Channel Islands authorities regarding particular aspects of the relationship between the Channel Islands medical authorities and those in the UK.

640 I am willing to take any questions.

The President: Are there any questions or comments from the floor?
Conseiller Rob Cottle.

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

Just regarding the second Proposition where it asks Chief Pleas to adopt financial responsibility for the necessary registration and fees. The Medical Committee did consult with Finance & Resources to check that the fees were affordable and that we can absorb them within the budget for this year and we confirm that that is the case. So the fee which is mentioned – £300 initially and £80 renewal each year would be taken from unforeseen expenditure for 2017.

650

The President: Can I take it from that that it will not be necessary to go the Lieutenant Governor in that case?

Conseiller Cottle: Absolutely not!

655 Yes, sir, it is £300, we can deal with that within the budget of Chief Pleas for this year, so I just wanted to confirm that that it is budgeted properly and advice sought and approved.
Thank you.

The President: Anybody else?

660 Two Propositions, Proposition 1 the Medical Committee asks Chief Pleas to approve the Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017. Those in favour; those against. **Carried.**

665 And Proposition 2 the Medical Committee asks Chief Pleas to adopt financial responsibility for the necessary registration and annual renewal of fees to Guernsey. Those in favour; any against. **Carried.**

This Ordinance will be numbered V of 2017.

**7. The Hathaway Settlement a Grant to Sark Community Blooms –
Finance and Resources Committee Report considered –
Proposition carried**

To consider a Report from the Finance and Resources Committee entitled ‘The Hathaway Settlement a Grant to Sark Community Blooms’.

Proposition:

That Chief Pleas approve the payment of a grant of £1,500, from the funds realised by the Trustees of the Dame Sibyl Hathaway Trust, to Sark Community Blooms to be utilised in financing Sark’s entry in the Britain in Bloom finals for 2017.

The President: Agenda Item 7, to consider a Report with Proposition from the Finance and Resources Committee entitled ‘The Hathaway Settlement a Grant to Sark Community Blooms’.
Conseiller Robert Cottle.

670

Conseiller Paul Williams: May I speak?

The President: I am asking Conseiller Robert Cottle to introduce the Report.

675

Conseiller Paul Williams: You are indeed, but I must declare an interest as a member of Sark Community Blooms.

The President: Thank you very much, Conseiller Williams.

680

Does anybody else wish to declare an interest? Okay, so an interest has been declared by Conseiller Paul Williams. Does anybody object to him remaining?
Conseiller –

Conseiller Guille MBE: No, I do not object. I propose that Conseiller Paul Williams remain, but does not take part in the debate.

685

Conseiller Sandra Williams: And I will second that.

The President: Conseiller Rob Cottle.

690 **Conseiller Cottle:** Thank you.

Sark Community Blooms led Sark's entry in the Floral Guernsey Community Competition in 2016, and having been very successful in that Sark has been chosen to represent the Bailiwick of Guernsey in the Britain in Bloom finals for 2017. Their efforts so far have both created some much improved public areas and also some floral plantings that will produce a colourful show year after year. Their awards also created plenty of publicity and interest and that has to be good for the Island and its tourism industry.

695 I think that all who have been involved should be congratulated for what they have achieved so far. (**Three Members:** Hear, hear.) Lots of hard work and enthusiasm has gone into getting nominated as the Bailiwick of Guernsey representative. But to present Sark in its best light, and hopefully create further positive publicity, much more of the same hard work and enthusiasm will be needed.

700 I am sure requests will go out for volunteers to get involved in what will be planned for Sark's entry, but funds are also needed. The Bloomers, as they call themselves, have made a modest request for £1,500 to help with this. As the funds which were set aside for funding for diagnostic equipment for the medical centre are being returned, there is money available from the Hathaway Settlement fund. The Trustees of that settlement have agreed that this is a suitable and worthy cause that will benefit Sark as a whole and have recommended that Chief Pleas approve the grant to Sark Community Blooms.

705 Finance & Resources Committee are therefore pleased to bring this Proposition on behalf of the trustees and request that the proposal is approved.

710 Thank you.

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

715 In that case I will put the Proposition that Chief Pleas approves the payment of a grant of £1,500, from the funds realised by the Trustees of the Dame Sibyl Hathaway Trust, to Sark Community Blooms to be utilised in financing Sark's entry in the Britain in Bloom finals for 2017.

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

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

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

Proposition:

That it is approved that the Additional Tax Transparency Statement, attached as Appendix 1, is published on the Sark Government website following this meeting, to supplement the statement published in April 2016.

720 **The President:** Agenda Item 8, to consider a Report from the Finance and Resources Committee entitled 'Sark International Tax Transparency'. I take it that nobody wishes to declare an interest in this?

In which case, I will ask Conseiller Rob Cottle to introduce the Report.

Conseiller Cottle: Thank you, sir.

725 In order that Sark continues to demonstrate to the international community that it is willing
to be transparent in taxation matters Finance & Resources Committee has done work on further
developing this further statement on tax transparency.

730 The common reporting standard is being introduced internationally from 2017 and Sark has
to be mindful of this. To make Sark's position clear and to make its policy readily available, it is
proposed that the attached additional statement should be published on the Government
website to inform other jurisdictions and organisations.

Sark is a very small jurisdiction and its taxation system is very straightforward. Being very
open in providing a description of this is the best way we have of convincing others that Sark is
making every effort to comply with expectations in a manner that is proportionate to our
resources. This statement provides further information intended to demonstrate transparency.

735 This Committee therefore requests that the Proposition is approved so that the additional
statement can be added to that which was published in April last year.

Thank you.

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

740 In that case, we have got the Proposition that it is approved that the Additional Tax
Transparency Statement, attached as Appendix 1, is published on the Sark Government website
following this meeting, to supplement the statement published in April 2016.

Those in favour; any against? **Carried.**

**9. Renewal of the Service Level Agreement – St James' Chambers –
Finance and Resources Committee/Policy and Performance Committee
Joint Report considered –
Proposition carried**

*To consider a Joint Report from the Finance and Resources Committee and the Policy and
Performance Committee entitled 'Renewal of the Service Level Agreement – St James'
Chambers'.*

Proposition:

*That Chief Pleas approves the proposed Service Level Agreement with St James' Chambers for
2017 and the associated cost and that Conseiller Cottle be authorised to sign it on behalf of
Chief Pleas.*

745 **The President:** We go to Agenda Item 9 to consider a Joint Report from the Finance and
Resources Committee and the Policy and Performance Committee, with a Proposition that Chief
Pleas approves the proposed Service Level Agreement with St James' Chambers for 2017 and the
associated cost and that Conseiller Cottle be authorised to sign it on behalf of Chief Pleas.

Conseiller Rob Cottle.

750 **Conseiller Cottle:** Thank you.

This has come around again; the Service Level Agreement for the renewal of the services
provided by St James' Chambers and the legal services that they provide through the Law
Officers.

755 After the last two-year agreements expiry at the end of last year, this one-year agreement is
brought to Chief Pleas for approval. Apart from the duration being only one year this time and
an increase in the cost by 1.1%, which is the Guernsey RPIX rate, it is the same as the last one.
The attached draft agreement describes the scope of legal services provided by the Law Officers
of St James' Chambers.

I have nothing else to add to what is set out in the Report, so I will request any questions or comment before moving to the Proposition.

Thank you.

The President: Any questions from the floor or comments? Conseiller Reg Guille.

Conseiller Guille MBE: Could I ask if the intention is to remain doing it on an annual basis or will it go back to a two-year next year?

Conseiller Cottle: At the moment, Guernsey is carrying out a review of the arrangements in St James' Chambers and I think that is the reason we have only got a one-year agreement at the moment. We will have to wait and see if there is any outcome from that review that changes the circumstances. So we do not really know at the moment. We have got the one year and we will see what happens when we need to review for next year again.

The President: Thank you, Conseiller Cottle.
Does Conseiller Charles Maitland wish to comment?

Conseiller Maitland: No.

The President: Anybody else? In that case we will move to the Proposition that Chief Pleas approves the proposed Service Level Agreement with St James' Chambers for 2017 and the associated cost and that Conseiller Cottle be authorised to sign it on behalf of Chief Pleas.

Those in favour; any against? **Carried.**

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

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

Proposition:

That Chief Pleas takes note of the contents of this Progress Report.

The President: Agenda Item 10, to consider a Report with Proposition from the Policy and Performance Committee entitled, 'Securing Sark's Future – Progress Report'.

Conseiller Charles Maitland.

Conseiller Golds: Excuse me, Mr President, can I just pop out? My back is killing me a bit.

The President: So Conseiller Plummer is assisting you with a massage! *(Laughter)*
Conseiller Maitland.

Conseiller Maitland: There was actually not a Proposition to this Report. It sets out the plans for the progress reports, the various reports on securing Sark's future which are being done by teams and will be considered at the next Policy Development Group, which is happening shortly.

The President: Thank you.

Can I say just for the record, since this is recorded, Conseiller Colin Golds has just left the meeting.

800 Does anybody wish to comment or question or add anything? In that case, we will move to the Proposition that Chief Pleas takes note of the contents of this Progress Report. Those in favour; those against? **Carried.**

**11. Sark Child Protection Panel –
Education Committee Report considered –
Conseiller La Trobe-Bateman appointed Panel member**

To consider a Report from the Education Committee entitled 'Sark Child Protection Panel'.

Proposition:

That Chief Pleas approves the appointment of Peter Samuel La Trobe-Bateman as a member of the Sark Child Protection Panel.

The President: Agenda Item 11 to consider a Report with Proposition from the Education Committee entitled, 'Sark Child Protection Panel'.
Conseiller Antony Dunks.

805

Conseiller La Trobe-Bateman: Can I declare an interest?

The President: Yes! *(Laughter)*

810

Conseiller La Trobe-Bateman: Unless I can vote for myself!

The President: Conseiller Sam La Trobe-Bateman has declared an interest. *[The President of Chief Pleas is referring to Conseiller P La Trobe-Bateman.]*
Anybody else? No. Conseiller Dunks.

815

Conseiller Dunks: Thank you.

This report is self-explanatory. Mr La Trobe-Bateman has served on the Panel for two years and it is now requested that he be made a permanent member of that Panel.

820

The President: Thank you. Anybody wish to comment?

Okay, the Proposition is that Chief Pleas approves the appointment of Peter Samuel La Trobe-Bateman as a member of the Sark Child Protection Panel. Those in favour; any against? **Carried.**

**12. Sea Fisheries Annual Report –
Sea Fisheries Committee Information Report considered**

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

The President: We go to Agenda Item 12, to consider an Information Report from the Sea Fisheries Committee entitled 'Sea Fisheries Annual Report'.
Conseiller Helen Plummer.

825

Conseiller Plummer: Thank you.

830 Again, this Report is self-explanatory. I was hoping to give details of the commission that Mr David Cocksedge attended last Thursday in Guernsey. DEFRA came down, representatives from the United Kingdom, but the Report is not available to us yet and I am hoping to bring it to Easter Chief Pleas.

Thank you.

The President: Any questions or comments from the floor? It is an information item.

13. Isle of Sark Shipping Company Ltd – Information Report considered

To consider an Information Report from the Shipping Committee entitled 'Information Report from the Isle of Sark Shipping Company Ltd'.

835 **The President:** We move on to Item 13, to consider a Report from the Shipping Committee entitled 'Information Report from the Isle of Sark Shipping Company Ltd'.

Conseiller Sandra Williams.

Conseiller Sandra Williams: Thank you very much.

840 I do not have anything to add to the Report, but I am going to ask if we could please record thanks to Conseiller Karen Adams whose dedication has led us through some uptight moments within the Committee over the last few years, but we have managed to all agree to get on and do the job.

845 I would also like to thank Conseiller Richard Dewe, Chris Nightingale and Diane Baker who are now no longer on the Shipping Committee. I thank them for all of their work over the last three years.

Thank you very much.

The President: Any questions or comments? Conseiller Rob Cottle.

850

Conseiller Cottle: Thank you.

855 I think this is a very positive Report that has come out from the Sark Shipping Committee and Finance & Resources Committee has the financial responsibility for overseeing by receiving reports from the company and I can confirm that the financial position is improving and we have a bright outlook there now.

I have spoken to Paul Garlick, the Managing Director of Sark Shipping, and he has confirmed that the accounts have now been approved by the auditors. In there, they were mentioned as being 'waiting for approval', but that has been confirmed now.

860 We have also got no short-term loan this winter being required to see the company through the winter, which has happened for the last two years, so there is another positive and the only outstanding debt now from the company to the Island is the long-term loan which was renewed for five years, which is £254,000, which is now being dealt with on an interest-paying basis.

So we have made great progress there, and both the Shipping Committee and the Finance Committee are pleased with the way things are developing with Sark Shipping.

865

The President: Okay, thank you. Anybody else? That also is an information item.

**14. Annual Report –
Tourism Committee Information Report considered**

To consider an Information Report from the Tourism Committee entitled ‘Annual Report’.

870 **The President:** We go to Agenda Item 14, to consider an Information Report from the
Tourism Committee entitled ‘Annual Report’.
Conseiller Sandra Williams.

Conseiller Sandra Williams: Thank you very much.

875 I have not got anything else to add to our Report, apart from it has been a busy couple of
months in the Tourism Office since this Report was written.

I would like to thank, while I am on my feet, the Conseiller who has been our Deputy
Chairman of the Tourism Committee for the last eight years, Christine Audrain. She is always at
the end of the telephone and she is always very helpful and useful to pop in and cover if staff are
880 sick and usually unpaid, volunteering to come in and help. I would like to record a vote of thanks
to her for that – thank you very much.

I would also like to thank Diane Baker and Peter Byrne, who also served on the Tourism
Committee for the last couple of years and wish them well in their new committees.

885 **The President:** Thank you.
Any questions or comments? That is also an information item.

**Laid before Chief Pleas –
The Fire Service (Regulation of Controlled Premises) (Tourist Accommodation)
(Sark) Regulations, 2016**

The President: We go to the Statutory Instrument 2016 Laid Before Chief Pleas: ‘The Fire
Service (Regulation of Controlled Premises) (Tourist Accommodation) (Sark) Regulations, 2016’.
890 Conseiller Reg Guille.

Conseiller Guille MBE: Could I ask the Committee what the Statutory Instrument number is,
which is missing from the heading?

895 **The President:** I assumed that 2016 was the actual serial number, but can somebody answer
this? Can we let you know, Conseiller Guille?

Conseiller Guille MBE: Absolutely. It was just for information, that is all it is. The Regulation is
as it is; it is just the number. There should have been a number on the ... If you look at the actual
900 Regulations, it says ‘Sark Statutory Instrument 2016 No. [blank]’ – when it comes before us as
Laid Before, there should have been a number there already.

The Law Officers will advise on that, I am sure. Thank you.

The President: Yes, I must say, I did ask a question about this. I thought that 2016 was the
905 serial number, but if we can actually get an answer back – and if all Members of Chief Pleas can
be informed of what that answer is, okay?

I will take that as **carried**.

**Procedural –
Date of next Meetings**

910 **The President:** The next statutory Meeting will be the Easter Meeting, to be held on Wednesday, 26th April. The closing date for Agenda Items and Reports for that meeting is Wednesday, 29th March, with papers going out not later than Wednesday, 5th April.

915 There will also be an Extraordinary (Special) Chief Pleas at midday on Monday, 27th February, to elect a Speaker and Deputy Speaker. I hope a suitable number of candidates put themselves forward, to have meaningful elections for both positions.

May I wish you all the best in the future.

The Meeting is closing at 11.25. Greffier, the Grace, please.

PRAYER
The Greffier

Chief Pleas closed at 11.25 a.m.