



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Friday, 1st December 2017

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Present:

Richard J. McMahon, Deputy Bailiff and Deputy 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, J. A. B. Gollop, 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, J. P. Le Tocq

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. J. R. Soulsby, 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 (H.M. Deputy Greffier)

Absent at the Evocation

Miss M. M. E. Pullum, Q.C. (H.M. Procureur)

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States of Deliberation

The States met at 9.30 a.m.

[THE DEPUTY BAILIFF *in the Chair*]

PRAYERS

The Greffier

EVOCATION

Billet d'État XXIII

COMMITTEE FOR ECONOMIC DEVELOPMENT

Amendments to Population Management Law – Proposition withdrawn

The Deputy Greffier: Billet d'État XXIII, the continuation of the debate.

The Deputy Bailiff: I think we are just about to call a new Article, Deputy Greffier.

5 **The Deputy Greffier:** Yes, indeed, sir. Article XII, Schedule for Future States' Business.

10 **The Deputy Bailiff:** I think we need something before that, on the basis that we finished with the Committee for Home Affairs amendments to Population Management Law but we are now about to have the Committee for Economic Development's proposals.

10 **The Deputy Greffier:** Yes, there is a motion to withdraw, from the Committee for Economic Development, Proposals for Revisions to the Population Management Law.

15 **The Deputy Bailiff:** Thank you very much.
Members of the States, the Greffier has received a motion to withdraw. I hope you all have a copy of that motion on your desks. Is that right? It is to be proposed by Deputy Dudley-Owen. So, Deputy Dudley-Owen, please.

20 **Deputy Dudley-Owen:** Thank you, sir.
Yes, the Committee for Economic Development now wishes to withdraw the above-titled Proposition and policy letter. It is of the view that the item submitted by the Committee for Home Affairs effectively addressed the concerns of the Committee and will enable those issues to be determined by the States. Thank you.

25 **The Deputy Bailiff:** Deputy Mooney, do you second that motion to withdraw?

Deputy Mooney: Yes, sir.

The Deputy Bailiff: Does anyone wish to debate strictly the motion to withdraw? No. On that basis, I will put it to the vote. Those in favour; those against.

Members voted Pour.

30 **The Bailiff:** I declare the motion to withdraw duly carried and therefore the debate on the Committee for Economic Development's proposals for revision to the Population Management Law will not proceed.

Next item of business, then, please, Deputy Greffier.

POLICY & RESOURCES COMMITTEE

XII. Schedule for Future States' Business – Proposition 1 carried; Proposition 2 not carried; Schedule approved

Article XII.

The States are asked:

Whether, after consideration of the attached Schedule for future States' business, which sets out items for consideration at the Meeting of the 13th December 2017 and subsequent States' Meetings, they are of opinion:-

- 1. In exercise of their powers under Article 7(1) of the Reform (Guernsey) Law, 1948 to suspend the Rules of Procedure to the extent necessary to place Proposition 2 below.*
- 2. To amend the Resolution of the States made on 21st September, 2016 on item IV of Billet d'État XXIII of 2016, by deleting '13th December' and '17th January' and replacing those dates with '12th December' and '16th January' respectively.*
- 3. To approve the Schedule.*

35 **The Deputy Greffier:** This is the Schedule for Future States' Business, sir.

The Deputy Bailiff: Members of the States, unusually perhaps, there are three Propositions on the face of the set of original Propositions in relation to this matter. I propose to take them distinctly, so the first thing that I would invite the President of the Policy & Resources Committee to do is to speak to Proposition 1.

40 Deputy St Pier.

Deputy St Pier: Sir, Proposition 1 is necessary if the States wishes to go on to consider Proposition 2, in other words to suspend the Rules of Procedure to allow Proposition 2 to be considered.

45 It is worth pointing out that this was perhaps not envisaged when the Rules were drafted. I think the Schedule for States' Meetings was intended to be fixed and there was not any intention that there should be provision for additional days to be allowed – hence the need to suspend the Rules if the States is so minded, and I will speak to Proposition 2 in due course when you call me Sir.

50 **The Deputy Bailiff:** Does anyone now wish to speak on Proposition 1?

I put Proposition 1 to you, which is a motion effectively to suspend the Rules of Procedure to the extent necessary to enable Proposition 2 to be placed. Those in favour; those against.

Members voted Pour.

55 **The Deputy Bailiff:** I am going to declare that carried.

Deputy Roffey: Sir, could we have a recorded vote on that, please?

60 **The Deputy Bailiff:** Certainly, Deputy Roffey, you are entitled to request a recorded vote after the announcement of the result.

Deputy Greffier, we will have a recorded vote, please, on Proposition 1.

There was a recorded vote.

Carried – Pour 33, Contre 7, Ne vote pas 0, Absent 0

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

The Deputy Bailiff: Members of the States, on Proposition 1 there voted in favour 33; against, 7. It was carried and it is duly carried, so Proposition 2 can now be placed.

Deputy St Pier to speak to Proposition 2, please.

65

Deputy St Pier: Sir, the rationale behind P&R proposing that the States consider additional days simply was in recognition of the significant volume of business, and some that was clearly quite contentious, that we anticipate will take up a significant amount of time for this Assembly to consider.

70 It is worth noting that when P&R was originally considering this Schedule it was intended at that time that the Committee for Economic Development's vision would be laid for December rather than January, so Members may wish to take note of that.

It is also just worth drawing attention to the fact that of course there is a Rule which effectively requires seven working days prior to the meeting for substantive amendments – in other words, 75 those that, for example, incur significant changes in cost and so on. The impact of that is that if the States meets on 12th December, then the deadline for amendments was 3 p.m. yesterday, and if it is to meet on 13th December, then the deadline is 3 p.m. today. Members may also wish to consider that in terms of whether it is appropriate or not.

It is quite clear from P&R's perspective that it is essential that the education debate should be 80 concluded no later than the middle of January to provide certainty, and of course there is a Jurat selection, which would be on 17th January, and of course that can take up a significant amount of time, plus the normal business before one gets into main debate.

That explains the rationale for the suggestion that additional days may be necessary in both December and January.

85 **The Deputy Bailiff:** Deputy Tindall.

Deputy Tindall: Yes, sir. I am inclined to consider the January date as acceptable but the December date as not. Unfortunately, the Proposition is not written in that way. I would like 90 advice, please, as to whether or not we can split it.

The Deputy Bailiff: If it is the wish of Members of the States to have two separate votes at this stage, so that you are invited to agree to sit on the Tuesday in December first and January second, then I would potentially take two separate votes rather than have it as a composite Proposition. It 95 seems sensible.

Deputy Roffey.

Deputy Roffey: Thank you, sir.

I think we really need to sort out when this Assembly is going to meet and when it is not going 100 to meet, rather than make it up as we go along.

There used to be a system where we met once a month at the end of the month and that was all we met, but if business had not been completed we came back the Wednesday after the next Wednesday – if that makes any sense. Members could, with confidence, at the beginning of the year know what the potential dates for this Assembly to meet were and they could block them out 105 if they wanted to make sure they were here. Some of those were never used because we did not have sufficient work to do it, but you could be absolutely sure, barring the odd emergency meeting ... I do not think there is any way you can overcome that, but we should, as far as scheduled ordinary business is concerned, be able to know which days we are likely to meet on.

I have to say I do have a vested interest here, in that I have arranged to be out of the Island on 110 16th January. I did that with the full confidence that it was not a States day, that the States days had been approved by this Assembly, debated and approved, and that was not one; and now it is going to be very difficult for me to be here on the first day of what is, to me, one of the most important debates in this Assembly.

I do take the point that we do need to finish the education debate by the end of January. 115 However, I am not convinced that that cannot be done by starting on the Wednesday, so long as it is promoted to be effectively the first business on the agenda. It seems very likely that we are going to have, too, a fairly straightforward binary choice to make. I know we cannot be certain there will not be any other amendments coming in, but it seems likely that there will be a binary choice between the proposals we have already seen in the policy letter from Education, Sport and 120 Culture, and another set of proposals for two 11-to-18 schools encapsulated, I presume, in an amendment. If we cannot deal with that in two and a half days, then I think really we need to look

at ourselves. (*Interjection*) Yes, I know, probably more than most people in this Assembly, but nevertheless, short of several other amendments, which I really do not think likely.

125 I accept that it is in the gift of this Assembly, and if they decide that I should miss the beginning of that debate then I will; I suspect it will not have come to a crunch vote by the time I get back the next day. But I do think that it is wrong in principle for us to debate and set days for our scheduled meetings and then to pull out of the hat, 'Let's start a day early.' (**Two Members:** Hear, hear.) It will mean that none of us can really book not just holidays but other important engagements in our diaries without knowing whether they are going to clash.

130 We will see what happens in this debate. I know how I will vote. I will accept the majority vote, but I do think going forward we need to look at the rules about when we schedule States' meetings for.

The Deputy Bailiff: Deputy Fallaize.

135

Deputy Fallaize: Thank you, sir.

Well, we have a schedule of States' meetings, don't we – it is agreed by the States and the States agreed that the schedule for the period that we are in at the moment was agreed quite a long time ago. I do accept that there may be occasions where it is necessary to make
140 amendments to that, but I think that those occasions need to be exceptional.

I do not blame the Policy & Resources Committee for putting this before the States and allowing the States to consider it, but I really do not think there is a need to meet for four days, particularly in December. When one looks at what is on the proposed schedule for December, essentially, in terms of material business, it is the policy letter from the Committee for Health and
145 Social Care, a policy letter on the implementation of the Waste Strategy, and the subject of inert waste. If the States cannot deal with those three items in three days, there must be something wrong, and I think if the States come in on the Tuesday –

Deputy Meerveld: Point of correction, sir.

150

The Deputy Bailiff: Point of correction, Deputy Meerveld.

Deputy Meerveld: We may well have the education debate on 12th December.

155 **The Deputy Bailiff:** It was not a point of correction, Deputy Meerveld, because what Deputy Fallaize said is on the schedule at the moment.

Deputy Meerveld: Apologies, sir.

160 **The Deputy Bailiff:** Deputy Fallaize, continue, please.

Deputy Fallaize: Thank you, sir.

So I do not see any need for the States to convene on the Tuesday in December, and if we do I suspect that we will end up being here for two days or two and a half days and we will have just
165 shifted from Wednesday, Thursday, Friday to Tuesday, Wednesday and possibly Thursday, which seems a bit pointless.

And then, on the January, I accept that there is the item on the schedule from the Committee for Education, Sport and Culture, but the other items on the agenda are not, I think, particularly time sensitive – one of them is a proposal from the Committee on which I sit, Employment and
170 Social Security, which definitely is not time sensitive – and there is a meeting on 7th February and there is another meeting on 21st February, so between now and the end of February there are 12 days on which the States are already scheduled to sit. That seems to me perfectly adequate, so I will be ...

I certainly do not think there is any need to come in on Tuesday in December, but I actually do not think there is a need on the Tuesday in December or January. This is not an exceptionally heavy period of business. Members of previous States will know that there have been previous occasions where over a period of a few weeks or two or three months there has been much heavier business than there is before the States in the next few weeks, and I think this change to the schedule of dates at very short notice is not ideal.

What we do know is that when dates are changed at short notice, very often not every Member can make it and I remember one occasion when this happened, when the Personal Tax, Pensions and Benefits Review debate was held effectively on two different dates – parts of the debate held on two different dates – and the second time the States convened there were several Members absent when we were voting on quite important matters. So I think if there are going to be changes to dates we should be given as much notice as possible. This would not be very much notice and, as Deputy St Pier said, if we meet on the Tuesday in December, if we decide that this morning, we are already past the deadline for the submission of substantial amendments, which would seem particularly unreasonable, so I will vote against Proposition 2.

The Deputy Bailiff: Deputy Lowe.

Deputy Lowe: Thank you, sir.

It is almost the cart before the horse, isn't it, because we have got an amendment here about education and we really ought to know what we are going to do, whether we are going to have education in December or not, or January. This is where the Rules are barking, where Rules actually stifle debate in here, put things all the wrong way round, and I think that common sense has to prevail here because it is just making a nonsense of it all. Many of you know my views on the Rule Book: the sooner that is reduced to shredded, the better, really.

Deputy Fallaize: Point of correction.

The Deputy Bailiff: Point of correction, Deputy Fallaize.

Deputy Fallaize: The way in which business is being conducted this morning has nothing to do with the Rules of Procedure; the fact is that we have suspended the Rules of Procedure. *(Laughter)* So, having suspended the Rules of Procedure to allow this to happen, it is a bit unreasonable for Deputy Lowe to blame the Rules of Procedure for this happening.

The Deputy Bailiff: Deputy Lowe to continue.

Deputy Lowe: I accept we suspended the Rules for this, but I am talking about the amendment, Deputy Fallaize, where maybe it should have said ... It is difficult, because they are trying to amend the actual schedule, which comes after this one, so again it is the cart before the horse, isn't it. That is where the difficulty lies.

I know when we had our Presidents' meeting we were asked as Presidents what we actually thought, because the Members around the table at the time were saying what reports were going to be considered for December, and indeed January, and the wish was that the education was going to be in December, that it should not be delayed because people are waiting to know what is going on, and that was the direction when we were asked our opinion in the Presidents' meeting a few weeks ago. I still probably remain with that. There are too many people waiting to know what is going on with education.

Deputy Roffey was actually right. We used to have a set date a fortnight later, so if we did not finish our business after three days we met a fortnight later – and he was in the States then, probably. Even going back before that, States days used to be just two days. It used to be Wednesday and Thursday, and because we were running over they then incorporated a Friday, so

then Friday became the norm. And of course it is the old adage, isn't it: the more days you have got, you will fill them, whereas if you are actually focused on two days ... We used to finish mostly in two days, then it went to three days and then you had the rollover. But of course he is in the prime position to be able to address that, because as Vice-President of SACC, SACC should, I believe, be coming back with a report, especially now we have actually looked at that and changed the dates for next year to be able to say we will add on the rollover dates to pencil in the diary for that.

It is the frustration, I think, really. We really need to know, in my opinion, what we are doing about education before we decide whether we are going to work on the Tuesday in December, which may not be necessary, or if it is going to be January. I think I am in a difficult position, as probably most of us are, until we know what is going to happen about the amendment for the schools.

The Deputy Bailiff: Deputy Trott.

Deputy Trott: Thank you, sir.

I think one of the comments made by the President of P&R in his opening remarks may have been missed by the States and it is the issue around the Jurats Election. A Jurats Election, as I understand it, will take place on 17th January – and that is not something that is within the gift ... It is a States of Election issue; it is not something that is in the gift of the States of Deliberation to change. We do not know whether there will be a single candidate. We know there is a candidate because we have been advised there could be three, four, or there could be five. It is quite conceivable that the Jurats Election on 17th January and the Questions and Statements that will immediately follow under our Rules of Procedure could take a whole day; it is quite conceivable. So, if we do start on the conventional day in January, it is possible that we will only have two days to debate Education's proposals, assuming of course the States of Deliberation decides to schedule that debate for January.

I have every sympathy with Deputy Roffey, and the idea that a States engagement would impact on his well-deserved vacation I have to say fills me with a certain amount of horror. But, notwithstanding that, we have an obligation, as the President of P&R has said, to ensure that the education debate is concluded by the middle of January. We cannot be certain that will be the case, in my view, in what would effectively be two and a half or possibly as little as two and a quarter days.

I certainly agree with others who believe that 12th December is no longer required and the reasons for that material change have been explained, but it does seem to me that the 16th January commencement is absolutely essential if we are to debate education in January.

The Deputy Bailiff: Deputy Gollop.

Deputy Gollop: Sir, I am all jumbled in my mind too, because we have had a great speech from the Mother of House about bigger questions and ... how can I put it ... her point about ... All right, some of us speak to often on every subject and so that adds to the time, but it is an interesting fact that when we had 57 varieties of States' Member we needed two days, then we went down to 47 and we seemed to need three days, and now we are down to 40 and we are getting longer and longer meetings. And of course we have an extra hour in the day as well. It is interesting that you, sir, are very generous to us – and I thank you – on Question Time, but you, in theory, have the power, I think, to stop us after an hour, and the same with the Question Time.

Of course, these are some of the difficulties that we have. Deputy Lowe's point about education is a material one, because Deputy Trott has just made it clear that we should come up with a clarity of vision for the whole stakeholder society in education – but let's envisage now the January meeting. We have a Jurats Election on the Wednesday, which I suppose will stay on the Wednesday. It is generally customary for Questions and Statements to occur after that point. If we

begin on the Tuesday, would that begin with the Statements and the Questions, or would it begin with, for the sake of argument, the education debate? And then, however it is progressed, regardless of whether Deputy Roffey is with us or not, by the Tuesday late afternoon we will then have the distraction of the Jurats Election and go back into the debate perhaps Wednesday lunchtime. That is a slightly messy scenario in itself. But of course we are not clear at this point whether we will be debating education in December or January.

I must confess I do sometimes, as a long-serving Member, get rather tired and worn out in the winter months, December and January, when we do have this overload of work – we no longer have a Policy Council co-ordinating matters – and if, for example, we decide to meet on the Tuesday in December, that will have a knock-on effect on board meetings and other matters that we have to consider, and so I think we should take those decisions only occasionally.

I would further make the point that I believe that we can, given what Deputy Fallaize has said, complete all of the work by the middle of February, so perhaps it is a case of us all prioritising education in the next couple of months and putting aside more farsighted perhaps visions and strategies and things that, although extremely important, can be deferred, bearing in mind we have two meetings in February.

So perhaps the answer to this dilemma is to almost set the scene collectively for each States' meeting, rather than having what we have today, because I will conclude by saying that when eventually we come up with a solution we will all go home happily enough for the rest of the day. When we have a full day of court ushers' time and other cases in this room, we could be using the rest of today for useful debate, but I do not believe it is possible within the Rules.

The Deputy Bailiff: Deputy Brehaut.

Deputy Brehaut: Thank you, sir.

Just very briefly, I voted for Proposition 1 but I will vote against Proposition 2, rather nervously – because knowing there are two items on waste, this Assembly has quite some appetite for waste – but I have to remain confident that we can deal with it in that period of time.

The actual reason I stood was for something casually referred to in Deputy Lowe's speech, which was to adhere to a decision that was made at a Presidents' meeting, and I just want to be clear. As Presidents, we meet informally to discuss items. At the meeting that Deputy Lowe refers to, the President for Education was present, the President for Economic Development was present and neither Deputy Le Clerc, Deputy Soulsby or myself have any recollection of us arguing forcibly for this item to be carried on the agenda.

Thank you, sir.

The Deputy Bailiff: Deputy Kuttelwascher.

Deputy Kuttelwascher: Sir, just a quick one. I think this is an ideal opportunity for Members to consider whether they should be submitting any Rule 11 Questions in December or January and after the Rule 14, which is a recommendation that has always been made in the past.

Thank you, sir.

The Deputy Bailiff: Deputy Smithies.

Deputy Smithies: Sir, thank you.

I am always reluctant to stand up and go over ground which has been gone over before, so I will not do it.

I can fully understand why this has been brought and I can see there is a need perhaps to consider what might happen if debates run over, but I cannot see the logic of bringing the meetings forward a day when it is perfectly possible to extend them after the start date, if

necessary. If we do not need the time, fine; if we do need it, well, why can we not extend into Friday, Saturday and even longer?

Deputy Trott: No. A point of correction, sir.

Deputy Smithies: It is equally convenient. I wonder why..

The Deputy Bailiff: Point of correction, Deputy Trott.

Deputy Trott: It is not easy to extend them after, because of court scheduling. That is the issue. The court needs a number of weeks' advance notice in order to be able to schedule its business, so we cannot assume that we would be able to take the Monday thereafter in January for that reason, and so it is not correct to say what Deputy Smithies has said.

The Deputy Bailiff: Deputy Smithies to continue.

Deputy Smithies: I take that point, but neither can we assume it is not available.

The other point is that, not for social reasons but for States' business, I am actually off on the Tuesday before the States' meeting was scheduled in December – that will mean a knock-on effect where meetings will have to be postponed, and I suspect other Deputies might be in the same position. So, again, I would rather see the meetings continued longer rather than brought forward.

The Deputy Bailiff: As I do not see anyone else rising, I will turn to Deputy St Pier, as the President of the Committee proposing Proposition 2, to reply to the debate on it.
Deputy St Pier.

Deputy St Pier: Briefly, sir, I certainly agree with Deputies Roffey and Fallaize that changing the dates of meetings should be done with extreme caution and infrequently, and it is unfortunate. I reiterate that the proposal was an abundance of caution to ensure that we do conclude the education debate, whenever it takes place, before mid-January.

The other observation I would make is in relation to Deputy Brehaut's point about the meeting which Deputy Lowe referred to. Deputy Lowe said that the Presidents 'resolved'. I think that is not quite the right term. (*Interjection by Deputy Lowe*) That was the word you used, actually.

The Deputy Bailiff: Do not address another Member directly, please, Deputy St Pier.

Deputy St Pier: I am sorry, sir. Deputy Lowe did use the word 'resolved' and that is not an appropriate term to use for what is an informal meeting.

The final point I would make, sir, is that it has taken us half an hour to debate whether we have additional days. Picking up Deputy Brehaut's point about December's business, of course if December's business is not concluded, then that would roll into January as well and would need to be considered as part of January's business.

The Deputy Bailiff: Well, Members of the States, I indicated earlier that rather than simply put Proposition 2 to you in the form that it is in, I was minded to have two separate votes. Is that your wish? (**Members:** Pour.)

In that case, we will take a vote first in respect of the commencement of the meeting later this month, as it now is, whether to bring it forward from 13th December to 12th December. Those in favour; those against.

Members voted Contre.

The Deputy Bailiff: I will declare that part of the Proposition lost, so in December the States will convene by virtue of the Billet d'État which will be issued shortly by the Presiding Officer on 13th December as planned.

Now we take a vote in respect of January, and that is to bring forward the start of the meeting of the States of Deliberation from 17th January to 16th January. Those in favour; those against.

Members voted Contre.

The Deputy Bailiff: I am going to declare that also lost, so the entirety of Proposition 2 is lost and the meeting dates will remain as they were pursuant to the Resolution of this Assembly on 21st September 2016.

Members of the States, the final item of business is to consider Proposition 3, which would normally be a single Proposition, the Schedule for Future States' Business. This is proposed by the Policy & Resources Committee. I know there is an amendment, but as far as I am concerned, Deputy St Pier is entitled to open on it first.

Deputy St Pier.

Deputy St Pier: Thank you, sir.

Just to draw attention to a number of matters on the Schedule, I should, in the interests of transparency, draw attention to the fact that the item on the first page under (d), which is the election of ordinary members of the Guernsey Financial Services Commission – that, for reasons that I cannot entirely explain, administrative within Policy & Resources, was not actually laid on time; it was laid a couple of days late. Nonetheless, it is P&R's view that it is necessary to conclude that election at December's meeting and it is therefore being presented on this particular schedule.

Looking at the substantive business, which is on effectively the second page of the Schedule once you get to the end of the ordinances and the legislation, we have proposed that we deal with the accounts for Guernsey Post and Guernsey Electricity as essentially the first substantive items for debate. The rationale for that, sir, was we believe it is good governance that the States should have the opportunity to consider the 2016 accounts for those entities before the end of 2017 and it would be unfortunate if the States had not done so and had to do so over a year after the end of the financial period that is being referred to. The other matters for December as proposed again have been referred to in the previous discussion, sir, in relation to health, the waste charging and inert waste.

I think in relation to the proposals for January, which appear on effectively the third page of the Schedule, of course the most substantial and controversial item is that of education. I would repeat here that this is an unusual position in which we, Policy & Resources and the States, find ourselves. That is why the two Committees, Policy & Resources and the Committee for Education, Sport and Culture, did agree that it was best to ensure that when the States does make a decision it is making a clear and final decision, and therefore that warranted the work being undertaken in relation to the two-school model and hence P&R's agreement to fund up to an additional £93,000 for the Committee for Education, Sport and Culture to support that work being undertaken. As I say, a very unusual set of circumstances. So that work is still going on and there is still information being provided to those that are looking at this issue. Therefore, to undertake a debate in December without that work having been concluded would, in Policy & Resources' view, effectively squander that work and indeed the funding that P&R provided. And so it is for that reason, sir, that we believe that the additional effectively, even in working terms, two-week delay is justified to ensure that the States can make a fully informed decision and one which is final and in the best interests of the population.

The Deputy Bailiff: Thank you very much, Deputy St Pier.

There has been one amendment circulated to the Schedule of Future States' Business. It is proposed by Deputy Meerveld. There are special Rules, as Members, I am sure, are aware, in Rule 3(18), in respect of such an amendment and there are only three speeches permitted, each of which is restricted to a maximum of two minutes. The people entitled to speak are the proposer of the amendment, Deputy Meerveld; the President of the Committee concerned, and in this case the Committee concerned is the Committee for Education, Sport and Culture, and that is Deputy Le Pelley; and then the President of the Policy & Resources Committee.

Deputy Meerveld.

Amendment:

To amend Proposition 3 by inserting at the end –

"subject to deleting the first item (P.2017/110) in paragraph (g) of the Items listed for the Ordinary Meeting of the States commencing on the 17th January, 2018 (or such other commencement date as the States may have agreed for that meeting) and inserting the item immediately after item P.2017/112 in paragraph (g) of the Items for the Ordinary Meeting of the States commencing on the 13th December, 2017 (or such other commencement date as the States may have agreed for that meeting).

Deputy Meerveld: Thank you, sir.

With only two minutes to explain why we are proposing this amendment, I need to be brief.

Before I start, I would like to thank Deputy Trott for pointing out the election of the Jurats on the first day of the January debate, which makes this decision even more critical. If we only have three days in January to debate education and one is taken up by Jurats, that leaves us with two days – and I would remind Members that the decision on the 11-plus alone took over three days.

Delaying debate until January has some far-reaching consequences. We are concerned that a general debate risks us missing key school holiday periods in the construction schedule for the new secondary school. We have carefully planned how we will move to our new structure and what this will mean for each year group of children currently in our schools. We have told parents what this will mean for their children so they have certainty and can be reassured that they know which schools their children will go to and when.

Key to this transition is the provision of this new school building built on the La Mare de Carteret site and it being ready to open in September 2021. Any delay in the decision beyond December delivers an unrealistic construction programme, which is high risk and could lead to inflated prices. Realistically, if we miss starting construction during summer 2018 we delay opening until September 2022. This delay will mean pupils will have to move later and temporary accommodation on the La Mare de Carteret site is likely to be required at additional cost that is not included in our funding request at the moment. It is difficult to estimate, but these additional costs, potentially including staff costs and building costs inflation, could be in the order of £3 million to £4 million, and if the debate does roll over to February, that becomes a certainty not an possibility.

The Deputy Bailiff: Thank you, Deputy Meerveld. That is your two minutes, I am afraid.

Deputy Le Pelley.

Deputy Le Pelley: Thank you, sir.

Members of the States, please support this amendment. Parents, children, teachers, all of our community have had to wait too long for certainty on the way forward for our secondary and post-16 education system. Our report offers that certainty and it should be uncontroversial. It is delivering the detail of the outline three-school model approved by the States in March 2016 alongside the all-ability system reconfirmed in November 2016. Our report further details a picture that we sketched out in July of this year in our period of engagement. Delaying until

January to allow time for the development of a two-school model alternative would be to dismiss substance for shadow. It is impossible for the Deputies who are promoting this two-school idea to be able to produce in January or in February, or probably even in July a proposal that is at the same stage of readiness as our three-school proposal is at today. They have had the feasibility reports commissioned using the £93,000 which was allocated to the two 11-to-18 school research. Indeed, all States' Members have received these reports and we still have almost two weeks before the debate. We do not need to wait until January for the information setting out the risks of the two-school model. So, if the States do decide to delay to January, the two most likely outcomes will either be: at best our three-school model is approved but the building timetable unnecessarily delayed by at least one year; and, at worst, a two-school model approved in principle, requiring detailed plans and costings with delays of at least two years.

Members, please let's deal with the substance, not the shadow. Please support the amendment and debate the education proposals at the December meeting. Thank you.

The Deputy Bailiff: Thank you, Deputy Le Pelley.
Deputy St Pier.

Deputy St Pier: Thank you, sir.

I understand and appreciate the frustration felt by the Committee for Education, Sport and Culture with the proposals as scheduled by Policy & Resources to delay this policy letter. Undoubtedly, I would feel exactly the same if I were in their position; I would want to be presenting and debating the policy letter.

However, sir, as I must remind Members, as I said earlier, the deadline for substantive amendments will be 3 p.m. today. Effectively, therefore, to all intents and purposes it is unlikely that there will be any substantive debate other than that on the policy letter as laid, and that I am not sure is necessarily in the best interests of allowing a full debate and reaching a final decision.

Finally, sir, Policy & Resources' job is to co-ordinate the work of the States and, as we did yesterday in relation to the Committees for Home Affairs, Education and Economic Development's policy letters, we felt it necessary to bring an amendment to allow that debate to be brought together. And so today, sir, our recommendation is to ensure a more fully informed debate and decision that the debate should be in January.

The Deputy Bailiff: Thank you very much.
Deputy Gollop. Are you requesting a recorded vote?

Deputy Gollop: *(Inaudible)*

The Deputy Bailiff: There is no other debate permitted. That is why I am just trying to clarify there are only the three speeches.

So, Members, we go straight to the vote on the amendment.

Deputy Roffey: Sir, I know we cannot debate, I ought to know already, but I would like to clarify. If we vote for this, when in the December Schedule of Business is it going to insert education?

The Deputy Bailiff: If you have got your Schedule, it is going to insert it after the debate at the moment on the States' Trading Supervisory Board's Guernsey Electricity Annual Reports and Accounts and before the Committee for Health and Social Care's A Partnership of Purpose: Transforming Bailiwick Health and Care. That is the place.

There is a request for a recorded vote, so Deputy Greffier, we will have a recorded vote, please.

There was a recorded vote.

Not carried – Pour 12, Contre 27, Ne vote pas 0, Absent 1

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

The Deputy Bailiff: Members of the States, the voting on the amendment to the Schedule for Future States' Business proposed by Deputy Meerveld and seconded by Deputy Dudley-Owen was as follows: there voted Pour, 12; Contre, 27; 1 absentee. I declare the amendment duly lost.

Nobody is rising, so I will put to you Proposition 3, which is to approve the Schedule for Future States' Business unamended. Those in favour; those against.

Members voted Pour.

The Deputy Bailiff: I declare that Proposition duly carried and you have fixed the business for 13th December.

That concludes the business for this meeting. Thank you all very much.

The Assembly adjourned at 10.20 a.m.