



**OFFICIAL REPORT**

**OF THE**

**STATES OF DELIBERATION**

**OF THE**

**ISLAND OF GUERNSEY**

**HANSARD**

**Royal Court House, Guernsey, Thursday, 28th September 2017**

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**Present:**

**Sir Richard J. Collas, Kt, Bailiff and Presiding Officer**

**Law Officers**

R. M. Titterington, Q.C. (H.M. Comptroller)

**People's Deputies**

**St Peter Port South**

Deputies P. T. R. Ferbrache, J. Kuttelwascher,  
D. A. Tindall, B. L. Brehaut, R. H. Tooley

**St Peter Port North**

Deputies C. N. K. Parkinson, L. C. Queripel,  
M. K. Le Clerc, M. P. Leadbeater, J. I. Mooney

**St Sampson**

Deputies L. S. Trott, P. R. Le Pelley, J. S. Merrett,  
G. A. St Pier, T. J. Stephens, C. P. Meerveld

**The Vale**

Deputies M. J. Fallaize, N. R. Inder, M. M. Lowe, L. B. Queripel,  
J. C. S. F. Smithies, S. T. Hansmann Rouxel

**The Castel**

Deputies R. Graham L.V.O, M. B. E, C. J. Green, B. J. E. Paint,  
M. H. Dorey

**The West**

Deputies A. H. Brouard, A. C. Dudley Owen, E. A. Yerby, D. de G. de Lisle, S. L. Langlois

**The South-East**

Deputies H. L. de Sausmarez, P. J. Roffey,  
R. G. Prow, V. S. Oliver

**Representatives of the Island of Alderney**

Alderney Representatives L. E. Jean and S. D. G. McKinley, O. B. E.

**The Clerk to the States of Deliberation**

S. M. D. Ross, Esq. (H.M. Deputy Greffier)

**Absent at the Evocation**

M. M. E. Pullum, QC, (H.M. Procureur); Deputies J. A. B. Gollop (relevé à 09h53),  
J. P. Le Tocq (absent de l'île), H. J. R. Soulsby (relevée à 09h33).

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# States of Deliberation

*The States met at 9.30 a.m. in the presence of  
His Excellency Vice-Admiral Sir Ian Corder, K.B.E., C.B.  
Lieutenant-Governor and Commander-in-Chief of the Bailiwick of Guernsey*

[THE BAILIFF *in the Chair*]

## PRAYERS

*The Deputy Greffier*

## EVOCATION

# Billet d'État XVIII

## COMMITTEE FOR EDUCATION, SPORT & CULTURE

### IX. The Role of Grant-aided Colleges and their Future Funding Arrangements – Debate continued

**The Deputy Greffier:** Billet d'État XVIII – the continuation of the debate.

**The Bailiff:** Deputy Soulsby has just entered the Chamber. Do you wish to be relevé?

5 **Deputy Soulsby:** Yes, please, sir.

**The Bailiff:** So, we resume debate on the amendment proposed by Deputy St Pier, seconded by Deputy Trott, and it is for Deputy St Pier to reply to the debate.

10 **Deputy St Pier:** Thank you very much, sir, and thank you to all Members who participated in the debate yesterday. I think it was a good debate.

There were, of course, some literary references. Deputy Graham introduced Franz Kafka into the debate. I am not sure whether it was Franz Kafka or more the Topsy Turvy World of *Alice in Wonderland* where we had those who had supported the ending of selection being accused of seeking to bring it back through the back door, while those that argued they wanted to retain selection were arguing the merits of a comprehensive system. As I say, I think, perhaps slightly Kafka-esque.

15 We then had Deputy Le Pelley, sir, who spoke about George Orwell and, in particular, he referenced *Nineteen Eighty-Four* and the concept of Doublespeak. He then gave us a masterclass in Doublespeak! (*Laughter*)

20 If I was being polite, I would say he was speaking arrant nonsense. But, on the other hand, I think, actually he was in danger of seriously misleading the Assembly in relation to the question of teachers' pay and pensions.

25 There was, and is, no basis whatsoever for the claim that this amendment could lead to the kind of result which he was alleging could happen in terms of the Colleges outbidding the state system for salaries and with a knock-on impact on the pension fund. There is no evidence for that, whatsoever.

30 As President of the Committee for Education, Sport & Culture, I am sure he is aware and, certainly, his officer present would be aware, that there is a gentlemen's agreement between the Colleges and the States that that does not go on. There is, of course, nothing whatsoever, in the Education, Sport & Culture's own policy letter that seeks to prevent that in the future in any way, because there are no strings attached, or referred to, in their policy letter and, of course, it is a matter that can be dealt with through the terms of the service level agreement, which is referred to in this amendment.

35 Actually, the reverse is true, because at the moment the States are able to induce and encourage teachers to move to the Island through the use of housing allowances, for example, and that is not something which the Colleges do.

40 There was then the suggestion that it would be necessary to offer some of the wealthiest in our community some of these assisted places to ensure that they were represented. Self-evidently, sir, that is neither required or intended by this amendment.

He then said it would be necessary, that it is, of course, essential that we act in the interests of all, not just the 30%. I agree. It is in the interests of all, the 70% and the 30%, that the 30% should be more socially diverse. Anything that helps that is good.

45 As Deputy Parkinson said, it is a legitimate policy objective to attach strings to funding with that as an objective.

It is also in the interests of the 100%, of all, and indeed all taxpayers beyond merely the 100% of children and students educated, that we make every single pound of our limited budget stretch as far as we possibly can. Because, then we can do more for the 70% that are in the state system.

50 I think Deputy Trott made this point extremely well. The secondary schools' policy is predicated on the assumption that the numbers in the Colleges will drop to 20%, not the current 30%. That requires hundreds more places in the state system.

In the real world, rather than in the literary world, we have limited resources and that means that we will have less available per head.

55 I think it would only be the Mad Hatter that would conclude that because we cannot provide assisted places for every single person that might want one, that we should not be using the capacity in the College at a lower cost and taking advantage of that value for money, simply because all those places are not available.

What is important is that all can apply and that is a significant improvement on the current system and it is not something which is seeking to be addressed at all by the Committee.

60 Deputy Roffey responded to my opening speech by saying that the better the state system becomes, the smaller the private sector becomes. I absolutely agree that that is a likely outcome and I address that in my opening speech. I do not think that should be regarded as a threat to either sector, at all.

65 His speech was much praised but, needless to say, perhaps because I am on the opposite side of the debate, I actually felt his speech added little to what he had already said in his executive summary, which he very helpfully provided at the beginning. (*Laughter*)

70 He did say one thing, which is that he found it 'unfathomable' – his word – that we should outsource to the Colleges. I disagree that it is unfathomable, because, as Deputy Graham said, that is precisely what paragraph 2(g) of the amendment seeks to make the point. Actually, where it produces better value for money, it is entirely fathomable.

Deputy Smithies made, I think, the only speech that really, strongly identified the schools as being independent schools that should receive no funding. I do take that as an absolute justification for the inclusion of the proposed revised Proposition 1 in the amendment, to allow debate on that very topic.

75 We have had the opportunity to debate that and only one Member has strongly made that case. But, I think it was well worth doing, to have that opportunity.

Deputy Tindall effectively criticised the amendment for the lack of detail, particularly in relation to the application of the assisted places scheme. As Deputy Trott said, that should, of course, follow. As Deputy Dorey said, it really is not for this Assembly to design the scheme on the floor of  
80 the Assembly in the level of detail that perhaps every Member would like.

Deputy Prow's speech was an excellent speech and I thought he really, absolutely, nailed it. He really understood the issues. In particular, he asked the question: what will be the consequences? I am going to come back to that again, in a moment.

Deputy Langlois said that he did not think that any UK bursary schemes operated by  
85 independent schools were taxpayer-funded. Of course, that rather ignores the 80,000 children and the £800 million of public money that were used in the assisted places scheme in the UK.

Deputy de Sausmarez drew an analogy with private health care. If a member of our community requires a hip replacement – and actually we do have capacity constraints in the private sector, or it is better value in the private sector – I would hope very much that Deputy Soulsby and her  
90 Committee would consider the use of the private sector to provide that service if that produced a better outcome for that individual.

Deputy Fallaize, I think, explained far better than I did the need for this amendment. For that, I am grateful. However, one part of his speech, the language jarred. He talked about getting out of the state sector. This is not about 'getting out' of the state sector. This is about providing  
95 additional choice and that is what both Deputies Trott and Parkinson articulated extremely well when they spoke, that it is a legitimate policy objective, set out in paragraph 2(d) of the amendment, that we should provide additional choice.

Deputy Le Clerc was concerned about the reference to educational assessment referred to in the College paper and I can understand that concern. However, the Proposition is crystal clear.  
100 There will be no academic selection and I can give her that reassurance. All schools, of course, including the state schools, do undertake assessments to identify whether students have special needs or do they want to be properly setted?

The Colleges are no different in relation to that process and that is the extent to which I would expect there to be any kind of assessment, in exactly the same way as the state system. I hope  
105 that gives Deputy Le Clerc the reassurance that she requires.

I will not give way, sir.

Deputy Soulsby forensically pulled apart the flaws in the policy letter and I am grateful for that. In particular, she referred to the open access programme and the Belvedere School and how that experience had demonstrated that schemes of this nature can and have improved social mobility.  
110 I am grateful to Deputy Soulsby for that.

Deputy Parkinson made two absolutely critical points, which nobody else did, either before or after he spoke. These were in relation to the sensitivity of pupil numbers and how the movement, one way or another, can have a significant outcome on the financial performance of the schools and, indeed, their ability to survive. That ties exactly back to Deputy Prow's question: what will the  
115 consequences be? The answer is, we simply do not know, because of that question, for sensitivity of pupil numbers, that Deputy Parkinson raised.

He also made another point, which was that, of course, this scheme could cover more than 52. There were lots of references to 52, because that is the current number of special placeholders, but there is no reason why it could not be more than 52, based on the outline proposals.

Deputy Lowe implied that this was an open cheque book. But, of course, the amendment is quite clear in 2(i) that the cost is limited and is capped. She also pulled me up on referencing trips and, certainly, she referred to students going on holidays and, I think, to be fair, that was probably a poor example that I used, because it certainly was not what I was envisaging. The question of additional costs around uniforms and lunches and so on, I think, was very much what I was  
120 referring to in relation to costs.  
125

Deputy Oliver questioned whether this matter would come back to the States. What I would say is that under the amendment that is not required. It is set out in the amendment as being a matter for the Committee for Education, Sport & Culture and P&R to determine. But, of course, it remains an issue for those joint Committees to consider. Certainly, if one or other, or indeed both, think it would be appropriate for it to come back here, then there is no reason why it could not do so.

Deputy Graham, in relation to that, made the point that the ambiguities in the amendment could be resolved in the next stage and I think Deputy Dorey effectively made that point as well.

Finally, Deputy Hansmann Rouxel was concerned about the costs of the administration of the scheme. Of course, there is no presumption that the States would necessarily be the administrator of the scheme. The references were made, of course, to the existing infrastructure around higher education grants, but there is no reason why this could not necessarily be dealt with by agreement with the Colleges.

The critical point is it would be in accordance with our Rules. If we just give them a cheque, as the Committee for Education, Sport & Culture propose, then it would be under their rules, the Colleges' rules. This gives us far more control.

Deputy Hansmann Rouxel also made a very good point about the parents who are currently in the system, our duty, our requirement to think about how we can assist them, particularly where circumstances change. I think that is a very good point and it is an issue which Deputy Merrett has certainly raised with me and I certainly think it perhaps should be looked at in the next stage. Certainly, there is no particular reason why, within the spirit of this amendment, that is not something that could not be addressed in the detail of the design.

In conclusion, there are three key points.

First of all, this amendment ensures that we are attaching conditions to the public cheque, which is being written, rather than just giving a block grant. Those conditions, broadly, are that you must use it to improve the social diversity of the Colleges and that is in the interests of all, not just those who attend the Colleges and it is in respect of those that do attend, it is in the interests of both fee-payers and the assisted placeholders themselves. Secondly, the condition is around the utilisation of the capacity that exists in the Colleges.

The second key point about this amendment, sir, is that it provides choice for a greater number. Choice in terms of a different educational experience. I thought Deputy Brehaut nailed that particular point, particularly well.

Finally, sir, this amendment is about providing value for money and ensuring that we stretch our limited education budgets as far as we can and that is in the best interests of 100% of students in the system, not just 30%.

**Deputy Le Pelley:** Point of correction, sir, several.

**The Bailiff:** He is sat down.

**Deputy Le Pelley:** Last time I asked if I could raise a point of correction, you said if I would wait until the end of the speech rather than interrupt all the way through?

I have done that, sir.

**The Bailiff:** I do not recall those circumstances.

Rule 17(11) says:

A Member may interrupt another Member, who is addressing a Meeting, only on a point of order or a point of correction and shall do so by standing and calling a point of order or a point of correction, as the case may be, and waiting to be invited to speak further by the presiding officer.

It may be, on a previous occasion, you had stood during the speech. I cannot recall those circumstances, but 17(11) entitles you to interrupt another Member. It does not entitle you to



175 speak once that Member has sat down, because of course Deputy St Pier would not have a chance now to reply to your point of correction if it was to be made.

As I say, I do not recall the other circumstances, but the Rule, in my view, is clear.

**Deputy Le Pelley:** Thank you, sir.

180 We will go with the –

**The Bailiff:** If SACC disagree and say I am misinterpreting it, then maybe they might wish to consider re-phrasing that Rule, but that is how I understand it. (*Laughter*)

185 Before we go to the vote, is there anyone who has not spoken and who needs to declare a direct or special interest before they vote?

Deputy Dudley Owen.

**Deputy Dudley Owen:** Yes, sir.

190 As has previously been declared on my behalf, in the public domain, I do have a special interest in this instance.

**The Bailiff:** And Deputy Meerveld?

**Deputy Meerveld:** Yes, sir.

195 I have a special interest, in that I have two sons at Beechwood.

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

In that case, we go to the vote and there will be –

200 **A Member:** Request a recorded vote, please.

**The Bailiff:** – and there will be a recorded vote.

**The Deputy Greffier:** This session, sir, the voting begins with the district of the South East.

205

**The Bailiff:** Oh, sorry. Deputy Gollop will need to be relevé if he wishes to vote.

**Deputy Ferbrache:** Just for the clarification, we are voting just on Paragraph 1 of the amendment?

210

**The Bailiff:** No, we are voting on whether to accept the amendment or not, in its totality.

**Deputy Ferbrache:** But it is in the alternative.

215 **The Bailiff:** Well, that will then come in general debate. If this amendment is laid as a suite of Propositions, we will have general debate and then, in general debate, people can argue for or against different elements of it and there will be a vote at the end of general debate.

At the moment, what you are voting on is whether to replace the Education, Sport & Culture Committee's Propositions with the Propositions in the amendment.

220

**Deputy Ferbrache:** I am very grateful for that, sir, and as you know, I am such a lover of Rules!

**Deputy Gollop:** Request to be relevé, sir.

225 **The Bailiff:** Yes, Deputy Gollop is relevé. We then start the vote with South-East district.

*Recorded vote started*

**Deputy Soulsby:** pour; **Deputy de Sausmarez:** contre; **Deputy Roffey:** contre; **Deputy Prow:** pour; **Deputy Oliver:** pour; **Deputy Ferbrache:** pour; **Deputy Kuttelwascher:** pour; **Deputy Tindall:** contre; **Deputy Brehaut:** (*after a pause*) contre; **Deputy Tooley:** pour, sorry contre;

**Deputy Trott and others:** first vote.

**Deputy Brehaut:** In fairness, my delay in voting was because I thought it was out of sequence and I was completely wrong.

**The Bailiff:** It is out of sequence, because the Alderney Representatives were not called.

230 **Deputy Brehaut:** Right.

I was not ready to vote, sir, which caught me on the hop and, of course, Deputy –

**Deputy Fallaize:** Sir, can we just start voting again, please?  
Would that not make more sense?

235

**Deputy Tooley:** It appears to me that Deputy Trott would like to win this by cheating!

**The Bailiff:** Deputy Tooley, I invite you to withdraw that remark.

240

**Deputy Tooley:** I will withdraw the remark.

**Deputy Brouard:** You could have a re-vote, sir. A Member can call for a re-vote.

**The Bailiff:** A Member can.

245

I am afraid I did not help, because I was going to make the point that we were out of sequence and it may be that I interfered, so I think –

**Deputy Brouard:** I would be happy to lay the amendment that we have a re-vote, sir.

250

**Deputy Lowe:** I would be happy to second that, sir.

**The Bailiff:** I am not sure where it is in the Rules that you have a re-vote and I am not sure you do it half-way through.

255 But I think, given the confusion, given the importance of the vote, let us start again at the beginning and take everybody in their right order.

As I say, I should have interrupted when the Alderney Representatives were missed out. Let us start again and have a clear vote.

Deputy Le Clerc?

260

**Deputy Le Clerc:** Sir, I am just unclear as to why the Alderney Representatives do not have a vote?

**The Bailiff:** Well, they should have a vote. That is the point I was making. They should have a vote.

265

Let us start again with the South-East district.

*There was a recorded vote.*

*Not carried – Pour 17, Contre 22, Ne vote pas 0, Absent 1*

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Soulsby	Deputy de Sausmarez	None	Deputy Le Tocq
Deputy Prow	Deputy Roffey		
Deputy Oliver	Deputy Tindall		
Alderney Rep. Jean	Deputy Brehaut		
Alderney Rep. McKinley	Deputy Tooley		
Deputy Ferbrache	Deputy Lester Queripel		
Deputy Kuttelwascher	Deputy Le Clerc		
Deputy Gollop	Deputy Leadbeater		
Deputy Parkinson	Deputy Le Pelley		
Deputy Mooney	Deputy Stephens		
Deputy Trott	Deputy Fallaize		
Deputy Merrett	Deputy Inder		
Deputy St Pier	Deputy Lowe		
Deputy Meerveld	Deputy Laurie Queripel		
Deputy Graham	Deputy Smithies		
Deputy Paint	Deputy Hansmann		
Deputy Dorey	Rouxel		
	Deputy Green		
	Deputy Brouard		
	Deputy Dudley Owen		
	Deputy Yerby		
	Deputy de Lisle		
	Deputy Langlois		

270 **The Bailiff:** Members, the result of the voting on the Deputy St Pier/Trott amendment was 17 votes in favour and 22 against.

I declare the amendment lost.

As far as I am aware, there are only two other amendments that have been circulated and I propose that we take next the one, proposed by Deputy Langlois and seconded by Deputy Tooley.

275 Deputy Langlois.

**Deputy Langlois:** Sir, I believe I have to lay a motion to suspend Rule 24(2) (**The Bailiff:** You do.) to enable this amendment to be debated and that proposal is seconded by Deputy Tooley as well.

280

**The Bailiff:** So, it is seconded by Deputy Tooley?

**Deputy Tooley:** It is, sir.

285 **The Bailiff:** We go to the vote, then, to suspend Rule 24(2) of the Rules of Procedure, to the extent necessary to permit the amendment to be debated.

Those in favour; those against.

*Some Members voted Pour; others voted Contre.*

290

**The Bailiff:** I think those voting Contre may have shouted louder than those voting Pour, but there may be more in favour. We need to have a recorded vote so that I can be certain of the way that that vote went.

*There was a recorded vote.*

295

*Carried – Pour 27, Contre 12, Ne vote pas 0, Absent 1*

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>ABSENT</b>
Deputy Soulsby	Alderney Rep. Jean	None	Deputy Le Tocq
Deputy de Sausmarez	Alderney Rep. McKinley		
Deputy Roffey	Deputy Kuttelwascher		
Deputy Prow	Deputy Mooney		
Deputy Oliver	Deputy Trott		
Deputy Ferbrache	Deputy Le Pelley		
Deputy Tindall	Deputy St Pier		
Deputy Brehaut	Deputy Meerveld		
Deputy Tooley	Deputy Lowe		
Deputy Gollop	Deputy Smithies		
Deputy Parkinson	Deputy Paint		
Deputy Lester Queripel	Deputy de Lisle		
Deputy Le Clerc			
Deputy Leadbeater			
Deputy Merrett			
Deputy Stephens			
Deputy Fallaize			
Deputy Inder			
Deputy Laurie Queripel			
Deputy Hansmann			
Rouxel			
Deputy Graham			
Deputy Green			
Deputy Dorey			
Deputy Brouard			
Deputy Dudley Owen			
Deputy Yerby			
Deputy Langlois			

**The Bailiff:** On the motion to suspend the Rules, there were 27 votes in favour and 12 against. I declare that motion carried and Deputy Langlois, therefore, may lay the amendment.  
Deputy Langlois.

*Amendment:*

*'1. To note that the current arrangements through which the States provide financial support to the grant-aided colleges (Elizabeth College, The Ladies' College and Blanchelande College) ("the Colleges") shall expire on the 31st August 2019; and*

*a) to agree that between the 1st September 2019 and the 31st August 2025 the States shall pay to the Colleges the fees charged by each college in respect of special placeholders; and*

*b) to agree that with effect from the 1st September 2019, and in addition to paying the fees in respect of special placeholders, the States shall continue to provide financial support to the Colleges on the basis that there is a seven-year transitional period ending on the 31st August 2026 during which the Colleges will be adjusting their business models as the number of special placeholders declines to zero;*

*c) to agree that the financial support to the Colleges provided in this proposition (other than by reason of paragraph a)) shall be phased in proportionately for each academic year from 2019/20 as the cost of funding special placeholders reduces such that in respect of the academic year 2025/26 the sum paid by the States shall be not more than 50% of the total sum (in real terms) paid by the States to the Colleges in respect of the academic year 2018/19; and*

*d) to agree that it shall be an ongoing condition of financial support to the Colleges that they shall not expand any schemes or introduce any new schemes which involve academic selection for any students; and*

*e) to agree that the arrangements relating to financial support of the Colleges shall continue for a period of seven years until the 31st August 2026, at which point they shall be subject to review; and*

*f) to direct the Committee for Education, Sport & Culture and the Policy & Resources Committee jointly to develop and agree by no later than 1st September 2018, in consultation with the Colleges and such others as they deem appropriate, the detailed financial and practical operation of the scheme for phased implementation in accordance with paragraph c) by the Committee for Education, Sport & Culture commencing with effect from the academic year 2019/20.'*

300 **Deputy Langlois:** Thank you, sir.

I would like to now lay this amendment, which is seconded by Deputy Tooley. I am not proposing to read it out, I would formally propose it.

305 The Committee for Education, Sport & Culture's Propositions are now still the substantive ones, given the vote we have just had on amendment one and I think the Committee is justifiably aggrieved at some of the criticism it has received for its Propositions.

310 When I first read them, I thought they were quite a neat model, whereby the Colleges would be in no worse financial situation in 2005-06 than they are today, but that was predicated on the Colleges being able to replace each special placeholder with a feepayer. If that did not occur, then their neat model would not work. For instance, the direct grant which they anticipate, the parachute payment in the final year, £897,000, would only be £610,000, in that final year.

It is that requirement that the colleges replace all the special placeholders one-for-one, which I think is what alarmed the Colleges sufficiently for them to come up with the scheme which eventually transmuted itself into amendment one, which we have just debated.

315 Personally, I think that was an over-reaction. The Colleges were concerned, they felt they had to offer something to the States, but I actually think that is unnecessary. We heard from all the speeches yesterday, everybody was quite supportive of the Colleges. They did not want to see them de-stabilised in the seven-year transition period.

320 There was another flaw in the Committee's Propositions, in that they did not identify the transition period clearly enough. It was obviously mentioned, but within P&R's letter of comment, the transition period is not even mentioned, which I think is because the Committee did not emphasise the importance of this transition period.

325 We have a relationship with the Colleges now, the States has a relationship with the Colleges and, at the end of the transition period, we will have another relationship with the Colleges and during the seven-year transition period we can be defining what that future relationship is, in the correct way, with consultation and policy letters debated in this Chamber. There is adequate time within that seven-year period to do that.

But what we need during that period is some degree of financial stability for the Colleges. Otherwise, their minds are going to be on survival rather than the future.

330 What amendment three attempts to do is to give the Colleges a greater degree of financial stability in the course of that transitional period and, also, the decisions will then be able to be based on evidence, the new relationship with the Colleges. After a year, or two, or three, we will see how things have developed in the state school sector, as we move to all ability schools. The Colleges will be able to see what demand there is for places at their three establishments. We will have a clearer idea where things are going.

335 Seven years is plenty of time to sort things out, sensibly and equitably. That crucial seven-year period simply was not emphasised enough, either by the Committee or by amendment one. Amendment one sought to move to a new relationship immediately, when we simply have not got enough evidence and we have not had enough time to consider it properly.

340 So, this amendment was an attempt to achieve the best of both worlds, really, where the simplicity of the Committee's Propositions was modified to give an adequate degree of financial stability to the Colleges during the transition period.

345 One of the best things about amendment one is the quite elegant way that Deputy St Pier sought to achieve that degree of stability, by taking 2018-19 as a base year and relating the parachute payment to that year, as a percentage.

I shamelessly adopted that paragraph. I did amend it, because I thought it was a tad excessively generous to the Colleges and I did not set a minimum, which was included in Deputy St Pier's. There is only a maximum.

350 As with amendment one, there is a requirement, there is a degree of trust. We are relying on Policy & Resources and the Committee for Education, Sport & Culture and the Colleges to sit around the table and agree a schedule of additional support payments over the seven-year transition period, something that Deputy St Pier's amendment required as well.

So, there is an element of trust involved. I have that trust in those bodies coming to a reasonable arrangement and an honest one in that period.

355 Having achieved that, I personally think that is all that is necessary to give the Colleges more stability than the Committee was proposing during this seven-year transitional period.

There was not a need to expand on that simple concept. So, really, that was the origins of my amendment and there is not really a great deal more to say about it. It is simply taking the Committee's Propositions and refining them in light of the presentation the colleges gave us, to  
360 give a slightly more sophisticated set of Propositions for the States to vote on, which I think will achieve everything we require over the next few years.

I encourage the States' Members to support it.

Thank you.

365 **The Bailiff:** Deputy Tooley, do you second the amendment?

**Deputy Tooley:** I do, sir.

**The Bailiff:** Deputy Le Pelley, do you wish to speak on it at this stage?

370

**Deputy Le Pelley:** Not at this stage, sir.

Thank you.

**The Bailiff:** Is there any debate on it?

375

Deputy Roffey.

**Deputy Roffey:** Thank you, sir.

I have to say I am in two minds about this amendment. I said yesterday, in relation to the Deputy St Pier amendment, that I really wanted the Colleges to survive and thrive, and I wanted to  
380 make sure that we did nothing to put that in jeopardy during the next five years or so, when there is obviously going to be a period of uncertainty. I think that is where Deputy Langlois is coming from over this, so, to this extent, I support the thrust of where he is coming.

However, the back-loading of this amendment, so that more and more support is given outside the parameters of the special places at the back end of the arrangement seems slightly  
385 strange to me. As I understand it, in year seven, something like £2.25 million is given to the Colleges, despite the fact that there would be almost no special placeholders left at all, at that time. So, effectively, seven years' hence, we will be putting double the subsidy in to fee-payers than we are at the moment.

Now, if they have been struggling to find enough fee-payers to survive, that might make sense. But I think in four or five years' time, if they are doing well, if there is the bonanza that  
390 some are expecting, that people will use the Colleges more because of the uncertainty of changes in the public sector, we could look back in three or four years' time as if we have been absurdly generous with taxpayers' money in that way.

On the other hand, I do not want to be too restrictive and the other option on the table, I  
395 guess, is the Education Committee's proposals.

Yesterday, I heard Deputy Le Pelley say, I think, that they would use the annual review in a positive and engaged and pro-active way to assess, if the proposals that they are putting forward

today are passed, whether they are proving to be sufficient to maintain the robust health of the Colleges, or whether they need to be adjusted on an annual basis.

400 I do not know how I am going to vote for this amendment. As I say, I support the idea of making sure there is sufficient financial support to make sure the Colleges are not in any jeopardy, but I do think I am in no position to criticise because I have not come up with my own package and my own amendment, but I do think it is, at the back end very generous in its support for fee-payers, which may or may not be necessary.

405 So, I would ask Deputy Le Pelley, when he does speak on this, to re-emphasise – I give way to Deputy Le Pelley.

**The Bailiff:** Deputy Le Pelley.

410 **Deputy Le Pelley:** Thank you, Deputy Roffey.

I just want to confirm that there will be annual reviews and those annual reviews will do exactly as you suggested. They will be looking at exactly how the Colleges are progressing. Whilst I am on my feet, I want to just add that we do support the survive-and-thrive attitude, but we do also have, within the proposals, RPIX attached to all of these funds going forward. People are not  
415 going to drop off a cliff. They will actually match inflation.

**Deputy Roffey:** So, sir, I would say I will listen to the debate before I finally decide. But, looking how people were jumping to their feet, that may not help me very much, because I do not feel there is going to be much debate.

420 But I have raised my concerns and I have heard the response from Deputy Le Pelley and, hopefully, will get a response from Deputy Langlois too.

**The Bailiff:** Just before I call the next speaker, I have been asked to clarify whether people need to re-declare any direct or special interests that they have already declared.

425 In my view, we can treat those declarations that have already been made as applying throughout this debate, with no need to re-declare them every time we take a vote. But, obviously, if somebody has a direct or special interest on a particular amendment that they did not need to declare on an earlier amendment – I cannot see how that would be so, but if that is so, then somebody would need to declare a fresh interest. Otherwise, if you have given a  
430 declaration, that stands and you do not need to repeat it.

Deputy Fallaize.

**Deputy Fallaize:** Thank you, sir.

435 I hope I can persuade Deputy Roffey to vote for this amendment and perhaps others as well. I think that the first thing to say is that there are no three options on the table, unless anybody else is preparing amendments.

They are: either to vote in favour of the Committee's proposals, and my sense is that there is not a great deal of enthusiasm in the States for the Committee's proposals; or to vote for this amendment; or to throw everything out.

440 Now, I would say to those Members who may be thinking of not voting for this amendment because it is imperfect, be careful because it is possible the States will vote out the Committee's proposals at the end of the debate and I think that would be a disaster. I suspect there is a block of Members who were the most fervently in support of the St Pier/Trott amendment who have exactly that intention: throw everything out and then the Committee will have to come back with  
445 some different proposals, which they hope will look a bit more like the assisted places scheme they wanted in the first place.

Well, I hope the States are not going to do that. Let them vote that way if they want to, but I hope that the middle ground in the States does not put the States in that position. The worse

450 thing to come out of this debate would be complete uncertainty that the funding of the Colleges has not been put on a proper basis.

455 Deputy Ferbrache said yesterday that this issue ought to have been debated at the same time as the broader issues about the re-organisation of secondary education and I think he made a very fair point and perhaps, on reflection, the Committee wishes it would have done that. But it did not. So we are here debating this. To emerge from this debate now with the message that the States are unable to agree a funding model for the Colleges and, effectively, to kick it into the long grass, when there is already enough uncertainty about secondary education, would be unfortunate.

460 I think this amendment has more chance of winning, at the end of the debate, than the Committee's proposals, so I think that is one reason to support it. I actually think this amendment proposes a funding model which is better than the funding model set out by the Committee, for three or four reasons.

465 First of all, I think the principle of a block grant is better than the principle of a per-student subsidy. I am afraid the concept of a per-student subsidy does create the impression that the States are simply giving £816 to the Colleges every time anybody, irrespective of their financial circumstances, decides to send a student to the Colleges. The one area where there is consensus in the States is that it would have been better if, over the years, the States had made greater effort to ensure that the States were not paying the fees of the students whose parents could very easily have afforded the fees.

470 I am afraid, the £816 per year, although obviously it is not paying the fees in full, it is just simply a per-student contribution, irrespective of the financial circumstances of the parents.

So, I think a block grant is better and it is a much more conventional way –

**Deputy Le Pelley:** Point of correction, sir.

475 **The Bailiff:** Yes, Deputy Le Pelley.

**Deputy Le Pelley:** That has no bearing on parental contribution.

480 **Deputy Fallaize:** That is exactly the point. That is the flaw in the Committee's proposals, that the £816 takes no account of parental contribution.

Now, the block grant obviously has a different purpose. We are not really here debating whether every single student in Guernsey of school age deserves the States making some kind of contribution to their education. The whole purpose of funding the Colleges, as I understand it, is to ensure their viability.

485 A block grant fits more neatly with the principle of ensuring the viability of the Colleges than does a per-student subsidy. A per-student subsidy, in a sense, is like a glorified tax break for those people who have chosen to avail themselves of education outside the state sector. So, the block grant idea, I think, is better.

490 Secondly, the Committee's model is not really a transitional model. It exists, or implies that it exists for a certain length of time, but it is not really an identifiably transitional model.

Clearly, the Langlois/Tooley amendment is saying: this is a model for the seven years after the all ability schools have been introduced. We need to ensure that, during that transition period, there is a reasonable degree of certainty and that the Colleges can remain viable and, at the end of that period, then we start, almost with a blank sheet of paper again, learning from the experiences of the first few years of the all ability system, to determine the longer-term funding arrangements for the Colleges.

495 I think that is a better way of doing it, because one thing is for certain, we do not know exactly how parental choice or how parental decisions will be affected by the move from the secondary modern and the grammar system to the all ability system.



500 Thirdly, I think that the total sum of money involved here, over the period we are talking about, is not all that different. The Committee is proposing a total package of £16.4 million and the amendment is proposing a total package of £20.1 million. But, for those Members who have made an appeal on the grounds that the Committee's proposals are not sufficiently generous to the Colleges, and I think that includes the proposer and seconder of the previous amendment, then it  
505 seems to me that if they were to vote against this amendment, they would merely be cutting their noses off to spite their faces.

I can assure them that it will be no skin off the nose of those of us who oppose their amendment. Also, I think the limitation on 50% is better. The Committee's proposals contain no limit on how much total funding would be provided. If there is a much greater demand for  
510 College places than the Committee envisages, then the States contribution is unlimited.

I will give way.

**The Bailiff:** Deputy Le Pelley.

515 **Deputy Le Pelley:** Just a very quick point, sir. There will be an annual review, so the annual review would capture that.

**Deputy Fallaize:** Yes, but obviously, the States would then subsequently have to insert some kind of limit, after having put in place the funding model, because there is no commitment in the  
520 Committee's funding model, at the outset, to saying that the States' contribution to the Colleges would be limited. Whereas in the Langlois/Tooley amendment there is. It says that the total contribution to the Colleges in the final year of this transitional model must not exceed 50% of the cost in the year 2018-19.

So, I think that the States have a greater degree of financial certainty under this amendment  
525 than under the Committee's proposals.

Finally, it will no doubt be said in this debate that this is giving the Colleges money for nothing, this amendment, because there are not enough conditions attached to it.

First of all, there is a condition attached, in terms of the no academic selection principle. The Colleges would not be permitted to select academically under the terms of this amendment. But,  
530 secondly, in part 1(f) of the amendment, it is to direct the Committees:

... jointly to develop in consultation with the colleges the detailed financial and practical operation of the scheme.

I think that does provide scope for the development of conditions of grant aid, or a service level agreement, or call it what you will.

It is all very well putting in States' Resolutions that there must be closer co-operation between the Colleges and the States and that there must be all sorts of conditions attached to grant aid, I  
535 have here several previous policy letters, brought by previous education departments and education councils, which have those sorts of Propositions in and the kind of Proposition that was encapsulated quite neatly in the final clause of the St Pier/Trott amendment. Well, none of them have ever been acted upon.

The relationship remains quite distant between the Colleges and the States. At the time that the grant aid has been agreed, the States have always implied that this will be followed with a very  
540 detailed agreement, setting out conditions of grant aid. Well, it never has been.

The point is, that encapsulating the need for some kind of service level agreement and even listing the stuff that would need to go in it, as the St Pier/Trott amendment did, I am afraid does not ensure that that is actually what happens. There is going to need to be some will on behalf of  
545 both parties, the States and the Colleges, if there is going to be a closer relationship and if there are going to be proper conditions of grant aid, which can benefit both the States and the colleges.

It is going to rely on the will of the parties involved, because putting it in States' Resolutions, previously, has proved not to work very well.

I think that part (f) of this amendment is sufficient scope to develop proper conditions of grant aid, if there is the will between the colleges and the Committee.

So, for those reasons, I think that this amendment and the model it proposes is better than the model proposed by the Committee and is more likely to avoid what I think will be the most disastrous outcome of all, where all the proposals before the States are thrown out at the end of today.

Thank you, sir.

**The Bailiff:** Deputy Yerby.

**Deputy Yerby:** Sir, my speech is probably going to be the last in a line of speeches that leave Deputy Langlois and Deputy Tooley thinking, 'With friends like theses, who needs enemies?'

I am going to say much the same as Deputy Fallaize. This is not an amendment that I would have voted for if it had been in the only show in town. Its virtue is in being much more moderate and more prudent than the Deputy St Pier/Deputy Trott amendment. It is a good compromise.

Fundamentally, it gets rid of an ill-defined and potentially counter-productive bursary scheme, which I think is its driving value.

To those who support the Committee for Education, Sport & Culture's proposals, and I would count myself amongst them, including members of the Committee and, perhaps, those who did not want to suspend Rule 24(2) to debate this, I would reiterate Deputy Fallaize's argument. It is not worth our while voting against this amendment in the hope that Education, Sport & Culture's proposals will fly. The very close vote on amendment one showed that that is not the case.

But, if anyone is so wedded to the Committee's proposals that they would like to give them another chance, then they might at least note that, if this amendment passes, it will do so with the votes of people like myself, and perhaps Deputy Roffey, who have an instinctive preference for the Committee's proposals and who would certainly vote that way, I would certainly vote that way, if some kind of cascading amendment were brought thereafter, which presented ESC's proposals as option one and Deputy Langlois' proposals as option two.

I think it is possibly worth throwing that on the table to encourage Members who do not like the content of this amendment, but would like to see ESC proposals have a chance to think about at least voting for this one, rather than putting us in the position Deputy Fallaize has just described, where we end up with absolutely nothing of worth on the table at the end of the day.

**The Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** Sir, I am a person who generally thinks yesterday has gone, today has started. Let us be optimistic. I am finding it very difficult today, very difficult indeed, because our respective decisions over a period of time have set fire to the education system and we have got no idea where that is going to burn down.

Deputy Langlois can chuckle, but that is what is happening. I am actually going to support this amendment, because it is better than nothing. It at least gives a period of transition, as Deputy Langlois eloquently set out, over the next seven, nine years, whatever the period of time is, so that things can be done. Hopefully the States may revisit issues in due course.

Not, for the somewhat whimsical remark made by Deputy Fallaize about 'they really want to bring assisted places back in one form or another'. I was one of those who did not want them to go, but I am not going to try and bring them back, not in the next two years and nine months, and who knows what is going to happen thereafter.

Deputy Yerby raised a point in the debate yesterday about sursis. This is almost too important to sursis, with no disrespect to the anti-tank wall that we are going to debate in due course, where I will be seconding a sursis; this is far, far, far more important.

What the States did previously was set up from January of last year *Locate Guernsey*. *Locate Guernsey* is to attract businesses and high net worth individuals and entrepreneurs to Guernsey.

The decisions we have made are making that exceedingly difficult. Questions we get asked, day after day, are, 'What is your education system?', 'What is the benefit of the education system?', 'Can we come here and are our children going to be properly educated?'

605 I have no idea what the education system is going to look like, because the Education Committee, as far as I am aware, has not told us what it is going to look like. I have no idea what Deputy Tooley, Deputy Fallaize and Deputy Roffey think it is going to look like, because they have not told us.

610 I have got my own ideas and I have expressed them a bit in debate. We are taking apart something without any idea of how we are going to bring it back. It is monstrous. We have done great damage to our society.

I know these remarks are going to fall on deaf ears. There are going to be more deaf ears than listening to them in relation to this debate. It is going to be very difficult, as President of the Economic Development Committee, as optimistic as I am, as voluble as I sometimes can be, to say to businesses: 'This is the place to do business, this is the place to keep your business, this is the place to bring your family.'

615 I am going to do my best, but the decisions the States have made have made it very difficult. But I will vote for this amendment.

**The Bailiff:** Deputy Tooley, the seconder of the amendment.

620

**Deputy Tooley:** Thank you, sir.

Deputy Ferbrache has just referred to us having burned down a system and yesterday he called the decisions of the States 'vandalism'.

625 You know, people call the works of Banksy vandalism. Of course, they are generally people who do not like that he highlights social injustice. Almost 30 years ago, the eyes of the world were on Berlin as the crowds tore down a wall – a wall that divided people. I suspect there were people who called that vandalism.

630 But I sense a pattern. There sometimes seems to be a reluctance, in certain quarters of the States, to tear down the long-established, poorly constructed things that are long past their best (*Laughter*) and do more harm than good. We will talk more about that later.

This amendment provides those students who were, or who will be in this academic year, awarded special placeholder status, via the 11-plus scheme, which we have had for so long, with assurance that those places will continue to be funding for the duration of their time at school – as does the original proposal. This also provides a block grant, as a temporary buffer cushion to the Colleges, to give them a time period in which to develop a new business model.

635 In so doing, it also offers some security to those children who are already in the Colleges, whose parents based this decision, perhaps, on a wish to get away from our selective system. They based this decision, perhaps, on a belief that these schools were and would continue to be, in part, state-funded – that they were not making a decision to send their children to an exclusive school, but to one where there was some inclusivity.

640 So, for seven years, while every child who goes through the doors up to September 2018 continues to complete their education, this provides that financial buffer that the system the parents bought into of a school that was, in part, state-funded, will be the system that that child experiences through their education. It comes to an end at the same time as we cease to fund special placeholders at the Colleges. Because, continuing the impression of a College education as a prize beyond what the States can offer is not fair. It is not true.

645 Yesterday, Deputy Kuttelwascher talked about the fact that we just do not know what we are getting. And it is true. He talked about the fact that to suggest, therefore, that to offer bursaries was doing down the system that we were putting forward. He suggested that, actually, what we were saying was that we had no faith in the system, because we thought that offering bursaries would therefore be seen as better.

I wonder if he is aware of the research that shows that, if you take two identical cardboard boxes and wrap one in gift wrap and ribbons and leave the other simply closed, almost everybody, if offered a choice, will take the one with the gift wrap and ribbons.

655 The content is no better, the content is unknown; but offer someone the gift wrap and ribbons and what looks shiny and they will take that. Not because it is better, but because it is presented that way.

Someone looking for an electrical appliance might Google search and find a list of all the washing machines that are available and, generally speaking, psychologists have shown that the  
660 vast majority of people discount the cheapest, without looking at the spec; they discount the most expensive, without looking at the spec; and they go for something in the middle ground.

We have a situation where people sometimes look at our education system, discount the free one. They do not look at what it offers. They do not look at the spec. They discount the free one. They discount the expensive option of sending their children to the UK to school and they look for  
665 the middle-priced options, which are excellent, independent, part-funded schools, without a shadow of a doubt. But they are not making a choice between the cheapest option and a more highly priced option. They are discounting the first one, before they look at it.

We do not want a situation where the States say, 'Let us place in front of people an option which leads to them discounting the excellent offering that we have.' But this amendment allows  
670 people to have that option of not giving a false impression of the Colleges, that does not exist, while at the same time allowing those Colleges time to provide a new business model, away from the construct that we have made. We, as a States, have made this situation, where those Colleges are reliant on the States' funding. We did that. We gave them funding, they became reliant on it.

We need to give them time to not be reliant on that and that is what this amendment does.

675 Thank you.

**The Bailiff:** Deputy Kuttelwascher.

**Deputy Kuttelwascher:** Thank you, sir.

680 In spite of Deputy Tooley's comments, I am going to support this amendment. Not because I particularly like it. To me, it is one of these least-worse option scenarios, and that is where I am.

Deputy Fallaize said there are three options in this debate. Now there are four, because you could vote for this amendment and then vote it out at the end and that is a fourth option. I am not suggesting that you should do it. If we vote to change the Propositions with this, you could  
685 vote them out at the end. That is a fourth option.

As for the quick psychological assessment on what I would do with a well-wrapped box and a plain box, actually I would take both! (*Laughter*)

Have a look inside and see which is the best value. I mean, what a nonsense. But there we go.

690 Thank you, sir.

**The Bailiff:** Deputy Gollop.

**Deputy Gollop:** Sir, possibly like Deputy Kuttelwascher, I am tempted to throw this one out, on the grounds that it does not really do the job.

695 From Deputy Fallaize's point of view, it possibly does, because it is focussed on a generic sum in the transition period and, therefore, answers some but not all of Deputy Ferbrache's points about uncertainty. The actual quantum of money, if I can believe these figures, is not that different. The minimum and maximum of the amendment we, relatively narrowly, rejected, was £21,083,000 to £22,922,000 scenarios. Under this, it is £20,164,591.

700 So, at least for the next seven years, the Colleges will get money and I am heartened to hear what Deputy Yerby said, that although not necessarily a believer in this approach at all, she would consider supporting this as a kind of underwriting the transition in the education system.

I do not have a special interest to declare really at all. Although, I did, curiously enough, go to both Ladies' College and Elizabeth College, as the Bailiff and other people know from that era in our time.

But I certainly go to a lot of College events, as I go to many other school and tertiary events around the Island, and I know in recent years the Colleges, particularly Elizabeth College, have very much approached their work from a different perspective from the history of the 70's, 80's and 90's, whereby they have been more inclusive. We have, for example, the arts greenhouse/gatehouse that was created that specifically had exhibitions about the prison, exhibitions about St Sampson's School and the connections between St Sampson's School and Elizabeth College and so on.

Although I am disappointed the bursary option was rejected, I did not understand one thing Deputy St Pier said about the nature of housing licences being potentially different between the public sector and the independent sector?

**The Bailiff:** Deputy St Pier.

**Deputy St Pier:** I am grateful to Deputy Gollop for giving way. I was not referring to housing licences. I believe both the Colleges and the state sector will have the same right to apply for work permits.

It was in relation to housing allowances, in terms of the subsidy for support for teachers moving across.

**The Bailiff:** Deputy Gollop.

**Deputy Gollop:** Point taken.

In fact, to expand on that a little bit, it is a curiosity of course that what are called the independent schools have funds that are paid and go into the state superannuation scheme. That is another example of the complicated ties that bind us.

It may be that I misheard what Deputy St Pier earlier said, but it then made me think that if we have or had housing licences based on essentiality ... you could imagine a scenario in the future where there was no co-funding or special placeholders, or whatever, where somebody could argue is a licence for an independent school as essential as a public state school? I am not going to give an answer to that, but I think it is the kind of question that we need to be aware of. Because I do not have deaf ears; I am all ears, from Deputy Ferbrache's point of view, and clearly the confidence of the business community and the migration to the Island from people who have aspirations is significant.

I have heard a lot, read a lot, from what Deputy Roffey and Deputy Tooley and others have said and they do have a strong, gripping and idealistic vision of the future.

I need to know more about that and I am not sure I entirely share it. But then I think the States is a bit wishy washy too.

Last year, we embraced a model of three high schools, more or less, that you could call them comprehensive. They were certainly non-selective and different sizes. Now, quite a few Members are talking about choice.

I have always been a fan of choice. I think choice has been underrated in our education system. I think choice was not considered, realistically, in Education Department thinking for many years and there still is not choice in many areas. I tend to think, though, that a Guernsey system that embraced choice would not only alienate some, but not all, members of the teaching profession, it would be more expensive.

People know my political persuasions. I am certainly not a left-wing member of the Labour or Communist Party or anything, but I do tend to think that we have too low a spend on public expenditure and, in some respects, too low a taxation.

What galls me a little bit is some of the people proposing amendments are fiscal conservatives, or have been, and nevertheless suggesting that we spend more on the Colleges. Of course, we know that to allow the Colleges to wither on the vine would be potentially detrimental to the rest of the education system but, nevertheless, there is a conflict.

If we are going to spend more – and I believe the money is well-spent on the Colleges, for specific things and to ensure their viability and survival and, as Deputy Parkinson said, sustainable numbers – then it follows that we should not be talking about closing school swimming pools elsewhere. We really do need to have a fair and transparent methodology for funding.

I can support this amendment. I think, really, it shows the wisdom of Deputy Ferbrache's remarks, that we should have a more holistic debate at the end of the year, or next year, because it could well be that we will decide, in the spring of next year that we have actually got the wrong model for College funding.

I still believe, notwithstanding the complexities of identifying someone's socio-economic status, that there is a role for the Colleges to provide different choice of education. They are single-sex at the moment, predominantly. They have a different culture, some people might argue, and I cannot see why we could not have provided money, for the sake of argument, for the College to specialise in certain sports or arts, or perhaps places for children from Sark or Alderney, who have perhaps less choice.

But within the limitations of the Langlois/Tooley amendment, I think it is better and more generous and offers more sustainability than the main line of the Le Pelley ESC proposals, so I will support this amendment and I do, in fact, prefer it to the second amendment that has yet to be debated.

**The Bailiff:** Deputy St Pier, I think you were looking –  
Then I will call Deputy Oliver.

**Deputy St Pier:** Thank you, sir.

As I indicated, when I opened debate on my amendment, I will oppose this amendment. I cannot support it.

Deputy Fallaize made great play in his speech in support of this amendment, for the fact that it had great virtues as a block grant. For me, that is the reason why I cannot support it. There is not a great deal of distinction between this and the Education, Sport & Culture Committee's proposals.

Yes, the Education, Sport & Culture Committee presented it as a *per capita* sum. They could just as easily have multiplied that up by their assumptions around the number of students that they have used in their modelling and said, for the next seven or eight years, that is a block grant. They have chosen not to do so.

Equally, this amendment could have been presented in that alternative form. In any event, in terms of public interpretation, it will be simply read as being a block grant divided by the number of students, that is the amount of subsidy which the taxpayer is giving to fee-payers. There is no getting away from that interpretation. Indeed, it will be presented as increasing support over the next seven years of this period and for those who can afford the fees.

In many ways, what it is doing is – putting my fiscal conservative hat back on for Deputy Gollop – a re-instatement of the general subsidy that was phased out as part of the Financial Transformation Programme. That is, in effect, what is going on.

Deputy Langlois made play, yesterday, in speaking on my amendment, criticising really the lack of detail in my amendment. I think there is a certain irony there, in looking at this one.

This is, sir, the classic Guernsey compromise, cobbled together by this Assembly at the last minute, or not quite the last minute, but last minute enough to require a suspension of the Rules. The unintended consequences of not being considered – and, I think, Deputy Roffey, in his speech, absolutely identified some of the reasons why this might not be a good idea – the back-ended nature of the funding, the increasing rate of funding, towards the end of the period, irrespective of the success of the Colleges or otherwise, may well turn out to be rather bizarre.

None of that have we had the opportunity to consider. I would also like to know the views of the Colleges. No opportunity has been taken to ascertain their views. No consultation has been undertaken.

810 Frankly, sir, if I were a director of the Colleges or a Board member, I might take the view that we would be better cutting free entirely and we could be commercially more successful by becoming the elite institutions that everyone accuses us of being. I do not know whether that is their view. They might take the view that this is the best deal they are going to get and they would like to bank it. I have no idea and I think absent of that opportunity for them to provide an informed view, I think, it is very foolish of this Assembly to be making these kinds of policy choices  
815 without further time.

So, for all of those reasons, sir, I am afraid I find myself unable to support the amendment and will oppose it.

**The Bailiff:** Deputy Oliver.

820

**Deputy Oliver:** My question is actually along the lines of Deputy St Pier.

I was just wondering if the proposers had actually spoken to the Colleges, to see if they were happy with this amendment, or not. Also, I just want to make sure I have got it completely clear in my head that, if I vote for this basically I am just saying that the States are giving a block sum of  
825 money and the Colleges can do absolutely what they want with it. They can do it to lower the highest paying fees, they can just do what they want with it.

I would just like proper clarification, please.

**The Bailiff:** Deputy Laurie Queripel.

830

**Deputy Laurie Queripel:** Thank you, sir.

I think Deputy Oliver, before I go into my own notes, needs to look at the amendment in 1(f), I think it is, about half-way down. It says, '... in consultation with the Colleges and such others as they deem appropriate, the detailed financial and practical operation of the scheme'. So I hope  
835 that answers the question to some extent.

My starting points are these. It is clear to me that the Colleges provide choice, value and added value and sum capacity and I think those attributes were very ably expressed by Deputy Graham yesterday and other Members who spoke about what the Colleges offer.

840 It is clear to me that they are an important part of the education offering within the Island. It is clear to me that there would be undesirable consequences for our community and our economy if they cease to operate and it is clear to me that they need to exist in a viable condition, alongside the new all ability state system.

845 So I voted to remove selection, because I believe we can establish an effective and successful all-ability state system that will give our young people their best chance, that will serve Guernsey and our young people very well.

I did not vote for it, sir, out of envy or jealousy, or because of some hard-line socialist agenda. To call me a hard-line socialist is a bit like saying Vinnie Jones is a better footballer than Pelé, or that Geoff Boycott was the most exciting Test cricket batsmen the world has ever seen!

850 **A Member:** Correction, sir. He was! *(Laughter)*

**Deputy Laurie Queripel:** It is debatable, I suppose.

Or that Deputy Fallaize, sir, is grossly overweight! Hopefully, sir, you get the message and Members get the message as well.

855 I voted to remove selection for the reasons I gave, in a most sincere fashion. So I really do think that we need to dispel that line of rhetoric about this is a socialist agenda. It is populist and it is unhelpful and we need to dispel that kind of approach.

I totally take on board the points that Deputy Ferbrache made yesterday, and he has made them again today, that we voted to remove selection but we have not got the detail of what is going to replace it. Now, I accept that, but the States do that all the time.

All the time we vote in principle for something and then that is taken away, a policy letter is developed, the details are worked up, then it comes back to the Assembly to be read, for the debate and perhaps to be amended. That happens all the time. It is not an unusual thing for a vote to be taken in principle and then for the details to be worked up and then for it to come back before the Assembly.

I do not see that as being a big problem. Actually, Deputy Ferbrache today voted for an amendment that clearly did not have all the detail attached to it. As Deputy St Pier said when he responded, that detail can be worked out once the vote is taken 'in principle' to approve the amendment. Then the detail would be worked up. That would not come back before the States. There was nothing in Deputy St Pier's amendment that said once the detail had been worked up we will bring it back to the States for further consideration, for approval or for rejection.

It is very easy to say we have not got the detail for this and that, but it happens all the time and Members voted for an amendment just earlier that actually did not have all the detail attached to it.

To go back to my point, all those things I stated earlier are very clear to me and, therefore, my conclusion is it is clear that a formula level of funding must continue, also with the conditions laid out in the amendment in mind.

Now, sir, my colleagues will know that we have received an abundance of emails on this subject and they have expressed a wide range of opinions, some taking a very hard line, saying the Colleges are private institutions, they operate in the free market, they should be left to their own devices; others saying quite the opposite, that actually we should give them more funding than we give them at the moment.

It strikes me as being a touch ironic that probably those taking the hard line and saying, 'Don't give them any funding, leave them to the conditions of the free market,' are probably left of centre and those probably saying, 'We need to give the Colleges more funding,' are probably right of centre and they are the kind of people that would normally say, 'Leave the market alone. Do not interfere with the private sector. We want less Government intervention. We want smaller Government. We want less Government interference.'

Sometimes in politics and in life, these oddities are thrown up that people you might consider are from the left or from the right are saying things that they would not normally associate with them.

As I say, these oddities are sometimes thrown up. I think it is often the case, and Deputy Tooley has well-explained this, that the answer lies somewhere in the middle.

As expressed, again, by Deputy Graham and other Members yesterday and today, we have heard that the Colleges are one of the components that attract, or hopefully attract, not only young but particularly young families, but successful, wealthy families and entrepreneurs to the Island and I think that is good and I think it is true.

Actually, when you look at the comparisons between the fees offered by the Colleges and Guernsey, and the fees offered by the Colleges and the UK, the Guernsey fees compare very favourably to the fees currently being offered in the UK. (**Deputy Graham:** Point of correction.)

I give way to Deputy Graham.

**The Bailiff:** Deputy Graham.

**Deputy Graham:** You attributed to me the argument that there was a degree of attraction to those who might be coming to the Island.

That was not a point made by me. It may well be true, but I would not like it to be accredited to me.



910 **Deputy Laurie Queripel:** Thank you.

There was a point made by a few Members, anyway, that the Colleges were one of the things that perhaps wealthy entrepreneurs and successful people look at when they are considering relocating to the Island. I think that is true and that is where the added value of the Colleges comes into play.

915 As I say, the fees of the Colleges in Guernsey often compare very favourably with the fees in the UK. So I do not think that is so much of a problem. I think the real problem for people like that is whether the Colleges exist at all and so we must ensure that they continue to exist, because they are part of that attractive offering.

920 So, sir, it is all about the all ability state system that we are going to put in place and the Colleges co-existing and co-existing alongside each other in a healthy way.

For all those reasons, I am going to support the Deputy Langlois and Deputy Tooley amendment, because I think it does take us to that middle ground that I spoke about.

Thank you, sir.

925 **The Bailiff:** Deputy Brouard.

**Deputy Brouard:** Thank you, sir.

930 I am quite a stubborn Guernseyman, but sometimes a lifeline is thrown and I will choose not to take it and I will go down. On this occasion, I can see the lifeline and I am probably going to take it.

I think, whichever side of the 11-plus debate you were on, we all want the Colleges to do well. I think that is shown in the passion by how people have spoken today. We all want to make sure that there is a good, solid basis, financially, for the Colleges – again, whether with support or without.

935 Now, Deputy St Pier does make a good point about the funding is mainly on the back end. What I would like just to tease out from Deputy Langlois, which would help me in my question, is this, really. In his amendment, paragraph (f) which provides for the review – that review of funding, which is happening on an annual basis, will that be able to address issues such as the Colleges are substantially over-subscribed and are doing exceptionally well, that maybe some of the funding  
940 needs to be reined back? Will it also deal with a situation where actually numbers coming through are substantially below expectations and the cultures are struggling, even with our support, and may need extra? It is just to make sure that we have that encompassing under-write, both above and below.

945 I think if Deputy Langlois can give me those assurances on that, I am going to be able to support the amendment.

The other part of any deal, I think, or arrangements with the Colleges is they need to be very open with us as a partner in this, both financially and with numbers, so that we can actually understand exactly where they are and, I think, that would need to be part of those arrangements under (f).

950 But, with that confirmation from Deputy Langlois, I think I am going to take this particular piece of rope.

Thank you, sir.

**The Bailiff:** Deputy Merrett.

955

**Deputy Merrett:** Thank you, sir.

Actually, I will declare an interest again and I will tell you why. Under this amendment, I could be substantially financially better off as I am a fee-paying parent. Maybe, or I may not; it would depend on how indeed the block grant is intended to be spent.

960 As Deputy St Pier did allude to, if amendment one had passed I would indeed be bringing an amendment to the Assembly to ensure that, if there was a bursary scheme or an assisted place

scheme, that any existing child within that fee-paying environment could actually access that as well.

I will tell you why I feel this way. Education, Sport & Culture have agreed several transition principles. Some key success criteria, to help to safeguard and minimise disruption for students and educationalists or, in their words, staff. It can be located in section 4, on page 16, of Education, Sport & Culture's 'Transforming Secondary Education'.

Unfortunately, even though the Colleges currently teach 30% of our secondary school children, the Colleges are not mentioned. Even though the section is entitled, 'How will transition to the new system work?' So the three Colleges currently educate 30% of our secondary school pupils – 30% – and yet they are not mentioned in 'How will transition to the new system work?'

As a States, we need to take responsibility for our actions. We need to see the bigger picture. We need to ensure that all of our children are considered during the transition period. The core transitional principles that Education, Sport & Culture have listed, the ones that could, and arguably should, also relate to the Colleges, are no move between Years 10 and 11, during Key Stage 4, keep school and year group cohorts together wherever possible, and curriculum and pastoral care will be maintained.

So, what consideration has been given to the 30% of our secondary school children during this pre-transition? We are being asked to affirm the special placeholders in the transition period will be honoured. But how about the College students? College funding is not separate to the overall educational system; I believe it is integral.

If the States agreed to change this relationship, then surely consideration should have been given to all students? How about the fee-paying students? A flat £816 subsidy, regardless of need.

There has been suggestion by the three Colleges that any subsidy given to fee-paying students, including those already at the Colleges, could all be put into one pot and only allocated to new, fee-paying students joining in Year 7, 2019, within a bursary system. This seems to be at odds with trying to minimise the effect of transition for a large proportion of existing College students.

How will this amendment safeguard against this? Arguably, the general grant should never have been given by the Colleges to all fee-payers, regardless of need. Was this within the gift of the Colleges to determine? Should the States have put a caveat on this subsidy for fee-payers and for special placeholders being only payable after means-tested. I believe they should have done.

So, yes, should the States be giving subsidies regardless of financial need? Surely not!

One would expect that the Colleges would have benefactors who donate money to them. But, would the colleges just give this money out to pupils or projects regardless of need? No, of course not.

Two democratically elected States have decided to end selection, rightly so. So, is it plausible that some families did not want to enter their children into a selective system either? Is it plausible that the Colleges at present offer the closest thing to a mixed ability education? Something the States does not currently offer.

Do parents reject the free option, as alluded to by Deputy Tooley? I believe parents, indeed myself, look at the learning outcomes, the added value, affordability etc. How about if already one sibling has been given a special placeholder at the Colleges, but another sibling cannot or will not have the same opportunity, or perceived opportunity? Just consider how that could divide a family, how that might divide siblings. Is it plausible that a large proportion of students' families are not comfortably paying the fees, not just taking out the £3,400 a term out of their wallets in cash and handing it over? Indeed, sir, it is plausible.

How many parents decide to re-mortgage their homes? How many are on the margins of affordability? Difficult life choices, life sacrifices. I have been hearing in a monologue of some Members, 'Well, it is their choice. It was their decision.' I agree, it was. But those decisions were based, made on fees being a known, manageable and predictable level. This States could drastically change this model by the way it determines this debate today. Surely if fees rise, fewer

will be able to afford them? Surely fewer students would lead to an increase in fees and increase the number of students in the state system?

1015 Well, that is all good and well if the students affected were able to afford, with the safety net of a state system that is non-selective. But of course these existing students cannot. If the fees go up due to a States' decision, if more students enter the state system, if there is not a sensible and pragmatic framework to ensure all students are given good transition principles, then the States are letting down some of our children.

1020 The well-quoted 30% of our secondary school students are costing the States 6% of the existing Education Committee's budget. Economically, that is great, and they have marvellous educational outcomes. Brilliant. Consistency over the last two States' terms. Good.

I appreciate that some Members would wish to see none of the Education's budget spent on the Colleges. I understand this. But surely we need to identify, agree and start to see the educational outcomes from the state's transformation of secondary education before we can simply abandon the consistency, choice and capacity of abilities and the learning outcomes that the Colleges currently provide?

Children only get one opportunity at education. It is our responsibility to ensure that all children in the transitional period are taken into account. We need to safeguard all of our children. But how will this block grant be spent? What parameters does Deputy Langlois envision? Will it be aimed at current fee-payers? Will it be means-tested? I would like to support this amendment, but how will this block grant be spent?

Deputy Oliver's question was: have the Colleges been consulted? Have they? You would clearly need to.

1035 I am unsure as to how the block grant will be spent, to whom, how and when. I would like to support this amendment, but without knowing the intentions, it is very difficult to do so, sir.

Thank you.

**The Bailiff:** Deputy Tindall.

1040

**Deputy Tindall:** Thank you, sir.

I support this amendment, specifically because the matters I spoke of in my last speech are not included. Deputy St Pier accused me, and not Deputy Langlois, of worrying about the detail that was actually in the last amendment. I was not. I was concerned about, and I quote, 'the basis for the award'. I am content with the wording of this amendment and the basis for the award, and I feel Proposition 1(f) of this amendment sufficiently sets out the way in which the details can be identified.

I am concerned though that we are being asked more and more to approve an amendment, or indeed Propositions, because they can be tweaked later, or written in the spirit of what is intended, or because it is the best of a bad lot, cobbled together at the last minute and needing a suspension of the Rules.

Whether you consider this is such an amendment, please, I ask you, let us do better in the future.

Thank you.

1055

**The Bailiff:** Deputy Parkinson.

**Deputy Parkinson:** Thank you, sir.

I am going to support this amendment, but I do share some of the concerns raised by Deputy St Pier in terms of the back-end loading of the funding, the general and increasing subsidy to people who can afford the fees and so on.

Where I differ with him is where he says that the Colleges might actually be better off standing on their own two feet, from the outset, because I do think they need time to adjust to a new fiscal environment.

1065 I agree with speakers who have said there is little difference in principle between a block grant and a *per capita* grant multiplied by a given number of students. But I commented yesterday that Education, Sport & Culture does itself no favours using a *per capita* sum, which makes it explicit that funding is going to people who can well afford to pay the fees. Presentationally, this does not help their cause.

1070 I was rather mystified by Deputy Tooley's argument that her amendment gets rid of the middle option between the free, state system and the high-cost option of sending children to be privately educated in the UK.

I think, under both sets of proposals, that middle option is precisely being preserved and, whatever form, however this block grant is calculated, there will be an option which is partly state-funded in Guernsey, which is therefore considerably cheaper than sending children to school in the UK, but clearly more expensive than sending children to a state school.

1075 The point I want to raise though is there is, as far I can see, nothing in either set of proposals to prevent the Colleges using their States' funding, directly or indirectly, to introduce a bursary scheme, so long as they are not academically selective.

1080 Yes, this might require the agreement of the Education, Sport & Culture Committee, but there is nothing in either set of proposals to ring-fence the funding that goes in from the States to any particular purpose and, if the Colleges introduce a bursary scheme of their own volition and the block grant simply goes into their budget as an income-line and further down the budget a sum comes out for bursaries, and there is no direct link between the income coming and the expenditure or the cost of the bursaries going out, then it seems to me, in principle, that they could just go ahead and do that. As I say, possibly needing some, at least tacit, agreement from Education, Sport & Culture.

1085 As a supporter of the idea of attaching strings to public funding to obtain what I see as a public benefit, of course I would welcome that. That would be, if you like, re-introducing the St Pier/Trott amendment by the back door. But I want to hear from somebody on the proposer side of this amendment; or indeed, when Education, Sport & Culture come to defend their proposals, if they do, how they propose to ring-fence any public funding, to prevent it being used to provide for non-academically selective bursaries.

1090 I simply raise that as a question, but since that particular issue arises under either of the models in front of us, it does not determine how I am going to vote on this amendment and I am going to support the amendment for, really, the reasons set out by Deputy Merrett: (1), the Colleges need a period of financial support to get them from a situation where they are quite heavily dependent on States' funding to a position where they will be much less, or even not dependent at all on States' funding, because we do not know what would happen after 2025; (2), parents have made decisions about whether they are sending their children to College on the basis of a financial model which exists today.

1100 If we reduce the funding to the Colleges very severely, the logical consequence of that would be that fees would go up to parents who had made their plans based on conditions today and I think that would be unfair to them.

1105 I think the present generation of pupils in the Colleges has to be allowed to work their way through the system; and, yes, okay, you can say that parents taking the decision whether to send their children to Colleges after 2019 will be fully aware of the facts, they will know what the financial model will be, going through to the end of their child's education.

1110 That is the reason I am going to support the amendment. I am clearly on the record as saying I would have preferred the St Pier/Trott amendment. I am not sure we would ever get back to the St Pier/Trott amendment by the back door, through this, but I am hoping that somebody will give me some clarity on that point.

**The Bailiff:** Deputy Green.

1115 I had said I would call Deputy Green next.

**Deputy Green:** Sir, thank you very much.

I have no particular issues with this amendment, bar one or two potential weaknesses that I will ask Deputy Langlois to address when he sums up.

1120 Generally speaking, I have always thought that it is absolutely essential that the States must safeguard the continuity of the Colleges during the period of the transition. They will need time to adjust in the changing circumstances of the education reform agenda, otherwise we know that the impact on the public sector education system will be fundamental and a big impact. We need to mitigate that.

1125 I have never had an issue with the continuation of funding for the grant-aided Colleges. I think the question is what the quantum of that should be and what the means of that ought to be.

I would say the means, that is suggested by the Deputy Langlois/Deputy Tooley amendment, is a means that I am happy with. Not conditional, on the face of it, of having an assisted places scheme, but neither having an explicit link, as Deputy Parkinson just made the point, to the use of  
1130 the funding per pupil. The presentation of that was always likely to be not quite right.

So, absolutely no problem with the idea of continuing funding, but I think that a block grant is a better way of doing it. Clearly, it needs to have a significant service-level agreement in place, with significant conditions, ensuring value for money. But the two issues that I do have a problem with, I would like Deputy Langlois to try to deal with this when he sums up.

1135 The policy basis in his amendment is very much purely on the basis of the transition and I accept that, but in many ways, I think that probably is too limited in the circumstances.

The second thing is, in terms of the actual quantum, because there is undoubtedly – and Deputy Langlois would probably have to admit this – a certain arbitrary nature to the figures that we are talking about. I accept that that was true in terms of the Education, Sport & Culture policy letter. Frankly, that number per pupil was plucked out of the air, as far as I can see it. The same criticism could have been made to amendment one, which has now gone. But, certainly, that potential issue still applies here. When we are talking about public funds, I do not think we should be too slack when it comes to those kinds of matters.

1140 Inevitably, we are going to need to consider some further funding for the Colleges. The question is the means by which we do it. As Deputy Tindall, I think it was, alluded to a moment ago, this might be the least worst option that we have before us.

I do not find favour with the Committee's original proposals. I think, in many ways, they were very poorly reasoned, I am afraid, and I think the option of leaving this debate, at the end of this week, with nothing having been progressed on the issue of College funding is completely and  
1150 utterly reprehensible.

This probably is the least worst effort. I am not sure that sits terribly well with many of us. Indeed, as Deputy Tindall says, is this really the right way to be making policy? It has been, frankly, quite shambolic in terms of a policy making process. But, nonetheless, this might be the least imperfect solution and, in those circumstances, subject to what is said later on in the debate, I am  
1155 minded to support this.

**The Bailiff:** Deputy de Sausmarez and then Deputy Soulsby.

**Deputy de Sausmarez:** Than you, sir.

1160 I think we have heard a lot of talk about responsibility today and I agree with much of what has been said.

For me, there are three clear areas of responsibility. I think I alluded to them yesterday. Number one, I agree with Deputy Laurie Queripel. Ultimately, for me, the purpose of this amendment is to ensure the Colleges' viability, because I do think their existence in our education  
1165 mix is important.

Secondly, we have a clear commitment to the special placeholders to honour their funding through the rest of their academic careers with the Colleges. I do not think anyone would contest that.

1170 Thirdly, picking up on the point made yesterday by Deputy Tooley and today by Deputy Merrett, I do think we owe a responsibility to the parents or funders of students, current fee-payers, not to move the goalposts on them. I would hate to see people who bought into that system in good faith being priced out as a result of a decision that we have made.

I would very much hope that the funding we provide to the Colleges will enable us to fulfil those responsibilities. For me, that is the purpose.

1175 Really, the reason I am standing is to address Deputy Parkinson's concerns. I do not know if I can address them; I can give my take on them.

For me, the difference between the amendment that we debated yesterday, the St Pier/Trott amendment, and this one is the limitation of the period to which it applies. For me, I had two major problems with the St Pier/Trott amendment's bursary scheme proposals, essentially in that it was an indefinite, state-funded bursary scheme.

1180 For me, the strength of this amendment is the finite nature of the funding and the fact that the transition period, because it is not explicitly setting up – and obviously there would be hurdles to be overcome should the Colleges decide to go down that route – but it is written here that this is a transitional period and that transitional period ends on 31st August 2026. So I think it would be a little foolhardy –

1185 I give way to Deputy Parkinson.

**Deputy Parkinson:** Surely, Deputy de Sausmarez would accept that under sub-paragraph (e) it says the funding will continue to 31st August, 'at which point they should be subject to review'? It does not say they will end.

**Deputy de Sausmarez:** The way I read it, is that it is subject to review and the details of that review would have to come in, but the St Pier/Trott amendment extended for three years after the transition period and, clearly, set a very clear precedent for an ongoing bursary scheme.

1195 I give way to Deputy St Pier.

**Deputy St Pier:** Sir, I am very grateful for Deputy de Sausmarez giving way to me. It really just arises on the same point that Deputy Parkinson made.

In the policy letter, paragraph 9.1, the Committee have made it very clear:

The Committee will not be recommending a States model of mean-tested grant, although this does not mean that any grant which is given by the States should not be targeted. The Committee believes it should be. The Committee feels strongly that the block grant should not be used to subsidise the fees payable by parents who are best able to afford them.

1200 So, in other words, on the face of it, the expectation is that the block grant would be used to structure a bursary scheme, which creates the same problem in that it would need to continue beyond 2026.

**Deputy de Sausmarez:** I have no problem with bursary schemes *per se*. The issue I have is States-funded bursary schemes that go on for an indefinite period.

1205 This is the point. This, to me, is the attraction of this amendment, because it makes it clear that this is a transition to a new business model.

Deputy Trott is pulling that face again. I am going to have to sit down and give way to Deputy Fallaize! (*Laughter*)

1210 **Deputy Fallaize:** I am grateful to Deputy de Sausmarez.

Does she not think, as well, that a key difference between the Colleges running their own bursary scheme and the States paying to set up a bursary scheme is that, if the States set up their own bursary scheme, it does imply a lack of confidence in the state all ability schools. Whereas, if it is a decision made by the Colleges, it does not imply a lack of confidence on the part of the

States and it also, of course, requires the Colleges to use whatever source of income they would use, to set up a scheme which they have not set up for 150 years.

**Deputy de Sausmarez:** I thank Deputy Fallaize. That was precisely my point.

1220 I think I will leave it there, before I get any more into ...  
Oh, no, are you?

**Deputy Roffey:** I am asking you to.

1225 **Deputy de Sausmarez:** I am giving way to Deputy Roffey, before I sit down.

**Deputy Roffey:** Would Deputy de Sausmarez not further agree that, if we set up a States-inspired bursary scheme, there would be an implicit understanding that that would go on beyond the funding period established?

1230 If the colleges choose, of their own volition, to set up their own bursary scheme, using some of the money that we provided for the transition, they will have to accept that, if they want to continue that beyond, they may have to fully fund it themselves, with no guarantee of any money from this Assembly to do so?

1235 **Deputy de Sausmarez:** I thank Deputy Roffey and I think my point has been made far more ably by everyone else than by me!

**The Bailiff:** Deputy Soulsby, I indicated I would call you next, if you still wish to speak?

1240 **Deputy Soulsby:** Sir, it was Deputy Green's speech, what he said just at the end of his speech actually has made me change my mind in terms of this amendment.

He said, well, it is the least-worst option. I thought, hold on a minute, we are happy to accept an amendment that, for 30% of the children in secondary education, is a least-worst option. Are we happy to do that for our state-educated children? No, we just do not care. We do not care; we  
1245 are saying it is the least-worst option for them. That, quite frankly, is why I do not think I can now support the amendment.

I was very much of a mind, Deputy Ferbrache, who said, 'at least it is better than the policy letter' ... well, it is better than the policy letter and I made that very clear yesterday, why the policy letter is really poor. But, I go back and totally support what Deputy Parkinson said.

1250 Why is there any reason that this will be any different? We will end up with the same scenario as under the St Pier/Trott amendment, anyway.

We have got an Education Committee that say they do not want to just give a load of money, they want it to be a bursary scheme. You have got the Colleges, who say they want a bursary scheme. You have got the Education Committee saying they do not want academic selection. You  
1255 have got an amendment that says that we do not want academic selection and you have got the Colleges saying they do not want academic selection.

So we are ending up with a bursary scheme that is not going to be based on academic selection. Well, what if it is over-subscribed? How do we work that out and how do we decide who is selected and who is not?

1260 Why it should be any different from what the same people who support this amendment, the same reasons that they rejected the St Pier/Trott amendment, I really do not know.

But I would really like to hear from the Education Committee, because I have not heard a single word from any one of them yet, so I have no idea where they stand.

Thank you, sir.

1265

**The Bailiff:** Deputy Tooley has already spoken. Deputy Dudley Owen.

**Deputy Dudley Owen:** Thank you, sir.

1270 In accordance with Rule 49(1), I was excluded from the College funding negotiations on the basis that I have a special interest in this matter, as I have a fee-paid child in one of the Colleges.

Whilst very supportive of an increased level of funding and the Langlois amendment, I feel constrained to vote in favour of the amendment, having already been prevented from taking part in the actual negotiations.

1275 The Rules are a nonsense, which exclude me in the first instance in Committee and, frankly, ridiculous, then allow me to have a free vote, thereafter, in the Chamber.

In this instance, under Deputy Langlois' amendment, I would benefit financially and, therefore, I am afraid, regrettably, feel compelled to abstain.

**The Bailiff:** Deputy Graham.

1280

**Deputy Graham:** Thank you very much, sir.

Deputy Heidi Soulsby is, of course, right; it is a complete mess that we have been left with. But, the fact remains we are really now about discussing the relative merits of, only really two options in front of us. On the one hand, we have got the Committee's policy letter and we have this amendment now.

1285 As far as the policy letter is concerned, that seemed to me that the President of the Committee, seemed to set a great deal of store on the fact that they have considered very carefully the value of the Colleges and, particularly, the degree of public support, too, which should guarantee the viability of those Colleges. Part of that assessment, and he quoted himself, was certain figures relating to current vacancies at the Colleges.

1290 Now, at the time, when I think I am permitted under the Rules of Procedure to refer to the President's speech when he introduced his policy letter yesterday, he set great store by the fact that his policy letter and his Committee's was based on evidence and facts and, clearly, the implication was – in fact, the utterance was – that the amendment proposed by Deputy St Pier and Deputy Trott was not.

1295 Unfortunately, having made that statement, he then went on to quote some capacity figures on properties and vacancies, which were at variance with the facts. At the time, I stood up and hoped politely to stop him digging further and to save him from further embarrassment. He set great store on the accuracy of those figures. To be fair, the figures that he quoted for the vacancies at the three Colleges at the 16-18 level were not wildly out. He quoted 147; the evidence I have, directly from the Colleges last Friday, was in fact that there are 169.

Now, what is 22 between friends? Well, I think it is more significant –

**Deputy Le Pelley:** Point of correction, sir.

1305

**The Bailiff:** Deputy Le Pelley.

**Deputy Le Pelley:** Sir –

1310 **Deputy Graham:** I will give the –

**The Bailiff:** He is raising a point of correction.

1315 **Deputy Le Pelley:** Sir, I did state the number 147 and that was the number that was evidenced to us by the Colleges in their documentation.

I am quite happy to share that documentation with Deputy Graham. The figure 147 was the number of vacancies in the 11-16 age groups that was provided to us by the three Colleges in negotiations. I cannot be clearer than that.



1320 **The Bailiff:** Deputy Graham.

**Deputy Graham:** Well, I have here, very clearly that these were figures provided, presumably, some time ago during the negotiations ... Whether they were or not, I cannot verify. All I can tell the Assembly is that the current figures are 169. Of course, they pale into insignificance with the  
1325 608 vacancies that exist across the public sector in the 11-16 age group. A total of 777 vacancies currently in our 11-16 schools. Food for thought.

I only make this point – I would have let Deputy Le Pelley get away with it, had he not, when he was summing up on the amendment yesterday, gone back to this basis – that the amendment, on the one hand, was full of inaccuracies and people were throwing around incorrect facts, and again  
1330 was emphasising reliance, as it should be, on the factual correctness of the Committee's work.

All I would say to the Assembly is that, on this occasion, and no less in the future, when we come to debate the future of our secondary and tertiary education model, we should be aware that, when it comes to a monopoly on accuracy and evidence, that monopoly is not held by the Committee.

1335 Having got that out of the way, I now turn specifically to this particular amendment. I suppose one warms to it, because, on the one hand, when it comes to assisting the value that we should set by the Colleges and their contribution to Guernsey and, indeed, to the Bailiwick – I will just pause for a moment while I collect my thoughts.

I know what it is. When it comes to assessing the value of the Colleges, the estimation they have put on it, I cannot bring myself to say that it is more generous than that offered by the  
1340 Committee, but it is certainly less stingy, in my view. So, one naturally warms towards it. I have got one point of detail, which I would be grateful for an explanation for, from Deputy Langlois when he sums up. That is 1(d) of the amendment, where it quite clearly says that there will be an ongoing condition of financial support to the Colleges that they shall not expand any schemes or  
1345 introduce any new schemes, which involve academic selection for any students.

I am not trying to dance on the pinhead of definitions here, because Deputy Fallaize, for one, interpreted that as meaning that there would be no academic selection at all in future at the Colleges. Now, my understanding is that the amendment is carefully worded, so as to say, that the current entrance exam for the Colleges, would be allowed to continue and would not infringe the  
1350 conditions. I would like confirmation, please, from that.

In the meantime, as I say, one warms towards this amendment, but I agree with Deputy Heidi Soulsby, it is with great reluctance, I think, that I am going to vote, either for the amendment or for the Proposition from the Committee.

1355 **The Bailiff:** Deputy de Lisle.

**Deputy de Lisle:** Sir, thank you.

We have to guard against providing greater stability than necessary, I think, very sincerely, in order to encourage a business model for the future and less reliance on States' funding.

1360 Unless we are careful, we will see very little change actually towards an independent, business-oriented commercial model for the Colleges in the future. I think that is a great danger here. You can only go on feeding on the state for so long, before taking an independent role forward.

Without selection, there is no mechanism in place for state support of the Colleges. That is the fact. Now, the Education Committee, on the other hand, is offering continuing support from  
1365 September 2019, by continuing the special placeholders grant and the general grant of £816 that is currently being paid, for each fee-payer, increased by RPI each year, with mitigation guarantees to the Colleges, should there be a shortfall through a review. Now, what can be better than that? It is all there. It is a guarantee.

The Colleges will have a seven-year period in which to adapt to the new order and drive  
1370 towards becoming more independent, self-governing institutions. It provides for time and it

provides incentive for the Colleges to introduce new strategies to improve and strengthen their financial model and add revenue to their operations.

1375 Many independent schools have instituted non-tuition revenue streams, such as expanded summer programmes, adult education, tutorial centres, teacher institutes, online curriculum and a host of other options related to education and these all have merit, as have efforts to expand access to the private schools through privately funded scholarships and College foundations supported by gifts of cash, bequests, life insurance, capital assets, gifts in kind and other methods.

1380 I must say that my experience in the Ontario model has been that this works extremely well. It is most important that the Colleges capture the passion and loyalty of many individuals and involve the business community in their expansion drive, to move forward in the area of capital improvements, new academic and co-curricular programmes and student financial assistance and bursaries.

This is what the States should be pushing. The Colleges will become stronger as a result, more competitive, through adopting a more practical and business approach to their operations.

1385 Thank you, sir.

**The Bailiff:** Deputy Lowe.

**Deputy Lowe:** Thank you, sir.

1390 Listening to the debate this morning and the various speeches about, 'Well, this is a Guernsey compromise, but it is not the best, so we will go with it' – this is about children's education.

1395 This is about making sure the Colleges are going to be sustainable and this sort of approach this morning, from what I am hearing, I am very uncomfortable with and I just think we have a responsibility – all 40 of us in here, or 39, Deputy Le Tocq is not here – to make the right decision that is informed and evidence-based and we have not got that, because what we have got before us, with this amendment, is actually that it will be giving a sum of money here to the Colleges for a period of time.

I do not think that is the way that we, as a States, should be negotiating with the Colleges to make sure that the Colleges remain viable and operational and sustainable.

1400 I think the Colleges owe it to the parents, to their staff, and to the pupils to actually engage with Education, Sport & Culture, they have a duty to do that. They have a responsibility to the parents that are paying fees that they will do their best for the pupils that are attending their school and I think, with the actual report that Education, Sport & Culture produced before us, we have got that safeguard in there.

1405 Get them back around the table. It makes it very clear in there that this will be reviewed. It can be reviewed after one year or two years.

1410 They know now that actually the amendment, which I believe they were backing and perhaps had some involvement with over the St Pier and Trott amendment, has gone. So, get them back around the table and make sure that they are engaged with Education, Sport & Culture and we as a States send out a very clear message that we want the best for the Colleges.

1415 We are all saying we want the best, but, hey-ho, it does not matter because we have got a halfway house here. No, that is not the way to treat the Colleges, in my opinion. I think we should send very clear messages to all three Colleges today and say: 'Look, the amendment you supported has been rejected and, for that reason, we are not going to support a halfway house one that actually does not comply with what we want to happen with the Colleges.'

The Colleges, I believe, have not even spoken to the parents about the halfway house one. That is not the way to negotiate and come to a concrete decision, in my opinion, on the education of our children and the future of our Colleges.

1420 So, I, for that reason, am going to reject this amendment. I ask you to consider doing the same and send a clear message to Education, Sport & Culture that you will support this report that they put before us, because that safeguard is very clear, written in that report, as part of the Propositions, that they will have to review it with the Colleges. There is no time limit on that and,

when the Colleges realise that the St Pier and Trott amendment has been rejected, I have no doubt that they will be back around the table. They have a duty to do so.

1425

**The Bailiff:** Deputy Smithies.

**Deputy Smithies:** Thank you, sir.

I spoke yesterday in favour of ending College funding from taxpayers' money. I also expressed my total support for the independent sector. I am entirely confident that, if they put their minds and efforts into it, the Colleges can produce business models to ensure their future success.

Having failed to persuade my colleagues to speed this process, I would now hope to encourage a slightly slower track. This amendment is not fast enough for me. The ESC model may have flaws, I am not sure, but it is faster.

I was impressed by Deputy Fallaize's speech and, as he probably intended, almost frightened into voting for this amendment. Now, however, I will vote against this amendment and urge support of the policy letter.

**The Bailiff:** Deputy Hansmann Rouxel.

1440

**Deputy Hansmann Rouxel:** I want to touch on this concept that we are now trying to get our head around and Deputy Parkinson did bring up the idea that, well, the block grant could be used for bursaries and, I think, Deputy Fallaize and Deputy de Sausmarez and Deputy Roffey did point out that it is a very different scheme, if the business model of the Colleges is to set up their own bursary schemes.

1445

Now, to give you some context, I am amazed at how privileged we are, in Guernsey, that we have free education. I went to a state school in South Africa and you pay. There is no such thing as free education. There are private schools and they are completely independent and run their own bursary schemes, but the state schools, you still have to pay. Your parents do have to pay. We are privileged here to have a state system where you do not have to pay.

1450

Now, the Colleges have existed. There has been this equilibrium and there has been this tacit and subliminal arrangement with the States to keep the –

I give way.

**Deputy Merrett:** Would Deputy Hansmann Rouxel agree with me that indeed we do pay? We pay through our taxes, sir?

1455

**Deputy Fallaize:** Free at point of use.

**Deputy Hansmann Rouxel:** I echo what Deputy Fallaize says. The point of use. Yes, my parents were taxpayers in South Africa, but we did not benefit through free education.

1460

So, different models. If the Colleges we have operated the system where, as a States, we have supported the Colleges to keep the fees at a level where middle-income earners could opt out of the system if they wanted to, it is that support that we are looking to continue – keeping them at an affordable rate for those people who wish to pay for the education of their children and get the benefits that the Colleges provide, whatever those may be.

1465

But, in this transitional time, we do not know what the reasons will be that those parents will want to move out of the system. We do not know that. It is completely unknown.

So, this amendment does, with all its flaws ... if the Colleges are looking at their business model, they should be looking at bursaries. If they do want to be more inclusive, then they should be looking at bursaries for children that cannot afford it. However, the equilibrium of keeping those fees at a level where those who choose to move to the Island because they want that education for their children, it is still at an accessible level.

1470

1475 The one thing that did make me want to go with the bursary scheme was the idea of social mobility and Deputy Soulsby did make the point that there are independent schools that do that.

There is no reason that the Colleges cannot start to build that into their model. But, in this transition period, we do have that responsibility to the people already in the system that have bought into that business model, as Deputy de Sausmarez said.

1480 I have one question about the amendment in regard to the fees. In section (c), there is no talk of a minimum. There is talk of a maximum, but no minimum. So, therefore, is it possible that the amount could be down, depending on how the negotiation around (f) and setting up of the financial modelling will work out when Policy & Resources and the Committee for Education, Sport & Culture?

1485 So, if there is no minimum, it could be that during those negotiations the level is set much lower and what of those service level agreements where Colleges are coming back and saying, 'Well, actually, in order for us to continue our viability where we are building our new business model, we need less money'? But, again, there is the catch-all of a maximum.

1490 I am going to vote for this, because I do not think it does set up that transition period and it does start to move towards getting the Colleges to work on their own bursary schemes and actually work within the system. But it will give time for our all ability system to actually embed and, at that point, parents will then have the choice between what are known and another known. We will know by then exactly what and how the all ability system is working and how that interacts with the Colleges and whether we do need to buy-in places for various things at that point.

1495 Yes, that was all.

**Deputy Leadbeater:** Sir, I would like invoke Rule 26(1) please?

1500 **The Bailiff:** Yes, Deputy Leadbeater. Can anybody who has not spoken and who still wishes to speak stand in their place? (*Laughter*)

Nobody is standing, so we will go through the normal closure proceedings.

Deputy Le Pelley may speak now, if he wishes to do so.

**Deputy Le Pelley:** Thank you very much, indeed, sir.

1505 I would like to just reiterate the Committee's position. I have been on the radio three or four times in recent weeks, and also appeared in front of the TV, and I have been asked quite close questions about this situation. I made it quite clear that the Colleges are very highly valued by the Education, Sport & Culture Committee. We rate them very highly.

1510 They educate, as people have mentioned several times, 30% or so of the Island's 11-16-year-olds. They are very successful educational institutions. They are also part of our heritage. Mind you, so was the Grammar School, but that is another thing.

The Colleges need to continue providing education to 11-16-year-olds and to 18-year-olds, as well. The state system, as it is currently set up, could not accommodate their students if all three Colleges closed tomorrow. We accept that.

1515 At the present time, there are 352, or thereabouts, special placeholders in the Colleges this year and next year. The number will reduce 52 per annum, year on year, over the next seven years. We accept that.

1520 We have guaranteed the three things that I think Deputy de Sausmarez mentioned, the viability of the Colleges. We absolutely need those Colleges to be viable. We want to give guarantees to the special placeholders. That is there. The special placeholders will be guaranteed to have their fees paid, in full, right the way through their educational times at the three Colleges.

1525 We have to be aware, she said, of current fee-payers having to come up with drastic changes. Well, our proposals do all that and I understand that Deputy Langlois' amendment is looking to go somewhere near a halfway house, but let us just remind ourselves of exactly what the College requirement was when we actually met with them to discuss things.

First of all, they were looking at the figure of circa £3,000 per pupil. When we started to negotiate, they then said that their final movement – their *final* movement – would be £2,800 per pupil. That is when we came to an impasse, because – I explained yesterday how we worked the thing out – whether you have £816 per person or *per capita*, or whether you actually have a global sum, makes no great difference. It is just one number divided into another to give you that figure. But that amount of money, they have accepted, is workable under the current system. They were happy with that figure going up until 2019.

Now, why should we be wanting to offer them a whole lot more than that? They are, as I have mentioned several times, an independent business. The Colleges are self-governing, independent institutions, responsible for setting and collecting their own fees and much else besides. That is the way they are set up.

If we start saying £816 is not the right figure, let us go and give them the amount that this amendment is suggesting, at the end of the seven-year period, what at the present time would be a £900,000 subsidy will actually be £2.2 million. The Colleges can do what they like with it, they are independent people. At the end of that seven-year period, that £2.2 million will be there and it is going to enable the Colleges to do all sorts of things with it.

It is going to enable them to employ more teachers. It is going to enable them to have a better pupil-teacher ration (PTR). I – or my successor in office come 2025, whenever it is that this comes to an end – will be saying to you, Members of the States, you have given £2.2 million, year on year, to the Colleges, to enable them to have class sizes of 18, 16 whatever the numbers will be, whatever the pupil-teacher ratio will be. 'We want the same in the state sector.'

The state sector is currently 24-1 in class sizes, PTR of about 12 or so to one. If the Colleges can actually get something nearer to eight to one, with the kind of funding you are giving, my successor in office is going to be coming to you and saying, 'I want £2 million for the state sector, too.' Because that is equality – equality of opportunity.

So, bear that in mind. We have gone with our figures, looking through, and we have come up with £816 as being a fair and equitable amount of money. Now, I am not going to be broken-hearted if the States decide this amendment is better than our policy letter. We will live with that. But I want to just make a couple of points about what we are actually guaranteeing and what we are actually saying we will deliver.

The first is, if you look at what we have actually proposed in our original – and I appreciate that we are talking about the amendment here, but this is trying to amend this figure – we do say the figure will be adjusted, whatever that figure is, in line with RPIX. So it is not going to get out of control. Also, Item 4 is:

To direct the Committee for Education, Sport & Culture and the Policy & Resources Committee ...

So, whatever happens, it is not just going to be Education, Sport & Culture discussing with the Colleges, P&R, and that includes Messrs Trott and St Pier, as well as Mr Brouard – I almost forgot his name! – and Deputy Stephens and Deputy Le Tocq. They will also be in the room and also party to those negotiations and those checks and balances.

So it is there. Not only that, it says there will be an internal review of the new funding arrangements on an annual basis. What more kind of a guarantee do you want?

If you look at point 1.14 and 1.15, it says that:

The Committee will not be recommending a States model of means-tested grant, although this does not preclude the Colleges from offering financially assisted places and their own form of bursary.

And neither should we. The Colleges are self-governing, independent institutions, responsible for setting and collecting their own fees and much else besides. That is within their gift. We cannot control that now.

It goes on, on 1.14:

The Committee feels strongly that the grant should not be used to reduce the fees charged to parents who are best able to afford them.

Some people seem to think that this £816 per person, or *per capita*, the amount is actually going to be given as some kind of cheque back to the fee-payers as money back. It is not. It is an amount of money to act as a cushion to make sure that this transition goes forward and that cushion is in addition to any representations that they may wish to make in their annual reviews. It could not be safer.

Says 1.15:

The new funding arrangements will be contingent upon revised Conditions of Grant Aid and the creation of a Memorandum of Understanding ...

All these safety checks will be put in place.

... which will set out recommendations on the application of States' grant, moving away from indiscriminate subsidy to a new arrangement of targeted subsidy.

It is all covered in the original documentation, the original policy letter from Education, Sport & Culture, and I would recommend you, please, to not support this amendment. It is going to leave lots and lots of money at the end of the system, which will be available for the Colleges. It is going to be much harder to take it away, or to rationalise it, when it is actually there and in place. And the state system will want parity.

We are here to look after all of our Island children, not just the select few – all of them and that is every single child, whether they are home or school educated or educated in the state sector or in the private sector.

Please reject this amendment.

Thank you.

**The Bailiff:** Deputy Langlois will reply to the debate.

**Deputy Langlois:** Thank you, sir.

Deputy Le Pelley gave a very passionate defence of his Propositions there and, as I have said, I thought they came under an unfair degree of criticism, but they were flawed.

Nothing he has said can possibly address those flaws, which I expanded on in my opening speech. They do not give the Colleges the financial stability they will require for a sensible seven-year transitional period during which the new relationship between the Colleges and the States can be agreed.

First of all, I would like to thank those who said they would vote for this amendment. I will not say supported, because there were so many caveats and conditions, I would not claim it was support. Thank you anyway.

Some of the concerns seem to be about the backloading. I suppose it was my fault for issuing that schedule of payments, it has kind of come back to haunt me. The point of that was to show the maximum payments, as the amendment quite clearly states. The quantum is a maximum, it is something which, as the final paragraphs state, the actual amount to be negotiated between Policy & Resources, Education, Sport & Culture and the Colleges and, one assumes, that is going to be a relatively rigorous process, with the Colleges having to make the case for this additional support to those two Committees, who will not let them off lightly. The figures in the schedule, the backloading as it has been described, that is going to be entirely dependent on those negotiations.

Related to that idea, somehow, that we might be giving the Colleges too much money, or what are the Colleges going to do with the money we have given, the additional support, the whole point is they are independent Colleges. I have always thought their relationship with the States is probably unhealthily tight.

1615 Probably, as Deputy de Lisle and Deputy Smithies were talking about, it might be healthier if they were more independent of the Colleges and the States, not actually tied closer together, which would have been the result if Deputy St Pier's amendment had succeeded.

1620 During the transitional period, the Colleges will be able to do what they like. They are independent schools. What they do with the money they get from fee-payers, what they do with the money they get from the States, is up to them, as independent schools, to use it wisely. But the negotiation of the new relationship with the States, post the seven-year transitional period, obviously if the Colleges decide, for instance, they have a bursary scheme so that the children of former members of that particular College get a bursary, or if they happen to be red-headed, or whatever, will be taken into account in the review that will take place during that transitional period.

1625 It is all about people trusting each other and being sensible and putting in place enough checks and balances in case things go awry. I think this amendment encapsulates those. It does not tie the hands of the Colleges and yet it does not give them entirely free rein, because they know they have got to develop a relationship with the States, post this seven-year transitional period, whatever that relationship might be. It might be total independence, as some Deputies would prefer, it might be an element of additional support. There is plenty of time to work that out.

1630 Deputy Oliver asked me, are the Colleges happy? This amendment is, obviously, drafted in response to Deputy St Pier's amendment, which was only issued either exactly a week ago, or maybe a week and a day ago. To be honest, I have not had time to consult the Colleges about it. As it is potentially increasing the amount of support for the Colleges, I would imagine, if I had to put money on it, they would be happier with this than with the Committee's proposals. I cannot guarantee that, however.

I will leave Deputy St Pier to the end.

1640 Deputy Brouard. He was worried about checking the funding annually. Well, in the negotiations about how this transitional period, the funding during a transitional period, is going to work, if the three bodies doing the negotiating consider that would be the sensible thing to do, they could always incorporate it into the arrangements. Personally, I would rather see something that did not involve annual meetings and checks. I would prefer to see something which would work better over a longer period of time.

1645 Deputy Green. I am jumping around a bit here, I realise that. Deputy Green was worried about the quantum. He, quite rightly, pointed out that there is an arbitrary nature to it and, of course, there is. There has been, in all the figures that have been presented, an element of – guesswork is not the right word – we simply do not have the amount of information. We have no idea how many fee-payers are going to replace special placeholders. We have no idea what the Colleges are going to do with their fees. The amount of additional support, the maximum, is arbitrary.

1650 But that was the elegance of the Deputy St Pier amendment, which I then adopted, that the negotiation for September 2018 ... in other words, there are 12 months for the Colleges to make their case for the level of funding. All I have done is set a maximum amount.

1655 Deputy Graham just wanted me to confirm that the amendment is not eliminating the Common Entrance Exam. No, it certainly would not do that. It is just harder than one thinks to actually include something in there which says, 'except the Common Entrance Exam', but I think there is nothing in there which precludes the Colleges continuing with their Common Entrance Exams.

1660 Deputy Parkinson – well, several people – mentioned this idea, that if the Colleges are going to be able to set-up non- academically selective bursaries, this is just like the Deputy St Pier amendment one.

But, as the trio of Deputies de Sausmarez, Roffey and Fallaize quite rightly pointed out, there is the world of difference between a bursary scheme endorsed by the States, in which the States is involved in and which consequently the States gets involved in the governance of the Colleges

1665 and the administration of these bursaries, and the Colleges setting up bursaries off their own back, which they have always been able to do and they will continue to be able to do that.

It is just that while the States is giving them grant money they will not be able to make that an academically selective bursary. Nothing has really changed from the current situation. The Colleges have always been able to set up bursaries. We just have a caveat in the future, they set  
1670 them up and they have never done in the past, as far as I understand, they cannot be academically selective. That is a world away from the bursary system that Deputy St Pier was proposing.

I think a lot of the other points were variations on those themes. For instance, Deputy Merrett was asking how would the block grant be spent. I think I have already covered that. The whole idea is the Colleges are independent colleges, not beholden to us – as long as they do not spend  
1675 the money on academically selective bursaries.

I think that might be it. I just go back to Deputy St Pier's comments. I must admit, when he stood up and was very critical, I was quite relieved, because I was half-expecting him to get up and accuse me of plagiarism, as most of the clauses in my amendment were taken almost directly from his amendment! (*Laughter*) All I did was omit the bursary system and the interference in the  
1680 Colleges' governance, which I thought was superfluous to the core of this problem that we are trying to solve here.

Also, I think I emphasised a bit more that, whereas he was asking for policy to be decided before we make a decision, or policy agreed before we make a decision, that is not necessary. As I said, this is a transitional period we are moving into. The only policy we need is to agree – and I  
1685 think everybody has done – that we want the Colleges to remain stable during that transitional period, during which the new policies will be developed.

So we did not need that whole raft of policy decision-making on the hoof that he was requiring. So I eliminated all that. A lot of the basic core of his amendment is still here in this amendment. I am very grateful to him, because some of it was quite elegantly drafted.

That is not an attempt to get him on side at all! I realise, from what he said, I am not going to do that. I am not going to achieve that at all. I am going to put him down as a lost cause for  
1690 today, but I think he will come around to it eventually.

I think that is it. I do not think there are any more questions posed, which I have not answered, either in general or specifically to anybody. I think this is a very workable solution and gives more  
1695 flexibility than the Committee's proposals and I encourage all States' Members to vote for it.

**The Bailiff:** We vote, then, on the amendment proposed by Deputy Langlois and seconded by Deputy Tooley.

1700 **A Member:** A recorded vote, please.

**The Bailiff:** With a recorded vote.

*There was a recorded vote.*



*Carried – Pour 25, Contre 12, Ne vote pas 1, Absent 2*

**POUR**

Deputy de Sausmarez  
Deputy Roffey  
Alderney Rep. McKinley  
Deputy Ferbrache  
Deputy Kuttelwascher  
Deputy Tindall  
Deputy Brehaut  
Deputy Tooley  
Deputy Gollop  
Deputy Lester Queripel  
Deputy Le Clerc  
Deputy Leadbeater  
Deputy Mooney  
Deputy Merrett  
Deputy Stephens  
Deputy Meerveld  
Deputy Fallaize  
Deputy Laurie Queripel  
Deputy Hansmann  
Rouxel  
Deputy Graham  
Deputy Green  
Deputy Dorey  
Deputy Brouard  
Deputy Yerby  
Deputy Langlois

**CONTRE**

Deputy Soulsby  
Deputy Prow  
Deputy Oliver  
Alderney Rep. Jean  
Deputy Trott  
Deputy Le Pelley  
Deputy St Pier  
Deputy Inder  
Deputy Lowe  
Deputy Smithies  
Deputy Paint  
Deputy de Lisle

**NE VOTE PAS**

Deputy Dudley Owen

**ABSENT**

Deputy Le Tocq  
Deputy Parkinson

1705 **The Bailiff:** Members, the voting on the Deputy Langlois/Deputy Tooley amendment was 25 in favour, with 12 against and one abstention. I declare it carried.

We now have amendment number two, which has been circulated, proposed by Deputy Fallaize, seconded by Deputy Tooley.

Do you still wish to lay that amendment, Deputy Fallaize?

1710 **Deputy Fallaize:** Sir, the amendment was needed only if the Committee's Propositions had been left at the end of the debate, because the no academic selection principle is encapsulated now, in the revised Proposition, as a result of Deputy Langlois' successful amendment.

So I do not need to lay that.

1715 **The Bailiff:** You do not need it, so you do not need to make a speech explaining it? *(Laughter)*  
We can then move to general debate.

**The Bailiff:** Does anybody wish to speak in general debate?

1720 Of course, the Propositions that are now in play are those set out in the Deputy Langlois/Deputy Tooley amendment.

No? Nobody is rising to speak in general debate. But, we do not have the President of the Committee to reply. Could somebody just see ... Ah, Deputy Gollop is coming to his rescue.

1725 **Deputy Gollop:** I will speak in general debate.

**The Bailiff:** Deputy Gollop.

1730 **Deputy Gollop:** People ask me what my vision in education is. I would say it is a role where education office is reduced in size and we see much more local management of institutions, colleges and schools and a reduction in the centralised state.

Now, I think the decision we have made – albeit I think it will need some fine-tuning and clarification on what bursaries, if any, the College can give, for whatever reason and so on – is congruent with that and, surely, part of the vision for the future, whether we have two schools, three schools, four, five schools or whatever, is that we reduce the centre?

1735 So maybe my dream for Deputy Le Pelley and his Committee is that they get abolished as soon as possible!

**The Bailiff:** Deputy Roffey.

1740 **Deputy Roffey:** Thank you, sir.

I voted, with a slightly heavy heart, to change the Propositions, but I did so after reading them carefully, or the amendment carefully. Somebody has pointed out that the 50% was a maximum and there was no minimum. So I see, in a way, that we have reversed the situation, that the Education proposals guaranteed an £816 per pupil subsidy, if you like, but the ability to increase that in the annual review, if it was seen as insufficient and was destabilising the Colleges ...

1745 The substituted proposals give a maximum at the end of the period of whatever is, about £2.25 million in that year, but no guarantee that, actually, that amount would be paid.

So I would ask that, in negotiating the detail, it is made clear that if the Colleges are thriving financially, that they have overcome this period of uncertainty, that they are booming, that we would not just bolster the bottom line or keep down fee levels generally, necessarily pay that amount of money.

1750 I am happy that, if it is necessary, we should pay that amount of money. But, as I interpret the amendment, and I am sure Deputy Langlois would nod in agreement, because it is his wording, there is not a guarantee that that £2.25 million, despite his chart, that he gave out, the words are what we are approving, not the chart, in that it will be up to that sum, however much is necessary, in order to secure the rude health of the Colleges.

**The Bailiff:** Deputy Graham.

1760 **Deputy Graham:** I was not intending to add anything to what I have said already, sir, but, since Deputy Gollop does raise the vision thing, particularly in the way he has raised it, pointing to the rather top-heavy and top-down approach we have to education here, it is entirely relevant to the debate we have been having today, in my view.

1765 Because, today we have been really, in broad terms, discussing what we spend on this part of the education system and what part we spend on that. It is worth noting, in that regard, that according to the States' accounts for 2016, the current Committee spent marginally more on central services than they did on any form of contribution to the College system, which educates a third of our children.

1770 **The Bailiff:** I see no one else. Deputy Le Pelley, you may reply, and of course there has been some general debate in the course of the debate on the amendments.

**Deputy Le Pelley:** There has indeed, sir, thank you.

1775 I am going to be very brief, sir, because I think lunch is beckoning and we might actually get away for an early lunch and back, perhaps, even earlier, to get on with the other business in front of the States.

1780 I would prefer the ESC model, obviously – that is why we proposed it – but, given the debate and given the explanations that have been given, I can live with this. I think the Committee will do our very level best to negotiate forward in the best interests of both the States and the Colleges and education in general.

Please support the amended policy.

**The Bailiff:** We go then to the vote on the amended Proposition. I just remind you, it is a single Proposition, although it has six sub-paragraphs, (a) through to (f). The single Proposition as laid in the successful Deputy Langlois/Deputy Tooley amendment.

Those in favour; those against.

*Members voted Pour.*

**The Bailiff:** I declare that carried.

It is now 12.20 p.m., so we have 10 minutes. We could just start on the SACC policy letter. I think we might as well continue and make the best use of the time available, if you formally announce it, Greffier?

**X. States' Assembly & Constitution Committee –  
Dates of States' meetings 2018-19 –  
Debate commenced**

*Article X.*

*The States are asked to decide:*

*Whether, after consideration of the attached policy letter, they are of the opinion:*

*1. To agree that the dates on which States' Meetings shall be convened in the period from the 1st September 2018 to the 31st August 2019 shall be as follows:*

*2018*

*5th September*

*26th September*

*17th October*

*6th November - Budget*

*7th November*

*28th November*

*19th December*

*2019*

*23rd January*

*13th February*

*6th March*

*27th March*

*24th April*

*15th May*

*4th June - Policy & Resource Plan (progress and review)*

*25th June - Accounts*

*26th June*

**The Deputy Greffier:** Yes, sir.

States' Assembly & Constitution Committee, dates of States' meetings, 2018-19.

**The Bailiff:** Deputy Fallaize to open the debate.

**Deputy Fallaize:** Not only should we be able to start it, we should finish it, because it is very simple.

As Deputy Ferbrache is always telling us, we spend far too much time talking about Rules and procedures, so I will speak very briefly in opening this policy letter and I look forward to him and

other Members voting for it, with the minimum of fuss and having spent the minimum of time on it.

The dates being proposed differ only in one respect from the schedule of dates which cover the 2016-17 session that we finished a few weeks ago. For various reasons, in 2016-17 there were some occasions on which the States met with only a two-week gap between meetings.

The Committee shares the view of several Members who made representations that two-week gaps between meetings are far from ideal and should be avoided. The 2017-18 schedule, which we are not debating today, because the States approved it this time last year, has, I think, only one occasion when there is a two-week gap between meetings, which is better than the 2016-17 schedule.

But the 2018-19 schedule, which is now being put before the States by the Committee, proposes no fortnightly meetings, so the Committee is getting back to what was envisaged by the States when the whole arrangements for the schedule of meetings was changed, which is that, broadly speaking, the States would meet every three weeks.

So we do not think that it is a good idea for the States to be meeting fortnightly. There is one exception to the three-weekly cycle proposed by the Committee and that is, in April 2019, when the interval between meetings is longer than three weeks.

The only other thing I will say in opening this debate, sir, is that the Committee was approached by three States' Members – I think two in writing and one verbally – over recent months, requesting that the Committee propose a return to the pre-May 2016 arrangements for the schedule of States' meetings.

The Committee sets out at paragraph 3 of the policy letter, because Deputy de Lisle did actually advise in advance that he would lay an amendment to this policy letter, so the Committee has set out at section three why it does not support the suggestion that the States should return to the pre-May 2016 arrangement.

In a sense, the Committee was trying to pre-empt Deputy de Lisle's amendment. Actually, Deputy de Lisle has lodged an amendment which is not a return to the pre-May 2016 arrangement so when he lays his amendment I will have to explain why the Committee opposes that amendment.

I had hoped that section three of the policy letter would actually do that, but his amendment is not a return to the pre-May 2016 arrangements, it is an attempt to insert a completely different set of dates for States' meetings.

But, if any Member is interested in why the Committee does not want to return to the pre-May 2016 arrangement, that is set out quite extensively in section three of the policy letter.

Other than that, sir, hopefully with the minimum of fuss and time, the States will be able to support the Propositions and move on to more important matters.

Thank you, sir.

**The Bailiff:** Deputy de Lisle, do you wish to lay your amendment?

**Deputy de Lisle:** Sir, I want time to discuss this. It is now 12.25 p.m., I do not think there will be time for me.

**The Bailiff:** You need more than five minutes?

**Deputy de Lisle:** I need more than five minutes, yes, sir.

**The Bailiff:** In that case, we will rise and resume at 2.30 p.m.

*The Assembly adjourned at 12.25 p.m.  
and resumed at 2.30 p.m.*

**X. States' Assembly & Constitution Committee –  
Dates of States' meetings 2018-19 –  
Debate continued –  
Amended Propositions carried**

1850       **The Bailiff:** We will start with the amendment to be proposed by Deputy de Lisle, seconded by Deputy Paint.  
Deputy de Lisle.

*Amendment:*

*For the list of years and dates substitute the following list:*

*2018*

*26th September*

*24th October*

*6th November - Budget*

*28th November*

*12th December*

*2019*

*30th January*

*27th February*

*27th March*

*24th April*

*22nd May*

*4th June - Policy & Resource Plan (progress and review)*

*25th June - Accounts*

*26th June*

*17th July'*

1855       **Deputy de Lisle:** I thank you for your indulgence, sir, and for the ability to really put the case and not be rushed. It is important that we debate matters in this establishment.

1860       This amendment is extremely important, because it reflects a lot of the frustrations that are highly evident at the douzaine level and also at the Alderney level, but I would like to just start by saying, and being quite clear, that we are dealing with the period from September 2018 – in other words, September next year, through that year. The States have already agreed to the dates for 2017-18, in other words to July of next year.

1865       Now, the amendment would enable the States to revert, as from September 2018, to the traditional cycle of meetings, based primarily on a monthly cycle of meetings, held on the last Wednesday of every month, excluding the month of August. The amendment takes into account the anticipated dates of school terms, for state schools, during the course of the period referred to in 2018-19. It also brings in a meeting in July, before the summer recess for the schools.

1870       Now, following circulation to all States' Members in February of this year, when I did that, about half of the States' Members were looking to change the Rules of Procedure relating to the dates and convening of meetings of the States, and SACC and Deputy Fallaize were informed of this in February and asked to kindly bear it in mind when bringing the Report to the States in September this month.

1875       I note the policy before us has, in fact, to some degree, misled the States into thinking that only three Members called to revert to the traditional cycle of meetings held on the last Wednesday of the month. In doing so, SACC may have ignored half of the States, in fact, who were behind that particular initiative.

Now, I argue that this is going to make the States more efficient, through the end of the month and the elimination of a couple of meetings next year and I will go into that in more detail. It is going to be more cost-effective and it eliminates this business of half-day meetings – coming

in here for a half a day, as we have seen at the last meeting – and also releases time to the Royal Court and others.

Meeting at the end of the month facilitated, also, deliberations with the douzaines a lot easier and gave Deputies more time to engage with people in their district on key issues. We have not really had the time that I would like to go out and consult people in my area on some of the key issues, but the fact is the response from the douzaines has not been coming forward and they have felt themselves somewhat eliminated from the proceedings here. Now, it is important that we get the feeling of the parish douzaines here, in the States.

A three-weekly order does not fit a lot of diaries either. It is somewhat illogical and the three-weekly arrangements are onerous and create difficulties in managing diaries. In fact, doubt is shared in paragraph 3.6 by SACC, itself, in making the point that States do not make the most of the opportunity provided by three-weekly arrangements. A return to a monthly cycle is probably more appropriate as a result.

Meeting more frequently has raised questions, too, in the media, as meetings have only taken half a day, of recent times, and sometimes even less than that, because we have moved from here at 11 a.m.

So, inefficiency has been brought in and time has been lost as a result. It is not everybody who can just return from here to their particular location of business without wasting quite a lot of time in travel, particularly in terms of Alderney.

Now, just to look at the dates in more detail, two of the dates would be taken away, if you note, in comparison with the amendment and the actual Billet, whereby the SACC dates are published: 5<sup>th</sup> September is withdrawn and we revert just to 26<sup>th</sup> September, the end of the month; also 6<sup>th</sup> March is withdrawn and we revert to 27<sup>th</sup> March, which is the end of the month. So we save two meetings.

Also, I have been keen to make sure that the half-term holiday periods are off-set, so that the half-term in October, for example, is between 29<sup>th</sup> October and 2<sup>nd</sup> November. That would clash with the States' meeting at the end of the month. I brought that up one week, so it occurs on 24<sup>th</sup> October and does not clash then with the half-term. The other one is 22<sup>nd</sup> May; that has been brought up one week, because of the half-term between 27<sup>th</sup> and 31<sup>st</sup> May. So 22<sup>nd</sup> of May does not clash. Also added is 17<sup>th</sup> July; in other words, there would be a July meeting, whereas there is no July meeting in terms of the SACC dates.

Now, I have had responses from the Douzaines in favour of these changes. Perhaps I should give you some indication of those. The Senior Constable of the Vale, where Deputy Fallaize of course lives, made the point that they had taken a straw poll of the Vale Douzeniers, 'who along with myself,' says the Senior Constable, 'are fully supportive of your amendment ... We feel that the role of the Douzaine was diminished with the change to the meeting dates and wish you every success with the amendment.

In terms of the Forest Douzaine, they agree with the amendment, as 'At the moment, our monthly Douzaine meetings with the parish Deputy makes life difficult for all concerned, when discussing the Billet'.

In St Peter Port, they thank us for the amendment and believe that it would be, '... easier for the Douzaine and the Deputies if the end of month meetings were reintroduced as soon as possible. It allows the Douzaine to have conversations about forthcoming debates in the Assembly and gives them a better idea of the feelings on the ground, as they say.'

So those are comments that have come in from outside. The amendment aims then to revert back, as from September 2018, to the traditional cycle of meetings, if you like, based primarily on a monthly cycle of meetings held on the last Wednesday of every month, excluding the month of August. This, rather than continuing with the current three-weekly cycle of meetings.

The amendment takes into account the anticipated dates of school terms for state schools. The meeting at the end of the month makes the States more efficient. It is more cost efficient than continually meeting for a few hours at a time and it reduces the number of meetings and releases the Royal Court and others. It gives more time for Deputies to meet with constituents in their

particular district on key issues and it brings back engagement and input from the parish Douzaines, currently excluded if they meet on the last Monday of the month.

I would ask Members to support the amendment and to consider very carefully these changes that would provide for a lot more consideration by other parties, particularly the Douzaines, but also gives extra time for deliberations with parishioners and also facilitates, I think, travel for the Alderney representatives.

Thank you, sir.

**The Bailiff:** Deputy Paint, do you formally second the amendment?

**Deputy Paint:** I do, sir, and reserve my right to speak later.

**The Bailiff:** Thank you.

Deputy Fallaize, do you wish to speak at this point?

**Deputy Fallaize:** Yes please, sir.

I think if Guernsey had a Trade Description Act this amendment would be ruled non-compliant, because Deputy de Lisle sells it on the basis of, to quote the explanatory note:

Reverting to the traditional cycle of meetings, based primarily on a monthly cycle, held on the last Wednesday of every month, excluding the month of August.

It also, though, in his schedule, excludes the month of December, but traditionally the States did not meet on the last Wednesday in August or December. Although he says that he wants to get back to the traditional cycle of meeting on the last Wednesday of every month, he also proposes not meeting on the last Wednesday of every month in October and in May and in July. So, although he says he wants to get back to the traditional cycle, what he really is proposing is going back to the traditional cycle for half a year and remaining with a different cycle for the other half of the year. So it is simply untrue to assert that this amendment proposes returning to anything like what he calls the traditional schedule.

Now, the pre-May 2016 arrangements were changed by the States because there were numerous problems. This matter was debated by the last States and a change was agreed in the light of problems that had been experienced increasingly as the workload of the States increased. One of the problems was what to do when business at one meeting was not concluded; when is the business adjourned to?

Now, in the newer schedule of meetings, with the States meeting approximately once every three weeks, this ceases to be a problem because there is sufficient regularity of meetings that any business not concluded can simply be moved to the beginning of the next meeting. Under the old schedule, that was not possible and there was, previously, in place an arrangement whereby any business not concluded at the end of month meeting was adjourned until two Wednesdays later. That was the old system.

Now, Deputy de Lisle is not proposing any change back to that part of the old system. His amendment is completely silent about when business would be adjourned to. What often used to happen is that the idea was that Members were meant to leave the middle Wednesday, Thursday and possibly Friday of the month free, in case business had to be adjourned from the end of month meeting.

Of course, this meant it was quite difficult to plan ahead, because one was never quite sure whether the States were going to be meeting in the middle of the month, but also it meant that Members sometimes did not leave those dates free and there were debates at the end of the States about when the business would be adjourned to and there was consideration being given on the floor of the Assembly about whether the States should come back two weeks later, or four weeks later, or whatever.

Now, all of that has been eliminated by adopting the roughly three-weekly schedule and, as I say, Deputy de Lisle's amendment just completely fails to take account of the old adjournment arrangements which were a feature of the previous system he says he wants to go back to.

Also, when the schedule of meetings was amended to get onto the three-weekly cycle, there were also reforms made to the way in which policy letters and requêtes were submitted and they were conjunctive reforms. One is reliant on the other.

Previously, Committees submitting policy letters to the old Policy Council, there was a very long – Deputy Ferbrache will be particularly interested in this – protracted, bureaucratic process for the Policy Council to receive the policy letter, to consider it, to write a letter of comment on it, all privately, and then a few weeks later to have it published in the Billet.

All of that has now been eliminated because, as soon as the Committee wants to submit a policy letter, it is now published and the whole world, or the part of the world that is interested in it at least, knows about it.

So, for example, in 2015, the calendar of submission dates meant that a policy letter which was submitted on 6<sup>th</sup> January, would be published on 20<sup>th</sup> March, which was 10 and a half weeks later, and it would then be considered by the States six weeks after that. We were in a situation where policy letters were being submitted by Committees and they were not appearing before the States for anything up to four months.

This very slow system has been rapidly improved by the new submission arrangements, but it has also been improved and made quicker because the States are meeting slightly more frequently and they are two sides of the same coin.

Now, Deputy de Lisle's amendment is also silent on the old process for submitting policy letters. There were two sets of reforms made, one in relating to the way policy letters were submitted and published, and the other side of the coin was changes to the schedule of States' meetings. Not only has he disregarded the old adjournment arrangements, he has also disregarded the old submission arrangements, even though he says he wants to get back to the old system.

This is an example that will become relevant in 2018-19 on this very point, if this amendment was approved. It relates to a policy letter submitted early in July. Under the Deputy de Lisle/Deputy Paint schedule, it would take four weeks longer for a policy letter submitted in early July to reach the States than it would under the schedule of meetings proposed by the Committee.

Now, that is fine, if the States want to gum-up business again and ensure that Committees take longer to get their business before the States and the whole thing becomes more protracted, that is fine. We can do that. The Deputy de Lisle amendment provides for that. But it cannot be solved on the basis of trying to make the States more efficient and operate in a more business-like way, because it will achieve the very opposite.

Specifically, on the actual dates which Deputy de Lisle is proposing, just to run through two or three issues which arise with the schedule of dates he wants to insert, he is proposing that, in the summer of 2018, the summer recess should be extended by three weeks. The SACC schedule, both in 2017, 2018 and 2019, provides for a summer recess of about seven weeks. Some Members may think that is too long. Very few Members, I should think, believe it is too short.

But the de Lisle/Paint schedule proposes a summer recess of 10 weeks. Quite why the States need to extend their summer recess each year from seven weeks to 10 weeks is not properly explained in the amendment and has not been explained by Deputy de Lisle's speech.

He also says – he implies, I think he said it quite explicitly, actually – that meeting once every three weeks is too often. Okay, but Deputy de Lisle proposes a schedule where, on several occasions, the States are meeting with only two-week intervals. He has here, I think, a schedule of 11 meetings and six of them would take place when the States had either met two weeks previously, or were meeting two weeks later.

He wants to get away from a three-weekly schedule, because he says the States are meeting too frequently, but on half of the dates he proposes, the States would be meeting more



frequently, or there would be less time between his meetings than there would be between our meetings.

2035 This is the case, in his amendment, between 24<sup>th</sup> October and 6<sup>th</sup> November, there is only a two-week gap, which is particularly unfortunate, given that the second meeting would be the Budget, so when he says he wants Members to have more time to consider important items, he is giving Members less time, in effect, to consider the Budget.

2040 Interestingly, also, he appears to want to axe the meeting which follows the Budget. On 7th November, there is a meeting proposed by the Committee. That is the conventional way of doing it, the States meet to consider the Budget, and then there is an ordinary meeting of the States which follows immediately thereafter. His amendment does not allow for that. We would meet to consider the Budget, but no business could then be considered after the Budget, so that acts as a meeting.

2045 Of course, at that meeting, all or part of the Employment & Social Security Upating Report is considered and this is something that has been worked out over several years between Policy & Resources and their predecessors, and Employment & Social Security and their predecessors, to ensure that the States can consider related financial items at the same time. But Deputy de Lisle wants to axe that and there would not be a meeting immediately following the Budget, at which the uprating report or any other report could be considered.

2050 There is also a two-week gap between the meetings he proposes on 28<sup>th</sup> November and 12<sup>th</sup> December and then, moving between 2018 and 2019, the SACC schedule proposes that there should be a five-week recess at the end of 2018 and the beginning of 2019, but five weeks is not enough for Deputy de Lisle. He wants a seven-week recess. Quite why the States need to have a seven-week recess in between the end of one year and the beginning of another is not properly explained, but that is the effect of his amendment.

2055 Then, between 22<sup>nd</sup> May and 4<sup>th</sup> June, he has another, merely, two-week gap between two meetings and this is perhaps even more unfortunate than on the occasion of the Budget, because the second meeting in this period of two meetings with only a two-week gap, the second meeting it is the Policy & Resource Plan which would be considered. So Members would, in effect, have even less time. He thinks there is too little time at the moment, but under his schedule Members would have even less time to consider the Policy & Resource Plan.

2060 In order, he says, to give Members more time to consider important items, he wants to squeeze the meetings in relation to the Budget and the Policy & Resource Plan. Perhaps they are unimportant issues.

2065 For many reasons, even if the States wanted to get back to what Deputy de Lisle calls the traditional schedule, I am afraid that what he is laying before the States barely resembles the traditional schedule. It is not the traditional schedule and it is, when one starts to look through the specific dates he proposes, quite clearly an inferior schedule of meetings.

2070 He says that it would be more cost-effective, his schedule. There is no basis to that suggestion, because, if he is thinking about officer time, in terms of court officers, the relevant point is how many hours the States are sitting for, not how many days those hours are spread across. He also says that his schedule would eliminate shorter meetings. If it has any effect in relation to that issue, it would be minimal. The SACC schedule only contains two more meetings than his schedule does and that is over the course of 12 months.

2075 The reason that meetings have been shorter than the States have been used to is primarily not because the States are meeting slightly more frequently, it is because there are fewer items being submitted and we can debate why that is, and I suspect as we go into the autumn and the winter that is going to be reversed quite quickly, because we have secondary education to debate, health target operating model for budget is coming along, we have now got the latest Brexit policy letter submitted. There are all sorts of quite material, substantial policy letters which appear to be in the pipeline over the next few months. Reducing the number of meetings by two per year is not going to eliminate shorter meetings in the way that Deputy de Lisle claims.

He did say, again, in his opening speech, that his schedule would give States' Members more time to consult. Well, that simply is not true, because he is not providing more time; he is providing less time before particularly key meetings.

So, for all of these reasons, even if the rhetoric was attractive – which, I do not think it is – the practical effect of Deputy de Lisle's amendment, clearly, is inferior to the schedule that is being proposed by the Committee and, therefore, I urge Members to reject the amendment.

Thank you, sir.

**The Bailiff:** Deputy Brouard.

**Deputy Brouard:** Thank you, sir.

For someone who was not going to say very much on the issue, Deputy Fallaize managed to do the complete opposite. It was always going to be compromises with the States' schedule.

Now, I have no problem meeting at the end of the month on a Tuesday, or the last Wednesday of the month, if we have a heavy workload. There is no problem for me, from that point of view, at all. I thank Deputy de Lisle and Deputy Paint for bringing forward these proposals.

The lunar cycle has been going on for quite a long time. You can reflect back how long it has been going around the Earth. I think the Georgian calendar we have now has been going for the last 500 years and people have got into a bit of a routine on it. I like it. I think the experiment we tried for one year has not worked for many people, for many different reasons.

I do definitely agree with Deputy Fallaize, you can pick as many holes in this as you wish. The last Wednesday is not in there, October, or whatever it is.

If I was doing the amendment, which I did not get the chance to do, because I certainly would have brought one if they had not, I would have instructed SACC to go away and come back with the best compromise, but I take my hat off to Deputy de Lisle and Deputy Paint, who have actually gone ahead and tried.

There will always be these issues.

Some of the dates, of course, have been moved, because it is not an identical reflection of the previous States. The previous States were not quite as inclusive and now we are trying to avoid half-terms, Easter holidays and those items which helped a little bit in making it more family friendly.

I think Deputy Fallaize has been a little bit ingenuous there, because the good bits of the changes should be incorporated as much as we can, but I think the general fundamental idea of having a system that works on a monthly basis works better for me and, I think, the majority of States' Members.

If – and I hope it is – this amendment is passed, there is nothing to stop SACC coming back within a few weeks with any tweaks they want to, where they think there is a particular issue. I do not have a problem with that and we are talking, as well, well over a year's time. So there is plenty of time for SACC to make any compromises or secondary proposals. But I think today we should be passing this amendment and moving back to a monthly arrangement, exactly for the reasons that Deputy de Lisle said.

I can also say that, by a majority, Policy & Resources are in favour of the amendment and I would ask all States' Members to reflect themselves on how they found the system and whether or not they would like to move back to a monthly basis.

Of course, SACC had every opportunity to put an alternative in their Report, but obviously chose not to, which is a bit of an opportunity missed. But I would encourage all Members to support the amendment.

Thank you, sir.

**The Bailiff:** Deputy Lowe.

**Deputy Lowe:** Thank you, sir.

2135 I fully support the amendment being put by Deputy de Lisle and Deputy Paint, and I thank  
them for it. I think we need to reflect, and there is probably a couple of us in the States that will  
remember this, but there used to be 57 States' Members when I first joined the States. We met for  
two days at the end of the month. We met on a Wednesday and a Thursday and our reserve date  
was a Friday. It was hardly ever used. We were disciplined. We did not have to speak on  
2140 everything. People were busy, they read the reports beforehand and they got on with the work  
before them. Let me remind you that, sometimes, there were anything between 12 and 20 items  
on the Billet.

Did it work? Yes, it did. But there was a concern that we were actually using the Friday and it  
was starting to actually creep into the Friday, a bit later on in the early years that I was in the  
States.

2145 So it was changed to say let us make the Friday a permanent reserve date and so we will have  
three-day States' Meetings, rather than a roll-over date if it need be, onto a fortnight's time. So  
we did that. Still 57 of us in the States and it would be for three-day States' Meetings. And it  
worked.

2150 It seems the more we reduce States' Members, the longer our debates have been. Why? I have  
no idea whatsoever.

You have only got to look at *Hansard* and I discussed this with a Member this morning, who I  
will not actually name, and it is the same ones all the time. There are pages and pages in *Hansard*  
and others are actually quite small.

2155 Should there be restriction on speeches? No, there should not. I think your speeches should be  
how you want to express yourself and nobody else and, if you want to take a long time to do it,  
do it. But I was always taught, if you want to get your message across, you be short, sharp, sweet  
and concise. Otherwise, people switch off. I think that is true.

I have not finished yet! I do not intend taking as long as some of the speeches already even  
today.

2160 It was said by Deputy Fallaize about the cost and, indeed, by Deputy de Lisle. He is absolutely  
right. There is a huge cost to blocking out this court for three days, because the court is blocked  
out because there is a States' meeting coming up. They have no idea how much is on the agenda  
at the times. It has cost them, that.

2165 Equally, when we have got the court blocked out and they now know ahead and can probably  
make a little bit more planning – but not a lot – when we are in here for an hour, that is an  
expensive way of running a Government. I think so, anyway.

2170 I know quite a few of the reports have just been Home Affairs and, great, we have come in for  
that and I thank you. Look at it for our next States' meeting, again it is Home Affairs and  
legislation. If it was not, and I am getting this checked out, then actually it is vital for us for the  
date liquor licensing, I would be standing up when we finish this States to say we will not even  
meet the next time, unless others have got urgent legislation, because this is becoming a bit of a  
farce.

2175 It does not look particularly good either when the public think you have only been in there for  
an hour: what are you doing all this time? Because the more you meet, actually, you are not  
meeting and getting stuck into it.

So I think we need to take into account all those things as well. Make meetings meaningful and  
make them nice and concise, as well. The dates were changed because of the amendment and I  
cannot remember who actually placed it, for us to be more family friendly.

2180 I know I got a bit of a bashing when I said this last time, but I am going to say it again. Yes, the  
States should be family friendly. Start with your staff, not yourselves. The staff have not got all that  
time off. They have to sort themselves out to be able to sort families as well, but we do not  
actually say to the staff, 'You can have two months off in the summer, because we want to fit  
around the holidays, you can have all that time off around Easter.' They have to actually try and  
organise themselves and their families to do that, so I am a bit uncomfortable about that.

2185 If we are actually running a Government and a parliament, we should be doing that and we should be doing what we can to help families. I am totally supportive of that, but I am a big supporter of, if you want to do something you also try to help your staff, in some way or other, whether flexi-hours or making it easier for your staff, who have to carry out their work on a daily basis, park nice and early at 8 a.m., so that they can get somewhere to park – and I am going to get screamed at on my left here, that they can go on the bus or they can walk or they can get on their bike – but we will not get into the traffic and the parking debate at this moment in time. But it is all the other things that families have to do. They have to do that on a daily basis.

2190 So all I am saying here is that I think this is right. The amendment dates are not at the end of the month, so Deputy Fallaize is fully aware of that and he is fully aware of the amendment, because he was in the States when it was approved, to make the States' meetings family friendly around the school term times.

2200 So that is what has been accommodated in this amendment. As Deputy Brouard said, absolutely right, there is over a year to go, so if SACC want to come back with a tinkering of these dates, well they can do that. There is nothing to stop them doing that. If there is a will, they can do it.

I think it would make our States far more efficient, run a lot smoother, us to be a little bit more disciplined, but meeting three times or four times in one month and coming in for an hour, I just do not think that reflects particularly well on the States.

So, I ask Members to please support the amendment.

2205 **The Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** Sir, I have no wish to be discourteous and disrespectful to Deputy Fallaize, but I feel he has provoked me into making a speech.

2210 It just shows, we had the reference in the last various debates we have had over the last day and a half, to *Alice in Wonderland* and to Eric Blair, a.k.a. George Orwell, and Doublespeak, etc.

2215 Deputy Fallaize is a person of great integrity and great analytical ability. He has exercised his great analytical ability over this to an nth degree, which worries me. Because what we have not had here is a lot of common sense and often people who are highly intelligent and over-analytical lack, perhaps on occasions, a degree of common sense and judgement. *(Laughter)*

Frankly, I do not possess either of those, so I am not giving way to Deputy Fallaize –

**Deputy Fallaize:** On a point of correction, sir –

2220 **Deputy Ferbrache:** I am sure it is a point of correction. I will sit down if it is.

**Deputy Fallaize:** He is accusing me of intelligence, but he was the scholar, I was the fee-payer!

**Deputy Ferbrache:** And, yet, we have changed the system! *(Laughter)*

2225 Now, in relation to this particular debate, what is proposed, you can analyse anything. I have spent my life analysing or super-analysing things, because I got paid to do it. Deputy Fallaize is paid more modestly to do it than I have been paid over the years to do it. But if you actually analyse what men of common sense, Deputy de Lisle and Deputy Paint, are trying to do, they are trying to just establish a regime. There is nothing to stop us, if the business does escalate, in having extra meetings.

2230 Where I disagree a little bit with Deputy Lowe, she said this room is taken up; it could be used for court business. I do not actually think it causes the courts too much inconvenience that we are using this particular room for the purpose that we are using it. That certainly does not influence me.

2235 But you can analyse it and analyse it until the cows come home. He also said we have now got this *espresso bresso* – my words not his – way of getting through policy letters, etc. Well, I think it

should be *espresso, espresso, espresso bresso*, and should be even quicker than it is. Perhaps there are Rules, especially if you bring a requête, which make it a bit longer than it should be.

2240 But, I know, I have been advised by Deputy Fallaize, that in relation to the policy letter that I and my colleagues are going to bring now, it will be a policy letter and not a requête, because that is quicker. Or, at least, that is what he tells. So it is only if the Law Officers positively tell us in due course that we cannot do it, that we will not do it that way.

2245 The whole point of this is, when you look at the schedule, which should be fluid and flexible, it sets a general principle, and what Deputy de Lisle and Deputy Paint are trying to do is just do that. Look at 2019, end of January, end of February, end of March, end of April, end of May, that is what they are trying to do, or a bit earlier in May, because of half-term or whatever that is. All he and Deputy Paint are trying to do is bring back a degree of order and balance.

2250 Now, as Deputy Brouard said, we have been in this Assembly for the last 16, 17 months and we have had quite a few one-hour meetings, two-hour meetings, where we have not really had much to do. If we do meet, let us say we have a four-day meeting or a three-day meeting at the end of February, for example, and we have run out of business, it is not beyond the wit of man and the wit of woman to be able to say, 'Well, actually, we can do something next week, or we can do something the week after.' That is not going to happen very often and we should be able to do it.

2255 My goodness me, it just shows how clever, analytical, super-intelligent, fee-paying boys from the College can make things far more difficult than they need to be.

**The Bailiff:** Deputy Yerby.

2260 **Deputy Yerby:** Can I move 26(1) please?

**The Bailiff:** 26(1)? You want to guillotine the debate?

Those who have not spoken and wish to do so, will you please stand in your places? We have one, two, three, four, five, six, seven, eight, nine, ten people standing. Do you still wish to? **(Deputy Yerby:** Yes.) Yes.

2265 Well, I put to you the Proposition that debate be terminated.  
Those in favour; those against.

*Some Members voted Pour; others voted Contre.*

**The Bailiff:** Everyone is shouting now! We are going to have a recorded vote. It was, I think, fairly close.

*There was a recorded vote.*

*Carried – Pour 15, Contre 23, Ne vote pas 1, Absent 1*

**POUR**

Deputy Soulsby  
Deputy Ferbrache  
Deputy Tindall  
Deputy Gollop  
Deputy Parkinson  
Deputy Le Clerc  
Deputy Leadbeater  
Deputy Trott  
Deputy Le Pelley  
Deputy St Pier  
Deputy Stephens  
Deputy Meerveld  
Deputy Graham  
Deputy Yerby

**CONTRE**

Deputy de Sausmarez  
Deputy Roffey  
Deputy Prow  
Deputy Oliver  
Alderney Rep. Jean  
Alderney Rep. McKinley  
Deputy Kuttelwascher  
Deputy Brehaut  
Deputy Tooley  
Deputy Lester Queripel  
Deputy Mooney  
Deputy Merrett  
Deputy Inder  
Deputy Lowe

**NE VOTE PAS**

Deputy Fallaize

**ABSENT**

Deputy Le Tocq

Deputy Langlois                      Deputy Laurie Queripel  
   Deputy Smithies  
   Deputy Hansmann  
   Rouxel  
   Deputy Green  
   Deputy Paint  
   Deputy Dorey  
   Deputy Brouard  
   Deputy Dudley Owen  
   Deputy de Lisle

2270                      **The Bailiff:** Well, the voting on the guillotine motion was 15 in favour, 23 against, and one abstention. I declare the motion lost. Debate will continue. Who wishes to speak next?  
                                 Deputy Inder?

**Deputy Inder:** ... *[Inaudible] (Laughter)*

2275                      **The Bailiff:** Deputy Smithies then!

**Deputy Smithies:** I will give Deputy Inder a moment to leave the Chamber, should he wish to!

2280                      **The Bailiff:** Deputy Smithies.

**Deputy Smithies:** The States' Assembly & Constitution Committee needs to be congratulated. The brickbat comes in a moment.

2285                      The proposed dates are, indeed, an improvement on what happened this year, with the break of two full months between meetings, in July and August, leaving aside the important matter of the States of Election, actually, from June to October with no substantial debate. The proposed dates that they are putting forward give a six-week summer break, so that is a slight improvement.

2290                      Of course, we have already heard the argument that this is a trivial matter and a waste of States' time, but I cannot agree. It is an opportunity to revisit this matter and ask, 'Are we actually better off from having changed a simple and straight forward calendar to a more complicated arrangement?'

                                 I expect some may call me old-fashioned and traditionalist, but I would like to revert to the previous arrangements for the sound reasons rehearsed by Deputy de Lisle.

2295                      Also, I have comment on the avoidance of meetings during the school holidays. It is a little bit self-indulgent and an example of special pleading. No other group other than, obviously, teachers, have all the school holidays off. To lambast the proposers of the amendment with accusations that they are not consistent, because October, May and July meetings are not at the last Wednesday of the month is actually as a result of an attempt to maintain that school holiday arrangement. I personally think it should be the last Wednesday of the month and I would not really give allowance for the school holidays.

2300                      In some quarters, it is neither popular nor profitable to consider the opinions of the Douzaines to be of any importance. Neither do I intend to set myself up as a latter day Douzaine representative. However, I would like to put on the record the opinion of our Douzaine, which I canvassed last Monday, and indeed Deputy de Lisle has referred to a letter from the Constable of the Douzaine, which I think he received a while ago.

2305                      The result of this unofficial poll was to return to the pattern of meetings which was in place prior to the reforms prior to May 2016.

2310                      Let us not forget the Douzaines, being mostly made up of elected members whose work and personal conditions prevent them from being involved in this Chamber, do nevertheless represent their electors and do a great deal of unpaid work and contribute to the benefit of the Island.

I will grant that the amendment may be flawed but then, as we have already heard several times today and yesterday, amendments can be flawed and, doubtless, could be tweaked. But it is a step back towards a more traditional set up and, as a move in the right direction, I support it.

2315 **The Bailiff:** Deputy Dorey.

**Deputy Dorey:** Thank you, Mr Bailiff.

I would just like to pick up a few of the points. Deputy de Lisle said that if we had end of month ones it would give more time to engage. That is exactly what our system does.

2320 If he believes that you need extra time to engage for a particular issue, the last thing you need to debate is the agenda for the next States' meeting. It is up to him to propose an amendment to that agenda to put something back. If he needs more time, I know in our sister Island it happens that they adjust their agendas; it is there to be used. If you need more time, the system perfectly well allows for that.

2325 The important thing is it does mean that we get on with business in an orderly manner and without the long gaps we used to have in the past, from Committees completing a policy letter to it getting debated.

He also made a lot about the Douzaines. Deputy Smithies also spoke about the Douzaines. Well, in the Castel, we found a very simple solution. The Douzaine meets with the Deputies on the Saturday morning at 9 a.m., the Saturday before the States' meeting. It works very well and we follow on with our surgery for the public if they want to have their views on the States' agenda and express them to States' Members.

2330 It works excellently. It means that the Douzaine can spend their Monday evening at the end of the month talking about their particular Douzaine business, but the political Billet business is done at the right time, on the Saturday before the States' meeting. Other parishes can do that and it works very well.

2340 There has been a lot about the meetings all being at the end of the month and Deputy Fallaize has covered that very well. I would just add, it is not just October, May, July and December, it is the Budget and P&R Plan, so we will have six meetings which will not be at the end of the month, with the de Lisle amendment. So almost half of them will not be at the end of the month, so you will not be able to work on the end-of-the-month basis.

2345 Deputy Brouard mentioned about the lunar cycle. Well, I thought the lunar cycle was every 28 days, not every calendar month. So we will not be working on a lunar cycle. These meetings have been carefully worked out to be the best compromise, so that we can have sufficient gaps between States' meetings so that Members can prepare for the next one.

2350 I was very surprised when he said that P&R, by majority, were in favour of the de Lisle amendment, because I thought they made a big thing, historically, about the Uprating Report being debated at the meeting immediately following the Budget. With the proposal from Deputy de Lisle, you would have the Budget on 6th November, but the Uprating Report would not be until the 28th and I think that would be too late in order to bring the proposals into Law.

I give way.

**Deputy St Pier:** Sir, I am grateful to Deputy Dorey for giving way, because it does give me the opportunity to explain P&R's position on this and Deputy Brouard's comments.

2355 Deputy Brouard certainly sought the views of P&R generically in relation to this issue. There was no discussion by P&R of this particular amendment, I believe.

**The Bailiff:** Deputy Dorey will continue.

2360 **Deputy Dorey:** I have more confidence if they have not discussed it, because perhaps Deputy de Lisle was not entirely giving us the correct information.

But also I think it is really important, and I can recall the States' meeting before the P&R Plan and Budget, where, because those meetings started on the Tuesday, the cut-off date would be the Thursday at 3 p.m. during the previous States' meeting.

2365 I will give way later, but not at this point.

It is at 3 p.m. on Thursday of the previous States' meeting. So I recall seeing States' Members working on the budgets for two such key debates, during a previous States' meeting. This gives them the week, where they have the cut-off date for the Budget and P&R Plan, is free of a States' meeting. They are not in the middle of a States' meeting on that cut-off date. So these are a lot better than the proposals from Deputy de Lisle.

2370 Also, Deputy Lowe mentioned about the court being blocked, but under the previous system the court was effectively blocked out for six days a month, because you had the meeting at the end of the month and you had the two weeks after. That, to me, was a far less efficient use of this building.

2375 I think these are common sense and I urge States' Members to support them, but before I sit down, I will give way to Deputy Brouard.

**Deputy Brouard:** Thank you, Deputy Dorey.

2380 Just to clarify, the meeting of the P&R was on Friday. We were quorate. Deputy St Pier was on States' business and therefore was not at that meeting. That is why I said by a majority were in favour.

**The Bailiff:** Deputy Lowe.

2385 **Deputy Lowe:** Thank you, Deputy Dorey, for giving way.

I had a query, which I would just like you to expand on, because I am interested on the part you said about the Douzaine meet with you, as the Deputies, before a States' meeting.

2390 Could you tell me if all your Douzaine meet because, like the Vale, there are 16 and I am not quite sure you would be able to get 16 of the Douzaine to turn up fortnightly, or even weekly, when there is a gap between?

So I would just be interested in how yours worked, please.

2395 **Deputy Dorey:** I am not sure I should be telling you about the number who attend, but we do not necessarily get 100% of the Douzaine but I know, because I was a member of the Douzaine and different Douzeniers have different interests and the ones who were not so interested in the Billet matters used to get annoyed on a Monday evening that time was being spent discussing the agenda while some, like me, when I was a Douzenier, were very interested in discussing the agenda.

2400 So the Saturday morning gives the opportunity of those members who want to discuss and it is a good turn-out. It is not necessarily 100%, but you would get different Douzeniers turn out at different meetings. When it is a contentious issue you would get more. When it is a particular issue that someone is interested in, they will come in. But there is always a very good turn out and we have a good discussion and it works very well.

2405 I think that completes my speech, thank you.

**The Bailiff:** Alderney Representative McKinley.

**Alderney Representative McKinley:** Thank you, sir.

2410 I will obey the Mother of the House and be short, sharp and speedy in my response here.

There are two issues which are unique to Alderney. First of all, the recent change of dates has resulted in a number of clashes with our own States' meetings in Alderney, which take place usually on the third Wednesday of every month and are preceded the previous Wednesday with the People's Meeting. So, my colleague and I are not always able to attend both those meetings,



2415 which are actually quite important, first of all, to hear the opinions of the electorate and then to present those opinions at the States' meetings in Alderney.

2420 The increased frequency of debates has made that rather difficult. It is also quite difficult, when we asked the question, we are told we must decide, therefore, which meeting you think is more important for Alderney. It is rather difficult to do that without getting a good advance notice of the Billet items and quite often they come out a little bit late in both Guernsey and Alderney and we cannot choose which one is important.

But if we have two which are important, one down here and one up there, which one do we attend, or do we go back the same night, the Wednesday night, and come back again on the Thursday morning?

2425 That is rather difficult also because a very practical issue is that the transport links between our two Islands are quite difficult, at the moment. We cannot always guarantee to be on the Wednesday morning flight or arrive here in time for the start of the meeting. We have tried, on occasions, to come the night before, but that has been refused. When the meeting finishes on the Wednesday, at midday, which it has done on several occasions, we are unable to change our flight, which has been booked to go back on the Friday afternoon, so we have to stay here an  
2430 extra two nights in the hotel, at your expense, and we are unable to change our flights, as I say.

We fully support the amendment and would just suggest that perhaps we should review the dates, as per Deputy de Lisle's ...

Yes, sir?

2435 **The Bailiff:** You are giving way to Deputy Fallaize?

**Alderney Representative McKinley:** I give way.

**Deputy Fallaize:** I thank Alderney Representative McKinley.

2440 In view of the clashes that he is talking about between the meetings of the States of Alderney and the States of Guernsey, can I ask him whether the States of Alderney have given consideration to changing their meeting dates, in order that they can ensure that they are properly represented in the parliament of the larger Island?

2445 **Alderney Representative McKinley:** The simple answer to that is yes, we have and we are considering changing what has traditionally been a Wednesday night meeting to a Tuesday night meeting. But we will also have to change the People's Meeting to a week before that, because that traditionally has to be a week. Yes, that is in the offing, if this amendment fails.

2450 We are rather hoping it will pass, with a change possibly of some of the dates which Deputy Fallaize mentioned in his brief speech.

Thank you very much.

**The Bailiff:** Deputy Dudley Owen.

2455 **Deputy Dudley Owen:** Thank you, sir.

I was not intending, at all, to get up and speak, because I thought this was rather a benign matter, but some of the comments that have gone before have agitated me sufficiently to rise to my feet.

2460 I have just written down a few points that I would like to raise in relation to the amendment, compared with the proposal from SACC.

2465 Firstly, workload of Members. Looking at the list that has been put forward, of proposed dates, by SACC, with the three-week intervals, which do look like they are based on common sense principles means that Members, especially those of us on two Committees, with numerous subcommittees that we sit on as well, means that you can actually prioritise your workload and you can manage it an awful lot better. So I do like the list proposed by SACC, for that reason. It

also means that Committee meetings do not fall by the wayside, because of *ad hoc* dates, which do appear to be in the amendment more.

The family-friendly side of things is really important for me, as a mum with three children. It is what attracted me, actually, into the States in the first instance. It meant that I could see that the States was really trying to change and to get a more representative view of the community into the Chamber. They did this by putting their money where their mouth was, so to speak, and changing the dates and it has been interesting that, so far, those who have stood up and spoken against the SACC proposals seem, with all due respect, to be of a certain age, who may not have younger children.

I would be interested to know the views of other people – not ageist at all, there are older people with younger children as well! – in the Chamber with young family in this respect as well, to see whether it does impact on them, because the dates put forward, two of them, in particular, I have noted, fall on a Wednesday preceding a half-term. Now, the half-terms do not start on a Monday, the children break up from school on a Friday. So if you do have a States' meeting that overruns, on a Friday, if you are taking an evening flight out or an afternoon flight, once the children have gone – or a boat, indeed if they are running (*Laughter*) – then actually you are put in a very compromised position, because our duty and our commitment as States' Members means that we really must stay, we must vote. But equally so, as parents, effectively you are saying to your family, 'I am sorry, I cannot come.'

The comparison was made with a business. Well, in a business you would book your time out and your company, by and large, honours that time that you have booked out. Now, we cannot do that as States' Members. So I think that these dates really do allow us that flexibility, which is very important.

We lose 12 weeks a year, pretty much, in our economy, due to school holidays. To say that we should not arrange States' business around school holidays is a nonsense, in my opinion. Committee meetings still go on. The States does not stop in the background, just because we do not convene in the Chamber. We are all very busy during the school summer holidays.

The other point that I wanted to bring up: I am a Douzenier on the Forest and it is interesting to note that only three, I think, out of the 10 douzaines responded to Deputy de Lisle. I personally do not think that that is really a great indication of their interest in this matter and, certainly, as I go around to the Douzaines in the Western parishes, we spend between 30 and 40 minutes talking about the Billets and I do get representations from Douzeniers in the meantime. Whilst I know that some of the Douzeniers and Constables do like the old, traditional schedule, actually, it has not really changed. We do take a vote on whether we should change our Douzaine meetings. Forest Douzaine decided not to, but actually I think the Castel, the way that Deputy Dorey does it, sounds very sensible.

In regard to the point brought up by Alderney Representative McKinley, there is a fantastic new air taxi service – Flywaves? – I am sure there may be others available in the near future and I think that that would really help with Alderney air transport issues in the future.

Thank you very much.

**The Bailiff:** Deputy Lester Queripel.

**Deputy Lester Queripel:** Thank you, sir.

Sorry, I did not realise you were still speaking.

**Alderney Representative McKinley:** On the suggestion that we should use the air taxi ...

**The Bailiff:** I think Deputy Dudley Owen has sat down and you have spoken, Alderney Representative McKinley.

Deputy Lester Queripel.

**Deputy Lester Queripel:** Thank you, sir.

I will withdraw my apology in that case.

2520 I am going to support this amendment and I applaud Deputy de Lisle and Deputy Paint for laying it, despite Deputy Fallaize saying in the media that we have far more important issues to debate.

I think it is unfortunate that he chose to discredit the layers of this amendment in that way, because they have genuine concerns about the times that are set for States' debates and they are seeking to amend those dates.

2525 The issue of liaising with the Douzaines and of our being more effective, and other such matters, have already been alluded to by several speakers. I am not going to repeat those, but speaking as a Deputy who has had previous experience of the four years, in a previous Assembly, and after having the experience of operating under the revised dates in this Assembly, I much preferred meeting on the last Wednesday of the month. I felt it was far more manageable for me, personally, and I felt I could operate more effectively and efficiently.

2530 It could be argued, of course, that this is not about a Deputy's personal preference; it is about what is best to enable the States to deal with the issues that we have to deal with. But then that offers up the question: who is it we are actually talking about when we say 'the States'? The obvious answer to that question is that we are the States. Deputies in this Chamber are the States. So we are the ones who should decide when we meet and decide if we are comfortable with the meeting dates or not.

2535 I am not comfortable with the current meeting dates, which then offers up another question: should a Deputy expect to feel comfortable in their role? My answer to that question is yes, I think a Deputy should feel comfortable in their role. Because then they can do their job to the best of their ability. But if they are uncomfortable, surely, they cannot do their job to the best of their ability? I urge colleagues to bear that in mind when they come to vote, sir.

Thank you.

2545 **The Bailiff:** I think Deputy Paint has been trying to stand and, as the seconder of the amendment, I will call Deputy Paint.

**Deputy Paint:** Thank you, sir.

2550 I am very pleased to second this amendment, because what we have to live with, with these proposals, I know is causing much concern and distress to some States' Members and uncertainty to a lot of civil servants, who told me personally that their job is being made more difficult.

2555 Just before I continue, I support Deputy Brouard, because there are many lunar cycles. Also, Deputy Dudley Owen, I am an older grandparent. I have two grandchildren living at home. But I am also a politician and if the meetings were in July or August I would be happy to attend them. We are here to represent the public, no matter what time it is, no matter what month it is. That is the way I feel about it.

2560 Members of the general public who listen to debates have also expressed discontent because of the changes, saying that they do not have sufficient consistency on the days they are being put forward. The extra cost to the taxpayer and the Alderney States and Guernsey States is considerable. But, as we have heard so many times in this Assembly or by Members of the Assembly, it will cost what it will cost, where we should be looking at how we can cut that cost.

2565 We have spent six and seven-and-a-half days in debate, on occasions, in this room. Now, that cannot be cost-effective. We know we have future items to come before this Assembly, for example Island-wide voting. When we have short days like this, why can't this be put forward? It is quite simple, it should be all done by now. There have been years they have been trying to put it together, so I am sure there will be other matters, items that have to come on the agenda, which would be quite easy to do. Then that would send the agendas ...

I do not know if I should. I will.

2570 **The Bailiff:** Deputy Fallaize.

**Deputy Fallaize:** I wanted to support what Deputy Paint is saying. What he is referring to really, I think, is the scheduling which is proposed by the Policy & Resources Committee. It is not for the States' Assembly & Constitution Committee to propose the business which will be considered at each meeting, it is for the Policy & Resources Committee.

2575 Now, I would agree with him, that there already are occasions when the business before the States could have been spread out better. We could have debated one of the substantial policy letters for this meeting at the next meeting and that would have allowed a better spread of business

2580 But that does not really relate to the issue that we are considering here. It is a matter for the Policy & Resources Committee and I have written to Deputy St Pier about that and I am sure the Policy & Resources Committee, as we have more policy letters laid before the States, will use their powers to spread out the flow of business better.

2585 **Deputy Paint:** Sir, by what Deputy Fallaize has said, through you, I accept that it is not SACC who are responsible for this. But surely SACC could say to the Policy & Resources Committee, 'We would like this progressed,' or 'We should be progressing this'? Particularly when there are days that we were not in more than half days. Things are not being worked very well.

2590 The loss of seven Deputies in this room has also had an adverse effect on the time Deputies have to spare to obtain understanding of States' business. This is done, generally, by presentations. We attend presentations. We attend private meetings. All of which takes a lot of time. So, by the loss of these Deputies, we have less time to go through this.

2595 The general public want to see us. On many occasions we get phone calls and we have to meet them. They are the people who put us where we are. We have traditionally, as Deputies, spoken to the general public and continue to do so. That is part of our tradition, not just Government, as they do somewhere else.

I would like to see improvement. We all need to make improvement. But I do not like changes just for the sake of change. Which, it occurs to me, is what is happening in many cases.

2600 We are continually being bombarded – and I mean bombarded – by possibly unnecessary changes. Okay, we have got to vote them through, but many of them are unnecessary and this, I believe, is one of them.

If we can go back to monthly meetings, as Deputy de Lisle has put forward, and myself, we can get a lot better management and cover everything we have to cover as States' Members.

Thank you, sir.

2605 **The Bailiff:** Deputy Green, then Deputy Brehaut.

**Deputy Green:** Sir, thank you very much. I cannot support this amendment.

2610 A number of Members keep on talking about the fact that if Deputy de Lisle's amendment is successful we will be reverting back to monthly meetings, but that is not actually what the schedule in his amendment, the wording therein, actually says.

2615 I think we need to be clear on that. There are some matters I want to ask Deputy de Lisle to respond to when he sums up at the end. But before I do that I think the issue of principle here is this: deciding the States' schedule of business should not really come down to the personal preferences of individual Members, nor, members of the civil service, either; the correct approach, in my view, is to consider what is the best schedule, in order to get the right flow of business.

2620 I do not think there is sufficient need to amend or adapt or reject what SACC are actually proposing in their policy letter. I think they have got it broadly right and I would suggest, just having heard what the seconder of the amendment, Deputy Paint, has said, to vote for this amendment would actually be change for change's sake.

The actual question that I want Deputy de Lisle to consider is this: in the debate so far, there has been a lot of discussion about what we do in States' meetings and the focus so far has been almost entirely on debating policy letters, but that is not all we do. Probably one of the most important aspects of States' meetings, which perhaps we need to make better use of, is the asking of questions. We also have the giving of statements by Ministers, or Presidents, as well.

So the question to Deputy de Lisle is this: on his revised schedule, if his amendment is successful, does he think that the degree of parliamentary scrutiny applied to our Presidents of Committees is going to be any better on his revised schedule, meeting, as he would say, every month? Or does he think that the existing schedule is better for parliamentary scrutiny, when we meet on a more regular basis?

I would suggest that the SACC proposal is better and more consistent with effective parliamentary scrutiny than his revised schedule. I would ask him to consider how somebody looking at this from the scrutiny perspective should actually assess his amendment.

I endorse, entirely, what Deputy Dorey said about the Castel Douzaine. I think we have got the balance right there. From the conversations I have had with Douzeniers in the Castel, I do not detect any great feeling that their views are not being communicated to Castel Deputies. That is just not an issue, from the feedback that I have heard.

I think we do need to analyse the details of this amendment. I do not think we should be shying away from that. I may be wrong, but from what Deputy Ferbrache seemed to be saying, he seemed to suggest we perhaps should not over-analyse the wording; but I think we should. I think if you do that, inevitably it will be found that this amendment comes up short.

The final point is the point about the way we used to schedule our business. In the policy letter, there is mention of the adjournment days that we used to have. It is paragraph 3.4, where there is some discussion there in the policy letter about the old arrangements, Deputy Lester Queripel talked about his experiences of a previous term, the previous four years, my experience of that time was that when we got to a stage where it was quite clear that the States did not have sufficient time to finish its business and we would have to adjourn to another day, possibly two weeks hence or otherwise, what would happen was a very unseemly kind of Dutch action with Members popping up and putting in their tuppence worth about the fact that we should go to a Saturday, or we should go to the following Wednesday, or we should go to the following Wednesday after that.

It did not work. Adjournment days are not necessary. That is why we made the changes. That is why SACC made the changes and the States endorsed them earlier on.

So I think this amendment is change for change's sake and I do look forward to Deputy de Lisle's answer, because I think reverting to his schedule would be bad for parliamentary scrutiny.

**The Bailiff:** Deputy Brehaut.

**Deputy Brehaut:** Thank you.

I was going to say it to Deputy Brouard, I do not care how many he has got, I am not coming to work on a unicycle. Or was it a lunar cycle? Sorry!

Deputy Paint is consistent, if nothing else. I remember when I was just newly elected onto the then Environment Department and one of the first things we did at that stage, when we were electing a new deputy minister, was to agree what time to meet.

At the time, Deputy Burford said that she had a young child and needed to be at home and do the school run and I said that I had two young children, so of course the hour at which we met, at the beginning of the day, was important because we needed to resolve things. What Deputy Paint said to me at that time, across the table, was, 'Get your private life in order before you decide to get involved in politics.' I think that is pretty much what he is saying here now.

Interestingly, when I was elected as a President and we were trying to arrange a time for our presidential meetings in the morning, the same thing occurred. Some of the Presidents wanted to meet quite early and I found myself sending emails saying – as you do a bit self-consciously

because you are aware that not everyone does have children – that I would like to meet at a certain time. I will not embarrass the person into blushes and identify them, but their response to me was, 'This Island will not forgive you your petty self-indulgences.'

For doing what? For ensuring that my wife can get to work and pay tax and care for people and pay Social Security? That I can contribute, that I can participate in politics? Just acknowledge the fact that families can get involved in politics?

There are still some attitudes – and this is a demographic thing here – this is a bit of a pendulum, you can see this debate. People of a certain demographic like end of the month meetings. People that lead busy lives, adapt and are used to leading full lives with young families, perhaps the new routine just may suit them.

This Orwell Doublespeak, which was: let us think of the staff, before we think of ourselves. People who want to – and it has been suggested, astonishingly – that we could meet at 7.30 a.m. ... There you are, Deputy Lowe supports that. Getting to Frossard House at 7 a.m. Deputy Paint is putting his thumbs up! Think of the staff? Why not? Let's get the staff in at 6 a.m. to get the papers ready for you, because successful men, presumably, have a little woman at home, somewhere minding the children and palming them off.

Seriously, it has been suggested that we could meet at 7.30 a.m. Business could be done by 12 o'clock and that would be us. That is just so silly.

Deputy Dorey approached me when I was newly elected and at that time he was canvassing to see whether the school holidays could be changed. I said to him then, look, I am not long elected, I do not want to get into politics and then start rejigging, having an influence when other families face the same problems and challenges. Why I support these dates is that it is, I think, politicians with younger children ... when their parents are in politics actually get a very rough time. No matter where you are, you will be approached with people. They never really get to keep the time with their mum and dad, like other families do, for lots of different reasons. Sometimes you never know quite when you are going to be approached or when you may have to have a difficult conversation when the child is on your arm. I think they deserve a break from it too.

Deputy Lowe said earlier there were 57 States' Members. At that time, there were 52 committees, as well, from recollection. The idea that we got business done, it was snappy and we moved on – anybody researching the States' meetings from the 1970's, 1980's, early 1990's, a lot of that work was things like buying washing machines for St Julian's Hostel, it was buying milk lines for the dairy, it was agreeing whether a roof tender could be approved. This Island has changed, the nature of decision-making has changed and the strategic issues, which frankly were neglected for long enough, are being addressed.

Now, anti-tank walls is a very good example, Deputy Fallaize. On that very note, by the way, is everyone filibustering just to ensure we can have a tank debate tomorrow, because we are not going to get out tonight, are we? But, on the issue of the tank wall, the requête, if Deputy Lowe is true to her words that we want to make snappy decisions, we do not want to be in here, do not sign requêtes that bring decisions back to this Assembly, when a Committee has a mandate to do it, they have the funds to do it, they have delegated authority, but no, we are going to be here for another day and I look forward to the debate.

**Deputy Inder:** Point of correction, sir.

**Deputy Brehaut:** I will stay on my feet to enable Deputy Inder, and I will give way.

**Deputy Inder:** I think, as we go through the sursis and the evidence I have got, I do not think you are making the right decision and I am glad we had a requête and I am glad we are bringing this to the States.

**Deputy Brehaut:** I gave way in the spirit that I was hoping it would not be abused and, sadly, it was.

2725 **The Bailiff:** We will come to the anti-tank wall later.  
Deputy Leadbeater.

**Deputy Leadbeater:** Thank you, sir.

2730 For the last, best part of an hour and a half, people have been sat at home listening to us debating about when we are going to be meeting. For the ones that have not fallen asleep, the rest of them must be thinking what on earth are this lot doing, just trying to decide when they are meeting? I do not think anybody during this debate is going to change their mind.

I know I am not alone. Deputy Meerveld has just handed me a note, it says:

I am sitting here listening to people debating when to debate. Please shoot me!

*(Laughter)*

2735 I would like to urge somebody to please stand up and invoke Rule 26(1).  
Thank you.

**The Bailiff:** Deputy Tooley.

2740 **Deputy Tooley:** I would like to apologise to Deputy Leadbeater; that is not why I am standing up.

I am standing to add my words of Deputy Dudley Owen and Deputy Brehaut. I, too, have a young family to balance with States and community work and other commitments. Because there are other commitments that we have to our communities, on top of the ones we have within the States and our families.

2745 Deputy Dudley Owen is quite correct when she states that it is easier to manage a regular, repeating pattern of meetings and that regular, repeating pattern follows through for our Committee meetings, for our subcommittee meetings and for the States' Meetings.

2750 Guernsey does not have particularly flexible child care. That is something I would like to see change in the future, but we do not have childminders who are available late into the night. We do not, in general, have breakfast clubs and pre-school clubs and those kinds of features. But, despite that, to my knowledge, those of us, those Deputies who have young families have not yet been the ones who have voted to not continue with meetings after 5.30 p.m. We have, generally speaking, been here in our seats until debate has finished.

2755 Nobody wants to, in any way, give the impression that those of us with young families are looking for an easy ride. My personal feeling is that I am not bothered about half-terms. It is difficult to get a family of five off the Island at any time, half-terms make it particularly difficult. I am not, from my personal perspective, bothered about whether we meet in half-terms or not. But it affects other people.

2760 Deputy Lester Queripel says that being comfortable with the arrangements is important to do your job properly. I am sure that is true and I am sure this amendment might give additional comfort to some. But it will make others less comfortable. How do we balance that? Is one Deputy's comfort more important than another's? I do not think we can balance it, so I think it is probably best to discount that comfort angle.

2765 Somebody, I think it was Deputy Brouard, said his diary worked in months rather than in three-week patterns. Well, my diary, I can turn each page individually. I do not know what the problem is with other people's that means they cannot turn three weeks' pages at a time. Perhaps I can direct him to the shelf in WHSmiths where those are available?

2770 I also wanted to say something about liaison with the Douzaines, because I do understand that is complicated, that Douzaine meetings are traditionally every four weeks; that people have signed up for those meetings knowing that it is once a month that they have a meeting where they meet with the Deputies and so on; the fact that this does not give enough time to discuss between the Douzaine and the Deputies what is on the Billet and so on.

2775 From my perspective, and I only have experience of St Peter Port Douzaine, what does not give  
enough time is the squashing in of the Billet to a meeting that is already packed with Douzaine  
work. Generally speaking, we have half an hour to discuss a Billet at a Douzaine meeting where  
Deputies are invited. We managed to fit it in in 50 minutes this week. But that, to my knowledge,  
is the first time since I have been in the States that that has been allowed to go beyond that 30  
2780 minutes. Trying to discuss this in 30 minutes – and for all we have some very empty meetings, we  
have had much fuller ones than this – is virtually impossible.

So the method of communicating between Deputies and Douzaines that Deputy Dorey is  
suggesting appears to me a much better way of doing things. There are better things to change,  
in order to make that working relationship work better than the schedule of States' meetings –  
much better things.

2785 I would like to see the Deputies and Douzeniers meet together, to have a meeting that is a  
Deputies and Douzeniers meeting, or a Douzeniers and Deputies meeting. I do not care which  
way around we put it alphabetically – rather than trying to shoehorn the business of the States,  
that is done in this Chamber, into a half-hour slot at the beginning of a Douzaine meeting, I do  
not think that is a useful practical use of anybody's time.

2790 Quite apart from anything else, it generally takes the Deputies more than half an hour to get  
there and back, to spend half an hour discussing what cannot be in any great depth what is in the  
Billet.

I just want to finish. I had an email this week, coincidentally, from a member of the public. Not  
about this issue. But she said this, and this is somebody who I know has considered coming into  
2795 the States. I know she considered standing at the last election and decided that she was not  
ready, although she is very actively involved politically within the Island. She said:

I have a question of a more personal nature for you: as a mother of young children, how do you deal with time  
management when it comes to States and Committee work? How does it affect your family life? Is it really possible to  
be a Deputy and a mum of young children?

Well, I replied her that, yes, it is. Please, do not make it hard.  
Thank you.

2800 **The Bailiff:** Deputy Gollop.

**Deputy Gollop:** Sir, I hope I am not one of these people who is affected by the lunar cycle like  
a werewolf!

2805 But I am affected by the monthly cycles and I want to remember the words, well, of Deputy  
Lowe, that I should be short, sharp, strong and concise – or whatever it was – and speak quickly,  
to the point.

This question has been rumbling around ever since SACC delivered the new Rules to the  
States. I think they kind of went through on the nod in the last Chamber, because we were so  
concerned about other issues that we did not necessarily foresee the consequences. Of course,  
2810 none of us knew if we would be back in the Chamber anyway, so it became a little bit of a 'Jam  
tomorrow' issue.

I do not sit on the fence because I do not particularly like the proposals from SACC or Deputy  
de Lisle's amendment. Of the two, Deputy de Lisle's amendment suits me better, but I do not  
necessarily want to be associated with the golden oldies because it would appear that the gender-  
2815 friendly, new generation States' Members are very much more progressive in aligning themselves  
with some form of change!

The problem relating to Douzaines. Not all of us are equal in terms of Douzaines or, indeed,  
with workload amounts. I do agree with Deputy Dudley Owen that some Members have a lot  
more sub-groups, Presidents' meetings, Committee meetings and others, and that clearly makes a  
2820 difference to your point of view.



I also would bear in mind that the Douzaines, some of us, or some Members here, not myself personally, are members of Douzaines and, if you are a Western Deputy, like my colleagues in front of me, they have four Douzaines to meet, up to 48 people, whereas others, perhaps representing St Sampson's, have a more cordial task of getting on with just 12 people. It varies.

2825 St Peter Port has, of course, the benefit of 20 Douzeniers and 11 Deputies; it used to be 13, and that of course means the meeting is somewhat constrictive and if we all talk too much it will go on beyond the half an hour allocated.

I know Deputy Mooney, in particular, who is the only Member currently who shares both roles in Town, has tried to resuscitate and develop community surgeries. But, although they have been successful, not all Douzeniers have attended and I think the endeavours that we heard from Deputy Dorey have not been as fully supported by the Douzaines in some other parishes as they could be, because I would agree that Saturday mornings, or some other time, would be a useful way for having extra dialogue. I think the meetings with the Douzaines are just there to look at major items or items of a topical nature.

2830 The reasons to follow the de Lisle line are really: the Douzaines is one reason; the second reason is surgeries, which I have identified, which are now much more random and, therefore, likely to be less reported in the media and supported by the public, because they are at least three-weekly, or in cycles with gaps; the third reason, as Deputy Lowe has indicated, to a degree, is court time, although perhaps people may want to, I will not say shoot me, but I am certainly in a minority here, but I believe that a time will come when we get out of our financial austerity, I do not know when that will be, to look at a separate States' Chamber for States' Members.

2840 We will only be following Jersey, in 1899, for example, and we do perhaps have a problem, in that we do not necessarily make the best use of our resources, because our other resources are a mile away in Sir Charles Frossard House. At least, in Westminster, Whitehall is only just a walk around the corner. We, perhaps, have difficulty where our parliamentary facilities and our Members' facilities are separated. That is a question for another day.

But the wider point about our meetings, Deputy Lowe has reminded us about the good old days and I remember that era too, one of the famous few. Back in 1997, we actually did lawyers' hours – perhaps not lawyers today. We used to come in at 10 in the morning and we would leave at 5 p.m. We had an hour less. We still had our two-hour lunch hour and we had 57 Members. In between, we went down to 47, and yet we carried on.

2850 Some of us spoke more than others, but in those days, you had a situation whereby, as Deputy Brehaut has reminded us, there were 30-odd items in many Billets, many of which were minor, for notification only really. But Members perhaps were quieter than today because, on the rare occasions in this Assembly we have had really big issues, like the Population and Migration Housing Law or the Island Development Plan, we have gone on for three or four days and almost everyone has spoken. Back in the good old days of the 57, usually about half never said anything. In fact, there were some Members who never said anything in a full term! So it was a different sort of Assembly. It only goes to prove that expert opinions from the executive to say the more you reduce your Members the less debate you will have are wrong.

2860 Now, when we look across the water to the States of Jersey, you have a situation there where, although they seem to be meeting a bit randomly at the moment, they generally have a two-weekly, fortnightly pattern, that SACC have informed us about. The Isle of Man Tynwald is a very complicated affair, but appears to meet weekly. Jersey, too, have more public, scrutiny type meetings than we do, although we are gaining ground in that respect.

2865 The Jersey system perhaps overdoes the luxury of questioning, but nevertheless I would argue, as Deputy Dudley Owen and others have said, we should have a greater role here for statements, which has been an improvement in the Chamber, and also for questions. Too often, there are only half a dozen people or fewer asking questions. So that is a reason for the more frequent Assemblies.

2870 My own view is that we would be better at having a core monthly pattern at the end of the month. We have fortnightly additions in busier months, particularly in the year leading up to the

election, when we tend to get an overload of business, or at the time when we regularly have to have, say Budget or policy or planning updates. Therefore, it does not quite accord with either SACC's proposals or Deputy de Lisle's proposals.

A fortnightly pattern would be better, because it would actually dovetail in more reasonably with Committees. For example, my Committee, the DPA, meets on Wednesdays, but it can be quite random to focus the open planning meetings and the normal committee meetings around a three-weekly cycle and that would apply too to Committees that usually meet on Thursdays. The situation we were in last year, regularly meeting on the Tuesdays, was extremely awkward.

There is a separate problem with Social Security and Policy & Resources in meeting and merging minds with the Budget and that is a bigger question that both Committees are aware of. Because of course half-term in October comes in the wrong place.

But I think we need to work around that in future in some way. I would say, given the current mixed level of business and the disengagement that is caused, perhaps, for the Island generally, for the Douzaines, for the surgeries and for the Committee structure, we would be better in the interim to move more to a monthly strategy and then look again in 2019 for a fortnightly move.

I also want to pick up the point on Alderney that was raised. A new, interesting airline concept was mentioned by one Member who is on Economic Development. Now, we do not know how that will pan out, but of course there is a certain keenness of the States' Members here to use, what is after all an Island airline named after a northern Island. I would also say that, bearing in mind the importance of the two Alderney Members attending all of the debates, that funding should be provided from either the States of Alderney or the States of Guernsey for them to come the previous night, especially given the occasional uncertainty of air transport between the Islands.

**The Bailiff:** Deputy St Pier.

**Deputy St Pier:** Sir, I wish to have another punt at 26(1), please?

**The Bailiff:** So, those Members who have not yet spoken who wish to do so please stand in your places.

One, two, three Members. Do you wish to go ahead, Deputy St Pier?

**Deputy St Pier:** Certainly do, sir. *(Laughter)*

**The Bailiff:** You do?

So I put to you the motion that debate be terminated. Those in favour; those against.

*Members voted Pour.*

**The Bailiff:** That one was carried.

So we go to the closing. Deputy Fallaize has already exercised his right to speak, so I go to Deputy de Lisle to reply to the debate.

**Deputy de Lisle:** Sir, in all this, we have to be fair and open to suggestions from outside, as well as from within.

Many of the complaints have come from outside, in terms of not feeling part and parcel of what the States are doing and it is very important that we are communicative and that we do engage, fully, with our community and the Douzaines are still an important part of that community connection and seek to have meetings at the end of the month.

In terms of the overflow of business, that Deputy Fallaize mentioned, business has quite often been moved, actually, to the next meeting, in many cases, from one month to another. He mentioned the date schedules, and he was talking about the summer recess, but when you look at

2925 the dates that I gave, there are 71 days of the summer recess and there are exactly 71 days of the recess of the SACC dates so I do not know where he gets this seven-week and 10-week. That is mathematics that perhaps, is the problem over there.

**Deputy Fallaize:** Sir, point of correction.

2930

**The Bailiff:** Deputy Fallaize.

**Deputy Fallaize:** That is quite obviously untrue –

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**Deputy de Lisle:** You keep jumping up like a rabbit, sir! (*Laughter*)

**The Bailiff:** He said he is raising a point of correction.

**Deputy de Lisle:** Oh, he wants to? All right.

2940

What do I tell my cat? (*Laughter*)

**Deputy Fallaize:** It is quite obvious. If the States have already decided when they will meet, in July 2018, the Committee is proposing that the next meeting after July should be September 5th and Deputy de Lisle is suggesting it should be September 26th. So, quite obviously, Deputy de Lisle is proposing a summer recess that is three weeks longer.

2945

**The Bailiff:** Deputy de Lisle.

**Deputy de Lisle:** I do not think so, sir.

2950

It is 17th July to 26th September, which is 71 days, and 26th June, in his scenario, to 5th September is 71 days.

**Deputy Fallaize:** Point of correction, sir.

2955

**The Bailiff:** Deputy Fallaize.

**Deputy Fallaize:** I do not understand how that can possibly be the case, because a year ago the States decided when to meet in July 2018. SACC is not proposing anything about July 2018. The date is the same under our proposals as it is under Deputy de Lisle's proposals. It is that he is proposing an extra three weeks' recess in September.

2960

**Deputy de Lisle:** I think you are using the wrong year's calendar.

But anyway, another point with regard to the Deputy's comments, he would like the December meeting to occur on December 19th, very close to Christmas. I do not know how many people will be around at that particular date, but it sounds to me to be too close for comfort. The 12th, obviously, is a far more preferable date, with respect to that.

2965

He speaks about cost-efficiency. Well, obviously, we have cut out two meetings. It is certainly more cost-effective. Coming in, constantly, for these short meetings that we have experienced over the past is not cost-effective in any shape or form.

2970

I thank Deputy Brouard for his comments, especially with regard to the Policy & Resources majority in favour and the fact that he has not found that the current cycle of meetings has been working to best advantage.

Deputy Lowe, I think also for her comments with regard to the changes made to make the dates family friendly.

2975

Deputy Ferbrache, for his comments with regard to common sense, establishing a regime which people can relate to. I think that is very important, not only ourselves here, but people

outside. We have got to be more effective in communicating as a States with the people that have elected us and with the organisations out there that are representing, also, the people, such as the Douzaines. Now, that is an important principle, actually, and we are failing in that particular area and the people are concerned that we make some changes. This is one way that we can do it. He also says it sets a general principle, and he is absolutely right, to bring back a degree of order.

Deputy Smithies makes, also, a number of points. A move in the right direction, he feels; an opportunity to revisit the matter. We should not be afraid, as States' Members, of a simpler calendar from a more complicated one and an attempt to retain the school holidays. Also, he brought out the fact that the Vale Douzaine were very supportive of the changes being proposed in the amendment.

Deputy Dorey was full of the Castel meetings. They seem to be meeting all the time, on Saturdays, weekends and sometimes they meet three times a month when there are so many meetings going on that nobody really knows where they are at! *(Laughter)*

But my information is that they do not get too many people coming along to the frequent Douzaine meetings.

**Deputy Dorey:** Point of correction.

**The Bailiff:** Deputy Dorey.

**Deputy Dorey:** Deputy de Lisle does not attend the Castel meetings. I can assure him we do get a good turnout. I think it is totally wrong for him to comment on an organisation that he does not attend.

Thank you.

**A Member:** Hear, hear.

**Deputy de Lisle:** I move on to Alderney Representative McKinley. He speaks of the concerns that they have in the current three-weekly meeting agenda. He speaks of the fact that he is not able to attend Alderney meetings because of the frequency of debates over here and also speaks of the transport links difficulty when, in fact, they lose a lot of time, having to hold over here for three days or three nights when, in fact, the meeting only actually continues for half a day or less.

I appreciate the fact that he brought those points out, which is certainly a frustration with the current connectivity problems between Alderney and Guernsey and the difficulty of actually changing one's reservations from one time to another.

Deputy Dudley Owen mentions a number of points as she wants a family-friendly organisation, schedule of meetings. I think that is something that has been attempted here. She also speaks of the Douzaines and, of course, her Douzaine have replied and unanimously have stated that they would like to see the change that is being offered by the amendment.

Deputy Queripel, thank you for your support. He has genuine concerns –

**Deputy Dudley Owen:** Point of correction, please, sir.

**The Bailiff:** Point of correction, Deputy Dudley Owen.

**Deputy Dudley Owen:** It cannot be unanimous, because I was not actually there that day, when the Douzaine gave their opinion.

**The Bailiff:** It could have been unanimous of those present.

**Deputy de Lisle:** I think it is up to the Deputy to see that she attends regularly! **(Several Members:** Ah!) Thank you for the acclamation!

Thanks go to Deputy Paint for supporting the amendment and seconding it and for stressing his concerns about stress and uncertainty and the fact that civil servants are being put out as well, with regard to this new schedule of meetings. He also speaks of the need for cost-cutting measures and the fact that the current way of going about business is not cost-effective.

Deputy Green asked a question with regard to the parliamentary scrutiny and improvements there. Well, perhaps the answer there is for more Members to bring in questions, actually, because few Members use the process of Written Questions, which does exist. Answers received can be quicker than the oral questioning. Written Questions are also published, with answers, at the Greffe and online, which facilitates, actually, communication again for the general public. That is an important part and parcel of parliamentary scrutiny and privilege.

Deputy Brehaut spoke of self-indulgences and of course most of the criticism has come from outside, actually, with regard to this. So it is not really self-indulgences, it is more communication with the general public.

Deputy Tooley spoke of balance and perhaps had her concerns with a young family, but the St Peter Port Douzaine has of course written in favour of changing the dates and they expressed concerns that they feel they are outside what is basically going on and have little communication, as a result, with the States.

Deputy Gollop preferred the change that is being suggested in the amendment, to move to monthly meetings and he was concerned with what he heard from the Alderney Representatives, in terms of their difficulty in attending on a three-weekly cycle.

Sir, I would like to close with a few general comments, just to round up. I would like to thank everybody for their participation and allowing this very important subject to come up, because it is frustrating a lot of people and, as I have said before, we have to communicate far better with the public outside of this Assembly.

The amendment then aims to revert back from September 2018 to what I call a traditional cycle of meetings, but it is the meetings at the end of the month, essentially and this, rather than continuing with the current three-weekly cycle of meetings. The amendment takes into account, as far as possible, the anticipated dates of school terms and school holidays.

It is more cost-efficient than continually meeting for a few hours at a time and also it does drop a couple of meetings and that is an enormous saving. If you count up the cost of one meeting here, it is quite major.

We should be looking at all efficiencies that we can make, at a time when money is so tight. It reduces the number of meetings and releases the Royal Court. It gives more time for Deputies to meet with constituents in their districts on key issues and it brings back engagement and input from the parish Douzaines, currently excluded as they meet on the last Wednesday of the month.

So, for all those reasons, sir, I would like Deputies to support the amendment.

Thank you, sir.

**The Bailiff:** We vote, then, on the amendment placed by Deputy de Lisle, seconded by Deputy Paint. (**Deputy de Lisle:** I would like a recorded vote, please, sir.) With a recorded vote.

*There was a recorded vote.*

3070 *Carried – Pour 20, Contre 17, Ne vote pas 2, Absent 1*

**POUR**

Deputy Prow  
Alderney Rep. Jean  
Alderney Rep. McKinley  
Deputy Ferbrache  
Deputy Kuttelwascher  
Deputy Gollop  
Deputy Parkinson  
Deputy Lester Queripel  
Deputy Mooney  
Deputy Trott  
Deputy Le Pelley  
Deputy Stephens  
Deputy Meerveld  
Deputy Inder  
Deputy Lowe  
Deputy Smithies  
Deputy Graham  
Deputy Paint  
Deputy Brouard  
Deputy de Lisle

**CONTRE**

Deputy Soulsby  
Deputy de Sausmarez  
Deputy Roffey  
Deputy Tindall  
Deputy Brehaut  
Deputy Tooley  
Deputy Le Clerc  
Deputy Merrett  
Deputy St Pier  
Deputy Fallaize  
Deputy Laurie Queripel  
Deputy Hansmann  
Rouxel  
Deputy Green  
Deputy Dorey  
Deputy Dudley Owen  
Deputy Yerby  
Deputy Langlois

**NE VOTE PAS**

Deputy Oliver  
Deputy Leadbeater

**ABSENT**

Deputy Le Tocq

**The Bailiff:** Members, the voting on the amendment proposed by Deputy de Lisle, seconded by Deputy Paint was 20 in favour, with 17 against and two abstentions. I declare it carried.

We move to general debate, if there is anything that can be said that has not already been said.

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**The Bailiff:** Nobody is rising in general debate. Oh, Deputy Le Clerc.

**Deputy Le Clerc:** Yes, sir, I would just like to rise to say that SACC will have to come back with an amendment, because we will need to insert 7th November, or else we will not be able to debate our Uprating Report in 2018.

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We cannot do it a month earlier, because we have been asked by Policy & Resources to debate part of that Uprating Report with the Budget and they are not prepared to bring the Budget forward.

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**The Bailiff:** Deputy Tooley.

**Deputy Tooley:** Sir, I would just like to add to debate that I am very much hoping that we will see an amendment to this, because I am not sure how we face the public, going outside, saying that what we have effectively just voted for – it is not over – a nine-week recess for the States across the summer. **(Several Members:** Hear, hear.)

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I have no concept of how we can look the hard-working people of Guernsey in the face, when we are talking about we are leading by example, when we have just voted for a nine-week recess for the States.

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**The Bailiff:** Deputy Lowe.

**Deputy Lowe:** I would be more than happy to put an amendment that we come in August. No problem about that.

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I think we should come every month. I do not actually think we should have that period off. We have a long period off before Christmas, right through to the New Year. So, if Members are looking for us to come in more, I am happy to put in an amendment for August.

But meetings must be meaningful. I do not actually like these meetings where they are not meaningful because you come in for half an hour or an hour. That is not making good use of time.

3105       **The Bailiff:** Deputy Laurie Queripel.

**Deputy Laurie Queripel:** Thank you, sir.

I think we need to address this point and Deputy Lowe raised it in her speech, about the recess, whether it is eight weeks or nine weeks. I think the public might be starting to get a  
3110       perception that those are nine weeks or eight weeks off. They are not eight or nine weeks off.

During that last recess, sir, I had one day in Jersey. That was my holiday. I still went to Committee and panel meetings. It might explain why I was the only attending! We had a very good meeting, all my points were accepted! *(Laughter)*

Nonetheless, I still went to Committee and panel meetings. I still did all the reading I had to  
3115       do. I assume I am talking on behalf of other Members of the States as well, sir. I still had correspondence exchanges with Islanders, on email and phone calls, and I still did all my constituency work.

In fact, if I said to my parishioners, 'Look, I know I am dealing with your case, but I am taking eight weeks off from progressing your case,' they would not have been very happy with me.

3120       Everything else goes on, except for the States' meeting, sir – all the constituency work.

Sorry, I give way to Deputy Roffey.

**Deputy Roffey:** I am confused.

Are we carrying on with this debate? I really wanted to respond on behalf of SACC, but it got  
3125       guillotined and, now we have had a vote, the debate seems to be continuing. I am utterly confused.

**The Bailiff:** We had a vote on the amendment; we are now in general debate.

3130       **Deputy Roffey:** Ah, okay. Fine.

**Deputy Laurie Queripel:** You see, Deputy Roffey is tired already, sir, and confused!

My point is, sir, we must make it clear to members of the public still listening – and hopefully the media will not censor me and they might include this in their reports – but States' business,  
3135       everything goes on except for States' meetings: constituency work, Committee meetings, panel meetings, correspondence, it all carries on.

Thank you.

**The Bailiff:** Deputy Roffey.

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**Deputy Roffey:** So, in general debate, sir!

It was said several times during the debate on the successful amendment that, even though some of it might be a bit of a Horlicks, as far as the dates are concerned, SACC can go away and come back with amendments for that. I really do not think we could.

3145       The reason that we come forward one year in advance is to allow every Member of this Assembly to be able to plan when they will be off-Island, when they can take on other commitments on-Island, because they want to prioritise States' meetings.

The States, assuming they vote in favour ... I am going to vote against these amended Propositions, because I think they are so ludicrous, but as soon as we vote in favour, we have  
3150       approved those dates for September 2018, through to July 2019.

There are two different issues, I think, that are being discussed here – two utterly different issues. Whether or not it is a good idea to move back to a monthly cycle of meetings and whether

the schedule of dates put forward by Deputy de Lisle comes anywhere near doing that in a sensible, workable, possible way. They do not.

3155 The reason I was hanging back in the debate on the amendment is because my President had come in early and was almost castigated for it by Deputy Ferbrache. How dare he? He analysed things, he used his intelligence, he picked up on the problems. Cannot do that! Mr Trump there, sir, we just have this sort of gut feeling, we just do it by Twitter! (*Laughter*)

3160 The fact is that when you analyse this it is utterly, utterly unworkable. That does not mean you cannot go back to a series of monthly meetings. Personally, even though I cede not a jot to Deputy Lowe or Deputy Paint or anybody else for being the curmudgeonly old person that says everything was so much better back in the golden oldie days ... In fact, I go back to 82, when we actually had a tea lady, instead of that machine out there; when Billets came out with numbered pages, before I read about things in the media, because I cannot absorb things from a screen.

3165 But the world moves on. To be honest, I really do, even those who want to go back to a monthly meeting, at least if we vote these out today, we have a lacuna. We are sending a signal to Members of the States, do not go and book to be off-Island next September, on the basis of these dates. Do not book to see that meeting with the MSG on a particular date, because we do not yet know when we are going to meet.

3170 But if you really want to vote these through and then expect the SACC to come back, three or four months' later, maybe January next year, and change them all again, then I think we will be in a complete pickle, because you have the right to believe what the States votes today.

I think I am probably whistling in the wind here. I think you are going to approve these. I tell you what Deputy de Lisle said, 'We have tried this for a year and it has not really worked out.'

3175 Okay, let us try this system for a year. Let us try it. If you confirm them today, then they are confirmed and, okay, there may need to be a technical amendment, because of the Uprating Report, but I think if you actually want to confirm them today, they have been in front of us for long enough, the amendment has been before us for long enough, you have had time to consider it. But I think it is going to be a complete dog's breakfast.

3180 As for Alderney, I remember Dorothy Leach complaining bitterly when we had spill over dates. The one thing I think SACC will have to do, if you approve this, is bring back a change in the Rules to actually have spill over dates in the middle of the month.

3185 No? Okay. Then we will not. If that is the way you are feeling, if you really want to be half way through a debate and adjourn it for five weeks, which it often is between the end of one month and the end of another, then that is what is going to be.

This Assembly is going to come into disrepute.

I love going away in January and I love going away in September, so these dates suit me down to the ground. To use Deputy Queripel's comment, I am really comfortable with them in my personal lifestyle. But, you wait until they are tried. They are, 'silly' is probably not a parliamentary word, they are going to be utterly tending to bring us into disrepute.

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There you go, maybe we live in interesting times!

**The Bailiff:** Deputy Soulsby.

3195 **Deputy Soulsby:** I was prevented, through the guillotine, from speaking under the amendment, so I thought I would explain to Deputies, hopefully convince them to change their mind, about the reason why I voted against the amendment.

Now, I voted for the new system and, at times, have questioned whether it was the right thing to do. As Members might get, I have quite a busy diary with the mandate I have, with Health & Social Care. But I have learned to live with it and work around it.

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It is not wrong; what we have got, what we have been working in the last year or more is not wrong, it is different. We have adjusted to it and I think most people around here, they know when they are meant to turn up.



3205 Deputy Green, I understand, talking about scrutiny and saying this would make better scrutiny. I do not see it necessarily better, but what it does mean is that the scrutiny is more visible and the public will be hearing that scrutiny. From that point of view, that visibility, actually hearing scrutiny happen in this Chamber, is really important.

3210 I just think this is a backwards step. I have one of the busiest mandates, as I say. I do not want the violins coming out, but I have a very busy diary and I just think it is surprising how so many people wanting to go back to having fewer meetings and one at the end of every month are not those that actually have the biggest mandates in this Chamber. That is just one point.

3215 Deputy de Lisle talks about the Douzaines, at least three of them, saying they would like to go back to the old ways. Well, I have found, when we used to have the old system, you would turn up to a meeting of a Monday night and, instead of being asked about what was in the Billet of that week, you were asked what was the Billet of the following month, because that had just been published. That never worked, really, did it?

3220 Onto cost. Deputy Paint referred to cost and I think Deputy Lowe did, about the cost. Well, actually, what extra costs are there to us having these meetings? I cannot think of anything. We do not have any resources. We basically do things ourselves. It is our resources that are being used. All the actual costs there are, are fixed. Basically, we are making better use of that time, if you actually think about it. I have heard nobody actually reference what those extra costs are in real terms.

3225 We should let this settle down, the system we have got at the moment. Frankly, I do not like either of them, because both of them mean that I will be sat here on my birthday! That aside, I would urge people, if they are wavering, they were not too sure and thought, 'I will vote against and we will see what it is like,' to stick with what we have got, because I think the message this puts out, going back to the old ways, having fewer meetings, having longer holidays – it is bad enough at the moment, but you wait, we will have it – why aren't we here?

3230 **Deputy Parkinson:** Point of correction, sir.

**The Bailiff:** Deputy Parkinson.

3235 **Deputy Parkinson:** The system we have now is not an option that is now on the table. So people cannot vote for it. The Propositions that SACC brought forward ...

**Deputy Soulsby:** I understand what Deputy Parkinson is saying, but we can vote the current Propositions down and that is what I recommend people do.

Thank you, sir.

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**The Bailiff:** Deputy Dorey.

**Deputy Dorey:** I will be very brief.

3245 I cannot vote for these amended proposals. What it would result in, when the States meets on 26th September 2018, it will be discussing policy letters that were submitted in a three-week period from, roughly, the middle of June to the beginning of July.

3250 When they meet on 10th October, and that is supposing P&R pick up all the policy letters that have been proposed, they will be looking at policy letters that were submitted from the beginning of July into the second week in September. That is over a 10-week period. So that October meeting is likely to be extremely busy.

We are going to have to add in another meeting, one after a Budget, so you have been misled by saying that it is only 11 meetings, because it will be 12.

But that October meeting will be overloaded, so that they will have to hold policy letters back and, in that part of the term of the States, we tend to get a lot more business and we will just

3255 build up with policy letters which have not been debated and Committees will get frustrated with the fact that there has been such a delay on debating policy letters.

I will urge Members to reject these amended Propositions, because I believe they are unworkable.

3260 **The Bailiff:** Deputy Merrett.

**Deputy Merrett:** Thank you, sir.

I also rise, as I was guillotined on the previous debate on the amendment.

3265 Deputy Paint said, I cannot remember his exact words, but I think they were, 'We represent the people of Guernsey'. I would like to add something to that. Parents – and I use the word 'parents', not mothers; mothers *and fathers*, traditionally it takes two to tango – we are the people of Guernsey and our children are the future of Guernsey and all workplaces should consider family-friendly policies.

3270 I am going to define 'family friendly'. Again, it is not about being a mother. You can have dependents who are elderly, you can have dependents who are sick, or you can have dependents who are young. I really do feel it is a massive area of our economy that is massively under-utilised.

3275 But that is not the clincher for me, sir, not at all. The clincher for me is the flow of business. How quickly policy papers can be debated by the States, how quickly decisions can be made and I would happily move to more frequent than three weeks, if necessary, because I think issues should be debated as quickly, decided as quickly as possible, so that we can actually move on as quickly as possible.

Thank you, sir.

**The Bailiff:** Deputy Parkinson.

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**Deputy Parkinson:** Sir, we are in danger of re-running the debate on the amendment.

3285 Twenty Members of this Assembly just voted to return to a monthly cycle of meetings and I would urge Members not to follow Deputy Roffey's example to vote against these Propositions, because I think the view of the majority, taking account that two Members abstained, should be respected.

There is, undoubtedly, an aggrieved minority in this Assembly, who would have preferred to continue with the system that has operated for the last year. I am sorry, but this has to be decided by a democratic process and that decision has been taken.

Voting against –

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**Deputy Tindall:** Point of correction, sir.

**The Bailiff:** Deputy Tindall.

3295 **Deputy Tindall:** That process has not been taken.

We are in general debate. We have an option, as Deputy Soulsby put it to us: we can either vote on the amendment or we can vote against.

3300 **Deputy Parkinson:** Be that as it may, some Members have had to leave the Assembly for business of the States reasons and they would be right in thinking that the vote has been taken on whether we return to, generally speaking, a monthly cycle.

Members can vote the amended Propositions down, which just leaves us with no schedule for next year at all, but I do not think that would be a sensible way forward and the clear view of a majority in this Assembly is that we should return to a monthly cycle.

3305 I think, regardless of a Member's own personal preferences and circumstances, that should be respected.

Thank you, sir.

**The Bailiff:** Deputy Paint.

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**Deputy Paint:** Sir, I would just like to point out a couple of things here.

We are States' Members, we are employed by the people of Guernsey. If you were working in any other industry, you would have to turn up at the time you were told, not the time suited. Whether you are male or female, it does not matter. There are no gender issues here.

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So why should we be different? That is the question you should be asking yourselves – all of you that voted against this.

We can be fair and we want to be fair. But, hang on a minute, we have got a job to do. We are being paid to do a job.

Thank you, sir.

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**Deputy Gollop:** Sir, I appreciate there are some hard feelings in all of this.

I am relatively neutral, either way. I put it this way, under the old system that we have heard a lot about today, from Deputy Lowe and others, we had a scenario where it was changed and changed and changed again, but in the latter stages of it we met all day Wednesday, all day Thursday, potentially all day Friday, which is three full days and then, I believe, we then had to set another date to be cover, ideally two weeks' hence, although that was not always possible, because it was August or other reasons.

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I voted to return monthly for a number of reasons, but I, like Deputy Merrett, think that we will eventually move more to a fortnightly system. So my advice to the States, as one of the longer-serving Members, because we will continue with the current dates until next summer, is to support the amended policy letter, as Deputy Parkinson has pointed out, and to allow SACC time to consult and consider whether to revise, further, dates down the line to accommodate not just only the Budget process but the fact that, at some times of the year, when it is not half-terms or school holidays, we could go to a fortnightly system, two meetings a month.

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Deputy Lowe organised our Christmas lunch, we always met two weeks after our November meeting. Now, it was often the Budget meeting, or the December one. We could combine the meetings in those days. Why we cannot show more flexibility and the common sense that Deputy Ferbrache alluded to earlier, and come up with a system that is initially monthly, builds in the possibility of fortnight meetings, when we can see three months ahead.

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Under the old system, we were supposed to set aside the following fortnight anyway.

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**The Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** Sir, I would like to invoke Rule 26(1), before I really do lose the will to live.

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**The Bailiff:** Anyone who has not spoken who wishes to do so, please stand in your place. No?

Well, we will go straight to the closing of the debate, then as nobody else wishes to speak. Deputy Fallaize.

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**Deputy Fallaize:** Thank you, sir.

The whole purpose of bringing this policy letter to the States at this time of the year is so that Members have a reasonable period of notice in relation to when the States will be meeting.

So my view of it is that, amazingly enough, the States have spent two and a half hours debating, in the main, Deputy de Lisle's amendment. But I think the States had all the information before them when they had the debate on the amendment. All of the advantages and disadvantages of the two schedules were set out and the States have made the decision they have made. Now, I think the States have made an extremely silly decision. But that is not the first time the States have made an extremely silly decision. I think it would be a bit churlish for me to say

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vote the whole thing out or let us try and engineer some way that we can re-debate it again in a month's time or in six months' time.

September each year is when the States debate their schedule for future States' meeting dates. We have done that. The Committee laid its policy letter with the Propositions it believed were correct. Deputy de Lisle, as is his right, laid an amendment, with an alternative set of dates. I and other Members tried to tear his amendment apart and did not succeed. The States, by a majority, supported his amendment and, as far as I am concerned, that is the end of it. One just has to accept that on this occasion the Committee lost.

The last debate, the position I was advocating with others, over College funding, won. That is just the way it is. I do not expect those Members who lost over College funding now to say, 'Well that was no good, we are going to have to come back next month and do it all over again'. The States have effectively decided they prefer Deputy de Lisle's schedule to SACC's schedule. I respect that and I accept it.

Now, I think the flow of business will be a real problem. I think the absence of adjournment dates will be a real problem and I think having six States' meetings a year, which are within a fortnight of other States' meetings will also be a problem.

I think the schedule will end up being unpopular. But there is no point SACC considering another alternative schedule. If the Committee is to come back to the States it is going to propose exactly the same dates which it proposed at the start of this debate, because they are the dates that the Committee, after a lot of consideration, thinks would be the correct schedule.

Look, we had a debate and democratically the amendment passed, by 20 votes to 17. The side I was on lost. End of story.

In relation to the Uprating Report, I will be recommending to the Committee that we do not come back to the States and propose changing this schedule again. There is a States' meeting which is going to be held now on 24th October 2018 and that is the date when the Uprating Report can be debated. The Policy & Resources Committee is the Committee which wants the Uprating Report debated with the Budget and the majority of the Policy & Resources Committee just voted for a schedule that does not allow that to happen. As I have to live with the consequences of their decision, they have to live with the consequences of their decision and we will have to have the Uprating Report debated on 24th October and the Budget debated on 6th November.

As my gran used to say, you made your bed, you lie in it. As far as I am concerned, that is the end of it, so let us just vote on the Propositions, accept this is the schedule and move on to the more important matter.

**The Bailiff:** We vote then on the Propositions, which I remind you, as Deputy Fallaize has just said, are the amended dates set out in the Deputy de Lisle/Deputy Paint amendment.

Those in favour; those against.

*Members voted Pour.*

**The Bailiff:** I declare them carried.

**ENVIRONMENT & INFRASTRUCTURE COMMITTEE**

**XI. Proposals for the partial removal of the Anti-Tank Wall in the Eastern part of Pembroke Bay (L'Ancrese East) and the managed re-alignment of the Coastline in this area –  
Debate commenced**

**The Deputy Greffier:** Article XI, Committee for the Environment & Infrastructure, proposals for the partial removal of the anti-tank wall in the eastern part of L'Ancrese Bay and the managed re-alignment of the coastline in this area.

3405

*Article XI.*

*The States are asked:*

*1. To endorse the proposal to implement the managed re-alignment ('Option 7b') of the coastline at L'Ancrese East as set out in Section 7 of this Policy Letter and described in Section 6, Volume 1 of the report Guernsey Coastal Defences prepared by Royal Haskoning Dhv.*

*2. To note that the Committee for the Environment & Infrastructure does not have a mandate for the provision of facilities.*

*3. To agree that the preferred option for the provision of facilities at L'Ancrese East, including the approval of extra funds if necessary, is as detailed in Section 9 of this Policy Letter:*

*i. Option (a) - Remove the toilets and kiosk and do not replace.*

*OR, only if Proposition 3(i) shall have been defeated,*

*ii. Option (e) - Remove the toilets and kiosk and replace by a public/private partnership.*

*OR, only if Proposition 3(ii) shall have been defeated,*

*iii. Option (d) - Remove the toilets and kiosk and replace by the States of Guernsey*

*OR, only if Proposition 3(iii) shall have been defeated,*

*iv. Option (b) - Protect by design, using a larger revetment structure and extension of the rock revetment to protect the toilets and kiosk.*

*OR, only if Proposition 3(iv) shall have been defeated,*

*v. Option (c) - Protect by design (extension of the rock revetment to protect the kiosk), using an extension of the rock revetment to protect the toilets and kiosk.*

**The Bailiff:** Deputy Brehaut, the President of the Committee, will open the debate.

**Deputy Brehaut:** Thank you very much, sir.

3410 It is a slightly depleted Assembly. Interestingly enough, when I attended the presentation on College funding, I know the proximity of this building was probably a factor, but 33 States' Members attended to get a sense of the proposal from the Colleges. E&I have gone to some measures to try to reach out to Members of the Assembly and other than members of E&I, 16 of you have attended presentations.

3415 I know we can joke about the tank wall, it is not the most important thing in the world but I think it really is – with the level of expenditure and with the fact of the environmental benefits that gives – something that really does need very careful consideration, even at this very late hour today.

3420 Sir, in November 2015, I stood at the base of the anti-tank wall explaining to a *Channel TV* reporter why the wall needed to be removed and the beach realigned. It was a live interview and Mr Bourgaize from Festung Guernsey put the case for the wall to remain.

3425 The discussion at that time focussed on the anti-tank wall, as the fact it was an anti-tank wall was still making news. Before then it had been a sea defence. A partial collapse of the slab in front of the kiosk, in 2014, and the continued degradation of the wall meant action had to be taken. I say that, because that was 2015. So there has been a long, lead-in period. The impression given sometimes is that we have now decided late in the day to take action, when actually we have arrived at a place after a great deal of consideration.

In a short period of time, a great deal has changed. That is to say, some who were supportive of the project, yet understandably nervous about the changes, are now strongly opposed. We have moved from a type of acceptance to real opposition to the proposed changes. So from, 'The wall should go,' and, 'Let us think about how we can protect the kiosk or even re-site it,' we have moved to say, 'Save the wall. Save the kiosk. Save the Bay,' and of course, 'Save some money.'

Yes, too right, I would like to save the Bay and I would like to save some money too. E&I were asked to produce the Report, because a requête was placed to ensure that we did. Despite my aside earlier, I actually welcome the Requête, because it is £1 million of expenditure and I think it does give this Assembly peace of mind and it certainly helped me to do a little bit more research to understand exactly the context for the wall.

However, having produced a States' report, and in the absence of an amendment that would find a majority by those who opposed our proposals, we are now told that a sursis may be laid, or a re-drafted sursis may be placed, despite the fact that we have honoured the will and the spirit and the intention of the Requête.

What E&I, and the Environment Department before them, have tried to do, and actually I believe we have, is clearly articulate the case for change, the case for future savings, the case for restoring the Bay, as well as looking forward to how the beach and amenities could look, were we to remove the anti-tank wall.

Some groups and organisations are opposed and have lobbied all of us to retain the wall. The Vale Commons Council is one of those groups. In fact, through the Education, Sport & Culture Committee, they circulated a letter to Members that informs us that, following a tripartite meeting of the VCC, the golf club and the States of Guernsey, it was resolved to strongly oppose the plans. Well, I was in attendance at that tripartite meeting, as was Deputy de Lisle. I made the case for change and Deputy de Lisle said he thought it would be more appropriate for money to be spent on flood risk along St Peter Port seafront, rather than on the wall.

The representatives of the golf clubs and the VCC members are all golfers too and they wanted room for the wall to remain. I make that point, because the VCC, are a small body of people, and the main focus, obviously, for their deliberations is the continued success of the golf club and the benefit it brings to the golfing community.

We were actually sent a letter from the golf course management team, or company. The letter from them asked that we do not remove the wall. But weeks later it adopted the tone that reflects the concerns of the Vale Commons Council in a more direct manner. Initially, before the campaign to save the wall was up and running, before the Vale Commons Council had taken a position, the tone was very different indeed.

Just to illustrate the point. Remember the company that maintain the golf course, that look after it, they are down there every day. They know it better than anyone else. They appreciate the relationship of the land to the sea.

Now our team, called ACLMS, the land management team, met with the representative from the golf course management team and, after the meeting, he said:

Many thanks for your time today. It is most reassuring to learn that there is a plan to tackle the sea wall at the east of L'Ancrese. Though it comes as no surprise, it is such a shame that the public's perception of what now will happen appears to have been shaped by such poor and misleading reporting in the media.

So he is supportive initially and wishes us well, because of the misreporting in the media. However, following representations from the tripartite meeting and the VCC, then through the golf clubs, then back to the golf management team, which he manages, he responds with – I'll abbreviate – he says:

It also appears to us that the projection set out in Royal Haskoning's report and presentation and on which E&I plans are based, are mis-founded and are based on conjecture, rather than hard facts and accurate historic data and scientific forecast. As such, they cannot be relied upon with any degree of certainty.

3470 So we have gone from the initial position where the golf course management team is supportive. They have a representation. No evidence. Not the Posford Duvivier report, not the entire Royal Haskoning's report, but one letter of representation, and they decide to get on board then, with opposition to the proposals.

3475 The exchange and change in tone captures the very nature of the challenge E&I face and how speculation, hearsay, anecdote, Facebook and all social media can dismiss 18 years of hard work and thorough studies by leading consultants. That work cannot and should not be so casually set aside and that is what this debate will be about today, or tomorrow, now. In part, just to sow a seed of doubt, to introduce new information, to challenge the findings of Royal Haskoning, if we are going to hear revealing new information, as yet unseen evidence, alternative reports, this is not the time for that.

3480 Our proposals have had months of scrutiny. Alternative plans have not. How can any of us, how can any of you, scrutinise or interrogate the contents of any speech between now and the vote?

3485 Royal Haskoning – and, before them, Posford Duvivier; it is now one and the same company – have studied our shoreline, our coastline, our flood defences in excruciating detail since 1999. The area of L'Ancrese East has been extensively researched. Tidal movements across the Bay, sand monitoring both movement and depth, elemental changes, the impacts of erosion on the headland, shoreline and beach in its entirety.

3490 That body of work, too, has been challenged in some very specific areas. There is the usual, 'They are English consultants and they do not understand our local waters and coast.' This is predictable, yet still very disappointing, 'They see us as ever-obliging cash cows.' The more serious challenge comes in the shape of assertions such as, 'There has been no erosion', 'The sand from the Bay is in the wall', 'The beach cannot replenish itself'.

3495 Eighteen years of beach monitoring has shown that a cell of sand remains in the Bay. In the summer, it tends to establish itself at the top of the beach, but then wave action from what is now not an entirely natural bay, I will concede that, as well as storms during the winter, drag the sand back down the Bay. It is a mistake, in my view – in fact a serious misjudgement – to evidence the loss of sand being down to one, single event and then work forward from that prediction. Sand gone. Sand in wall. Go figure. That is not science. It is not that simple.

3500 The beach level at L'Ancrese rises in the summer, but does not settle. Hence, the requirement for the groynes, although I will call them spurs, so this whole speech does not sound like an Ealing comedy, to assist and further aid that process. The mass of water that moves across the bay will be moderated by the new spurs and sediment will settle on the beach. Over time, the level will rise.

3505 I just want to read from a reference that is both in the 1999 report and actually it is appended to our States' Report and this is from the consultants. It is impossibly small writing, so bear with me.

Pembroke Bay and L'Ancrese Bay are separated by a rocky outcrop on the beach. Both bays have wide, flat sandy foreshores, with shingle and boulders forming a storm ridge in the upper foreshore. The beach levels vary throughout the unit, but they are generally healthy. Pembroke Bay and L'Ancrese Bay are surrounded by rocky headlands, which limit the direction of the wave attack to a broadly normal approach. This limits the longshore transport of material within the bays. During storms, the beaches are susceptible to draw-down, potentially exposing the defences to increased wave attack. However, the sheltering effect of the headland suggests that the beach material is not permanently lost ...

I need to repeat that:

... suggests that the beach material is not permanently lost from the bay by tidal or wave action. The beaches are therefore able to rebuild after the storm has passed.

3510 Our beaches have been eroded over the years, not by elemental changes, but by an Island's need for raw materials. We should not overlook the fact that legislation was passed to stop the

removal of beach material – that is sand, shingle and gravel – because it was removed by some volume for decades. Some beaches have recovered, some beaches are recovering.

I would just read ... I know history can be dull, it can be a bit boring, but in the lifetime of a bay, history is actually relevant. If I can just find something I can read to you, just to make the point with regard to sand loss.

Just to give you an indication, it was illegal to remove beach material, because the beach, the shoreline, the bays, the dunes, were eroding. So in 1949 Sergeant Eley reports to a Mr Le Couteur :

Two of your lorries were seen this morning loading beach material, at a point between the Martello Tower and the German bunker at Vazon, within 15 feet of the sea wall. This is much too close to the sea wall for safety and I should be obliged if you will instruct your carters not to take away beach material from so close to the walls. I should like to know why you were doing it so close to the wall in the first instance.

That is one letter and the file on the archive is full of those letters. The simple question to ask yourself, if anyone in this room knows, when did Guernsey as an Island start importing sand? It is not so long ago. So where was all the sand, the shingle and aggregate coming from? It was coming off the bays.

Therefore, none of us can say categorically, for example, a beach was shingle before a certain period of time, or a beach was entirely sandy before a certain period. L'Ancrese and other areas are recovering from significant sand and material loss that has taken place decade after decade. Not just between 1939 and 1945.

What we do know is, today, at this moment, there is enough sand *in situ* within the Bay area to restore the Bay. But let us reflect for a moment. What is the margin of error? What if we are a couple of degrees out, or off course? Well, soft sea defences can be managed relatively inexpensively. They are not fixed structures. Interventions are possible.

If you build a wall, if you want to pin it, if you sheet-pile it at the cost of £1 million, the wall is there for a very long time. If you want to battle sea change, make the wall higher, if there is more change, make the wall higher and wider and deeper, if there is a soft sea defence, it makes the defence for you. That is not to say that no intervention will be necessary at certain times.

The spurs have been the subject of some debate. Some colleagues have stated they would run the length of the beach and cut off the west from the east. They will not. They are no longer than the slipway and I make that point because, Deputy Smithies is not in the room at the moment, but he did say on a phone-in his concern was that these spurs will tie into the rocky outcrop and shut off the Bay. That, clearly, is not the case. They are approximately two metres below the level of the existing tank wall and taper down, ultimately, to the new beach level.

I use the word 'approximately', because of some of the speculation that has been out. This is a design project. This is the design phase. You can argue over a metre or half a metre or two metres. Design it, get working on it. See it evolve. Clearly, changes would have to be made.

Sometimes it is presented that if we were a centimetre out in either direction the entire plans fall apart. The height of the spurs has been the subject of Rule 14 questions. The first answer contained a discrepancy, which was later amended. The oversight is just that. However, that one area was the foundation to undermine the credibility of consultants, which I think is unfortunate and, if I can say so, a little too opportunistic too.

The spurs have created interest, not all bad. We have had emails at E&I, asking if the spurs can be rendered to allow them to be used for kayaking, to swim off and to dive from. I stress again the stone armoured piers will eventually be lost to the new beach level – well almost. They will not be a platform to jump off of. At least, if you can, it would be very shallow.

It is worth reminding ourselves today we are here to get your approval to progress a scheme. That scheme has a number of elements, but broadly it is not overly complex. The height of a spur during design stage and a misunderstanding as to whether the slipway stays or goes does not fundamentally undermine the case for the removal of the wall.

My error, which I have apologised for and corrected within 40 minutes, was to infer the slipway was to be removed. It is not. But the point is, when you have access to the beach over the entire



length, the slipway is then not the only point of access, which probably was not well understood at the time.

3560 E&I members are snake oil salesmen or women. We are not saying L'Ancrese will be like Port Soif, Portinfer, or Grandes Rocques. The dune systems in other bays are just that, unique features in unique settings, each shaped and formed by unique elemental conditions. What we are saying is if you allow nature, yes, with an assist, back in, L'Ancrese will form a beach head like Portinfer, Port Soif or Grandes Rocques have been allowed to do. We need to allow the beach to be given  
3565 the opportunity to create a natural sea defence.

To state the obvious, if E&I were here today with plans to build walls across any part of those bays, we would be run out of town. Why is it then that such burdensome structures, once in place, acquire such reverential status when we are told ... sorry, my mouth is dry. Why do these structures acquire such reverential status? Well, we are told it is because of their very real heritage  
3570 value.

Now, the Committee *for* Education, Sport & Culture informed E&I they could not support our plans. I quote:

Having considered the independent reports on the history of the German anti-tank wall, my Committee is convinced the heritage perspective is actually far greater than might first be obvious, including from an archaeological perspective.

Okay, when would you like the anti-tank wall signed over to you? When would you like to take ownership of it? What have you allowed, in your capital expenditure, to take charge of the wall  
3575 and all the obligations of maintenance over the years ahead?

If this anti-tank wall is of real heritage value, if it is to become a monument, E&I are no longer responsible for it. If the archaeological elements are as significant as your report suggests then why is this not in your ownership now and why have you not done anything to get a site of heritage value, real interest – a potential war memorial, we are told – why haven't you put a case  
3580 in to get it over into your ownership?

If the tank wall is to become a permanent war memorial – and there are sensitivities around that and I do not want my delivery of this speech to imply there are not – and if it is a site of cultural significance, then it is yours, isn't it?

I just want to, if I can, read a letter just very quickly. No, I will not read that out, that would be repetition. The point I am making is, if it does have that type of value, then really it should be with  
3585 you, Deputy Le Pelley, through the Chair, not with us.

With regard to the archaeological element – and let us not forget a sursis could be laid to ask for investigations to take place before the wall is touched or removed – it was important then to liaise with the staff of Education, Sport & Culture and Guernsey Museums; and they said the  
3590 following with regard to the potential for the value of the archaeological site and potentially what is in there, because the Report was considered by Education, Sport & Culture overseeing the museum service ... said it had that value to it.

From Jason Lonergan, Philip de Jersey, and Tanya Walls from the Guernsey museum service, they say:

The sand at L'Ancrese is several metres deep, as shown by excavations to lay the Cable & Wireless and Sure cable in 2006 and the Wave cable in 2008. This precludes normal archaeological investigation, which is limited to 1.5 metres in depth without shoring.

3595 In other words, if it is safe. So trenches have been dug along the line of the beach and into the common. Not directly under the wall, for obvious reasons, but these trenches have been dug and the museum service has been invited in –

**Deputy Inder:** Point of correction, sir.

3600 **The Bailiff:** Deputy Inder.

**Deputy Inder:** To my memory, the Victor Hugo cable was actually laid east of the current slipway, where the shingle bank is, so I do not see any connection between that which is not being proposed to that which is being proposed.

3605 **The Bailiff:** Deputy Brehaut.

**Deputy Brehaut:** There are many cables laid around the Island, sir. All I can say to Deputy Inder is we have asked for the information, we have the Digimap image, because we need to know where the cables are. These are telecoms cables. This is the archaeological service that is overseen by you, Deputy Inder, telling us what their findings were.

They go on to say:

There are probably buried land services dating back to pre-history, but it would be difficult to justify the expense of deep excavation simply to expose these.

3615 That is a really crucial point. It is saying there is a depth of sand there, the depth of sand has been established, and now where the soil below is, but they are saying it would be unjustifiable to spend any amount in trying to look beyond that.

Also, the sand behind the wall, if you are talking about what finds could be in it, of course, has been removed once and piled. The wall was built and shuttered. The sand was piled back in. There has been over-topping and sea-washing behind the wall for 70 years. So any delicate finds may be somewhat limited.

3620 It says:

We could do an enhanced desktop survey to round up what we already know, although our current evidence is limited.

Just to get a scale, and I do not want to labour the point, because I know it is late, the archaeological service say:

'The Fouaillages study from 1979-81 showed sand building in the ditches of the monument from circa 2000 years ago, plus a major sand blow event between 1000AD and 1200AD, when sand built to two metres high along the north side of the mound, was perhaps the time the monument was covered over and forgotten.'

3625 I am trying to convey, rather clumsily, because I am not an archaeologist, that sand is present, sand moved, sand has built up and some artefacts that were there have been uncovered in the last century. If you reconnect the sea to a dune system it is a living thing and it improves biodiversity.

3630 I know the sursis has not been laid yet, but there has been a great deal of discussion around the sursis. E&I believe if we were to be instructed to do something that has already been done, and the staff from the museum service expressed their concerns regarding justifying the expense to expose known land levels, it would not really be the best way to approach things.

3635 Education, Sport & Culture believe the threat to the golf course is real and raises concerns over the level of reparation the golf clubs would be seeking to redesign the golf course, if it was deemed necessary. I am sorry to address Education, Sport & Culture again, but it is the Committee that the organisations have gone through to liaise with the States, bearing in mind they have the cultural aspect and the golf course sits with them.

3640 I would just like you to reflect for a moment on the type of decision-making process. Let us imagine you have a whole body of work in front of you on coastal defences, flood risks, land levels, mitigation measures, a detailed scheme, tidal studies and next to you you have a letter of concern from a golf club. Where in that process was managing, maintaining, repairing a wall taken into account? At what point were future generations of taxpayers considered? A legacy of debt to

them. Instead, we appease the fears of a few with a clear, vested interest, with no evidence to make the case for the Vale Commons or the golf club.

As Deputy Le Clerc said yesterday, I will refer to my electronic communicator. Bearing in mind the lifespan of beaches, I think this is important. There has been this longstanding fear that the proximity of commons to sea means they are always vulnerable and that was the case, too, in 1950, and the letter to the chairman of the golf course subcommittee, States' Tourist Board Committee, States' Offices:

Sir, I have to acknowledge the receipt of your letter of September 20th, 1950, regarding the coast erosion taking place at Ammareurs Bay. The board of administration, at its meeting on the 26th instant, after giving careful consideration to this matter, arrived at the conclusion that it could not justify the cost of providing sea defences along this part of the coast, particularly in view of the fact that levels taken on the golf course in the vicinity show that the land is above high-water mark at spring tide.

Now, that is a very simple letter for telling people who have concern that the course will flood, explaining to them – getting back to the moon again, Deputy Brouard – it is simply not possible.

The fear of loss of land at Martello Tower predates our current proposals. In 1999, a scheme that would have seen a much greater section of the anti-tank wall removed was one of the options. Hence, the images in the *Press* of a swamp and the leaning towers of L'Ancrese.

Now, that is a crucial element, I think. Royal Haskoning have always been open in their approach to the flood defences, engaged with people, published reports early on; and in 1999 Haskoning did say you can remove more of this wall if you want to. If you want to move beyond the section we have identified, if you want to move from the extreme east across the eastern face, you can remove more of the tank wall. If you do that, then you up the risk of flooding, potentially. You could see that waters, over the 50-year epoch, could reach the Martello Tower. But it is that scheme that has overshadowed this one. It is a previous scheme that was not approved and that overshadows what we are trying to do today.

These current proposals are much more conservative than previous options. We are only seeking to remove 130 m of wall that is clearly failing.

I did catch a politician on the airwaves, Deputy Ferbrache, who said the wall has been there for 70 years or more, it is not going to come tumbling down. Well, the wall is tumbling down and we have had to take interventions to ensure that through this winter we are doing all we can to ensure that it does not tumble down. In 2014, the kiosk came very close to being reclaimed by the waves too. It was a very close call.

I just will refer to the kiosk broadly because it has been very delicate for us. My considerations are strategic, are environmental and, in the middle of this, we have a family with a business, and we are very sensitive about that. But it is not my job to muddy the waters by confusing my relationship with that tenant with the job that I have. They have been extremely courteous to me. I have sat down with Mr Percy and had a tea and talked the proposals through in a very amicable way. I do have fears, if I am absolutely honest, sometimes there is a danger in getting too close to people that are subject to some States' decisions and sometimes the clarity of the problem you are facing does tend to blur a little.

But I just want to give some figures. I asked States' Property Services how much has been spent on maintenance in the last 10 years on the kiosk. The total spent on maintenance since the start of 2000 to date is £26,130.06. So the States have spent £26,000 maintaining the kiosk, bearing in mind how vulnerable that kiosk is to the elements.

Now, because the slab in front of it collapsed and needed a repair other than the maintenance, that meant that figure comes to £27,830. Over the next five years, the maintenance is expected to be a further £17,500 and there will be more spending of around £39,000 required, and the life expectancy of the kiosk is about 10 years.

Over a 10-year period, the kiosk would see about £22,000 in rent. So the States spends a great deal of money on a business, which is a great amenity, provides a service to the community. There

are toilets there. But I do not really think people understand the figures involved to keep the kiosk in that situation.

As I have just said, the kiosk is a fantastic amenity, there is no doubt about that. The question is, could it be better and should it cost the States so much now and could it cost the States less in the future? As I have just said, there have been £27,000 worth of repairs over 10 years and about £17,500 of maintenance over the next five, so that is £45,000, that is for business as usual. The stock condition survey estimates it would require a further £39,000 worth of expenditure and the life expectancy of the building is 10 years. So the total spend I have identified there is £84,000.

I am genuinely uncomfortable laying the figures bare like that, because that relates to a business and a family business. But I said earlier, the Committee's considerations are strategic and what is ultimately, over time, the best value for money and the best environmental option for the community.

It is absolutely right and proper that some Deputies advocate strongly for the interest of the individual and I respect their right to do so. But the issue is one of proportionality and does the kiosk consideration add disproportionate expenditure, both now and in the long-term?

L'Ancrese East, in particular, has been the victim of far too many compromises in the past. The western end was always favoured, the mantra being: if it ain't Pembroke, don't fix it. Retention of the kiosk, of course, still remains an option for Members in the Report. There is still an option to you.

On the broader subject of costs, if we were asked to carry out an environmental impact assessment, if the sursis was laid, and that was asked of us, that would cost, conservatively, £60,000. On top of that, of course, there is the cost of delay, carrying forward a project by 12 or 18 months, possibly there will be an inflationary element to the costs associated with that.

There is also the cost of a peer review of Royal Haskoning's work and this is crucial, because what we will be asked to do is to go away, have this project evaluated. That has to cost over £100,000. If the review of the swimming pool on Alderney is costing £35,000, I think £100,000 to review a project, a peer review by another company, would be incredibly expensive. That is what we are being asked to do.

By the time you have the £60,000 of the environmental impact assessment, you have the £100,000 of the peer review, you then have, of course ... the Guernsey Museum Service would be asked to put on a dig for some time, and we do not have that many staff in that department to carry out a dig and there would be costs associated with that, even with the staff of the museum saying it would be difficult to justify that expenditure.

Of course, what if the Royal Haskoning work is seen as inconclusive? What then? What if it calls into question the methodology of Royal Haskoning? Does it then undermine the entire flood and coastal study going back to 1999? Will E&I have to then review each and every project? What if the opponents of this scheme choose not to support or act on the findings of any review they have asked for? What if we do all of this, and a report comes back, if the sursis are laid, and we come back, what guarantee is there that this project will be supported?

It is a very real fear. I know we can be very stereotypical in our view of consultants. Some people say we get too cosy with them, the relationships become over-familiar. But the reality is you will not better the work, probably, done by Royal Haskoning. They are a Dutch company. Holland, generally, is below sea level. If people know how to work with sea defences, then it is this company.

Over recent weeks, the proposal of the anti-tank wall has been dubbed as a dangerous experiment. Of course, the real experiment was the tank wall and, in that regard, it has been successful, it has got a 100% success rate. Not one tank has ever passed through it, although the Germans did have to blow a hole in the wall to allow them to do just that. Or, at least, the prisoners of war they were by then.

These walls did not stand the test of time. They were being undermined just two decades after the Occupation. Those children who grew up playing on the base of the tank wall in 1970 – and

some might be in here today – were actually playing on a huge apron designed to keep the wall up. The wall was already failing.

In an effort to try to avoid repetition, I will try and sum up.

3740 I would ask my colleagues in Economic Development to support our proposals. Give the tourists you are trying to attract a restored beach. In the light of comments from some of the business community, of late, give the economy, the building industry, the £1 million of fiscal stimulus it needs to get local people and businesses working. The place for flip-flops is on the beach, not in this Assembly!

3745 I hope Policy & Resources see the economic case for acting now, rather than make do and mend. To spend less would be false economy. To add to and to seek to protect a wall is both hugely expensive and hugely detrimental to the Bay in the long-term. Let us not forget if this scheme – I do not know if any members of P&R are still present, I believe one is, I beg your pardon, two are – fell within their delegated authority limits, then we could have pressed ahead anyway.

3750 I say to all Presidents and Vice-Presidents and Members of this Assembly, what precedent will this set? How many more schemes, with clear financial parameters, put forward by Committees with explicit mandates will be dragged back and singled out and set back by this Assembly?

3755 There are a lot of projects that we need to press ahead and just how many of them will we drag back? I take it from Deputy Fallaize's body language, he realises that is not something entirely unusual!

My colleagues at Education, Sport & Culture, have chosen to oppose our proposals unanimously. They say so in their letter but of course, actually, that cannot be the case, can it?

3760 One Member, Deputy Inder, may lay a sursis, asking E&I to report back. It is a little odd, isn't it? Under one signature being wholly opposed and under another appearing to be open to persuasion.

In fairness, to Deputy de Lisle, he has consistently opposed any expenditure on the wall. So he would like the wall gone, but in a less structured manner than I would. (**Deputy Inder:** Sir –)

I will not give way at this stage.

3765

**Deputy Inder:** Clarification, sir?

Alright, possibly correction then.

**The Bailiff:** Is it a point of correction?

3770

**Deputy Inder:** It probably is a point of correction, sir.

**The Bailiff:** It either is or it is not.

3775 **Deputy Inder:** It is, sir, because Deputy Brehaut was not in the room when this was discussed.

When Education, Sport & Culture discussed this I actually asked if I should recuse myself because I quite clearly had an interest in it.

**The Bailiff:** That is not a point of correction.

3780

Deputy Brehaut, please continue.

**Deputy Brehaut:** The letter says the Committee for ESC were unanimous in their view.

3785 Can I just say to my colleagues in Education, Sport & Culture, they said they came to that view because they had considered a report that gave new information regarding the tank wall and said that archaeologically there were also reports out there. I have asked now, for three days I have copied in Deputy Le Pelley, I have copied in every Member and I have copied in my Committee, 'I am about to give a speech, I would be very much obliged if you could share the information that

you considered.' I have never had the courtesy of receiving that information, which I think is unfortunate. So the 'do nothing' option will not ensure we do not have to do anything.

3790 To all of those in this Assembly with a formal scrutiny role, I would ask you to consider the volume of evidence in the enormous back catalogue of the Report and to truly consider fact over anecdote.

Members, E&I have worked extremely hard on presenting you with the best long-term solution; we have pulled out all the stops to reach and engage with the community in a meaningful manner. Our presentations, supported by Royal Haskoning, have been well-received. We live-streamed the open meetings, we went on to ensure that the consultants dealt in detail with frequently asked questions with their online video clips.

Listening to Deputy de Sausmarez on the phone-in last Sunday, who can really have any doubt in their mind that E&I members have not exhaustively researched the subject matter?

3800 In closing, this is not the time for any more long-winded speeches, please excuse mine, on sand movement or more inter-tidal zone monitoring, for the introduction of reports that cannot be attributed to any one person, or finding some individuals who are not prepared to share their work for fellow professionals and this is not the time to introduce doubt by referring to standard engineering practices as experimental.

3805 Members, please allow us to do the work that we are mandated to do – work that needs to be progressed soon. Time is against us. Please, just let us get on with it.

Thank you.

**The Bailiff:** Members, it has now just turned 5.30 p.m.

3810 We will rise and resume tomorrow morning.

*The Assembly adjourned at 5.34 p.m.*