



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Wednesday, 6th June 2018

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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, J. A. B. Gollop, C. N. K. Parkinson, Deputy 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. J. R. Soulsby, H. L. de Sausmarez,
P. J. Roffey, R. G. Prow

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

J. Torode, Esq. (H.M. Greffier)

Absent at the Evocation

Miss M. M. E. Pullum, Q.C. (H.M. Procureur);
Deputy J. P. Le Tocq (*absent de l'île*); Deputy V. S. Oliver (*indisposée*)

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States of Deliberation

The States met at 10.18 a.m.

[THE BAILIFF *in the Chair*]

PRAYERS

The Greffier

EVOCATION

Billet d'État XV

POLICY & RESOURCES COMMITTEE

I. Policy & Resource Plan (2017 Review and 2018 Update) – Debate continued

Article 1.

The States are asked to decide:

Whether, after consideration of the Policy & Resource Plan (2017 Review and 2018 Update) Policy Letter dated 30th April 2018 they are of the opinion:-

1. To direct -

- a) the Principal Committees to work with the Policy & Resources Committee to develop the reporting of their service outcome metrics by December 2018;*
- b) the Committee for Home Affairs to work with the Policy & Resources Committee to establish appropriate governance and support for the Justice Framework Initiative by December 2018;*
- c) the Committee for Health & Social Care to work with the Policy & Resources Committee to identify opportunities to coordinate the Public Health Outcomes Framework and the Policy & Resource Plan Monitoring Report, reporting in the 2018 review of the Policy & Resource Plan priority area 'Health and Wellbeing' (June 2019);*
- d) the Committee for Health & Social Care to set out objectives with performance measures for the Care Commission in its Policy Letter to be submitted in the fourth quarter of 2018;*
- e) the Committee for Health & Social Care to set out objectives and identify performance indicators for the Adult Multi Agency Support Hub (AMASH) for reporting in the Policy & Resource Plan Monitoring Report (from December 2018);*
- f) the Committee for Education, Sport & Culture to report in its 2018 performance report on the monitoring approach to evaluate the impact of the new school curriculum;*
- g) the Policy & Resources Committee to redraft the Policy & Resource Plan to reflect the revised policy objective 'Transforming Education' from merging 'Secondary and Post-16 Education Transformation' and 'Life-Long Learning';*

- h) the Policy & Resources Committee to identify milestones for progress reporting and the longer-term impact measures of the Supported Living and Ageing Well Strategy and report in the 2018 review of the Policy & Resource Plan priority area 'SLAWS';*
- i) the Committee for Employment & Social Security to engage with the Policy & Resources Committee with regards to a reporting framework with implementation targets to be included in the Secondary Pensions Policy Letter to be debated in the first quarter of 2019;*
- j) the Committees for Employment & Social Security and for the Environment & Infrastructure to work with the Policy & Resources Committee to establish appropriate cross-committee governance and support for the Housing Policy;*
- k) the Committee for the Environment & Infrastructure to work with the Policy & Resources Committee to identify resourcing needs to evaluate against other demands as part of the 2019 budget process and to establish appropriate governance;*
- l) the Policy & Resources Committee to publish an Annual Monitoring Report every December with the aim of establishing if policy implementation is achieving the objectives established by the Policy & Resource Plan;*
- m) the Committee for Education, Sport & Culture to comply through the oversight group with the outstanding extant resolution P.2017/90 (18) (Billet d'État No XX, 2017) by reporting in full to the Policy & Resources Committee to inform the 2019 Budget;*
- n) that an oversight group comprising political representatives from both the Committee for Home Affairs and the Policy & Resources Committee is formed as a priority to oversee the development of initiatives and delivery of savings to include consideration of the outstanding extant resolution P.2017/90 (18) (Billet d'État No XX, 2017) and reporting in full to the Policy & Resources Committee to inform the 2019 Budget;*
- o) the Principal Committees to work with the Policy & Resources Committee to review policy officer requirements (both project and substantive) in light of the policy priorities established by the States in time to inform the 2019 budget process;*
- p) the Policy & Resources Committee to promote and facilitate cross-committee policy development by ensuring priority policy areas have appropriate governance and structure to manage resources, progress initiatives and report cohesively within the policy planning process; and*
- q) the Policy & Resources Committee to undertake a comprehensive review of all extant States' resolutions by reference to the Policy & Resource Plan and as appropriate consulting with lead Committees to agree rescission for those deprioritised by the process, bringing regular Policy Letters to the States to effect the rescissions.*

2. To amend the Rules of Procedure of the States and their Committees as follows -

- (a) by deleting the words "on a Tuesday" where they appear at the end of paragraph (2) of Rule 1 and substituting them with the words "on the Tuesday immediately preceding the Meeting to consider the States' Accounts";*
- (b) by substituting paragraph (5)(d) of Rule 23 with the following paragraph -*
"(d) every 12 months the Policy & Resources Committee resubmits the Policy & Resource Plan to the States together with commentary on overall progress from the Policy & Resources Committee, annual performance reports from the Principal Committees and any proposal to amend the Policy & Resource Plan which are considered necessary;"
- (c) by substituting items 5 and 6 under that part of the mandate of the Committee for Home Affairs, headed "Responsibilities – Policy, Advisory & General" in Annex A with the following -*
"5. the Population Management Regime;
"6. immigration regime;"
and
- (d) by inserting immediately after item 7 of paragraph B (General Responsibilities of all Committees of the States) of Annex One to the Mandates of Committees of the States, the following item –*
"8. when researching, considering and reporting on obligations and

duties and other issues arising or potentially arising under International Instruments, to act in accordance with the "International Instruments Policy Directive" as published from time to time by the Policy & Resources Committee".

3. To rescind the following resolutions of the States –

a) the resolution of 1st November 2007, to direct the Home Department to prepare such legislation as may be necessary to give effect to the decision to approve the Department's proposals as set out in the Review of Gambling Legislation Report date 29th August 2007 (Billet d'Etat XXII 2007, Article X); and

b) the resolution of 28th September 1989 to consolidate the Reform (Guernsey) Law, 1948 and the Loi relative au Scrutin Secret Law, 1899 (Billet XVI 1989, Article XII.2).

The Greffier: Billet d'État XV, Policy & Resource Plan (2017 Review and 2018 update) – continuation of debate.

The Bailiff: Who else wishes to speak in debate and has not already done so?

5 Deputy Tindall.

Deputy Tindall: Thank you, sir.

When preparing for this part of the debate I decided to remind myself what it was we were supposed to be discussing when we first embarked on this P&R Plan. I am glad I did, as listening
10 to the other speeches, I may have been mistaken to believe we were still debating the P&R Plan itself. Yesterday we heard about priorities that should be added, priorities that should be removed. We were even advised that the States had made the wrong decision about a priority that was not even being debated.

This debate is not about the Policy & Resource Plan, but it is a debate on the first annual
15 update on the progress of the 23 policy priorities approved by the States in November 2017, to hold Committees accountable for progress against these priorities. Policy & Resources have been critical about that progress, which in turn the Scrutiny Management Committee have criticised.

Personally it is important for P&R to review and, if necessary, to criticise as how else are we to be held up to account? However, I would have liked to have seen more constructive criticism of
20 P&R's progress as to how they have co-ordinated and supported the 23 priorities. I would also have liked to have seen the list of what Scrutiny have done so far this term and what they propose to do in order to also monitor progress against the Plan and not just a review of progress solely on the topics Scrutiny have decided are those for review.

One aspect that Deputy Green raised was that if you have 23 priorities you end up with no
25 priority at all. He also said that the 23 should be put in order of priority. I do not agree. Simply because policies and strategies start and finish at different points in time; some policies in the P&R Plan have been progressing since the beginning of this term and some longer. They ebb and flow, so resources will also do so too.

They will be distributed across Committees, excepting in specialist areas of course, and whilst it
30 is an ever-increasing workload, it is not necessary to prioritise a few, such as Health & Social Care and Education, to the exclusion of the remaining policy priorities. Prioritisation may be required, as P&R suggests, but to some extent this is what happens, or should do, within Committees already. We should be identifying the importance of each of our priorities and, yes, prioritise them, whilst acknowledging that some are inter-related and some, which may seem minor
35 policies, are in fact fundamental to proceeding with a large piece of work. When there is a clash over scarce resources, then certainly there should be a prioritisation.

That said, the update does not give as much detail as I would like to assess progress, especially as I have mentioned this could cover priorities that have been going for some two years or more. However, what we do have on many of these 200-odd pages, are financial statements from

Committees. Why is that? Whilst the 2017 accounts, published on Monday, do not contain this information this year, I thought they usually did. Perhaps this amendment we passed yesterday morning ensured the P&R Plan and the accounts are listed at the same States' meeting is an acknowledgement of that.

But it would have been good to have more detail and progress from each Committee, rather than the financial details – mainly because there has been progress. We should set this out. Although, saying that about the financial information, one detail I did find particularly interesting was that £76,000 was spent by the Greffe in processing Billets. I find that disappointing, especially I was told in May 2016 that there was a policy to go to a paperless Government.

That included getting Deputies to read the Billets on their Government-provided laptops, to save money. I certainly tried my best, although unfortunately I have required paper copies recently. However, rather than using staff time, I have printed my own. Perhaps if other Deputies did so we could save thousands of pounds.

Then there is the language used within the P&R Plan. Why is it not in plain English? Last year we called for this as the P&R Plan was supposed to express, in clear and unambiguous language, what the States would be doing. Why does this not also apply to the updates? I could give examples, but I am sure anyone who has read it will know what I mean and those who have not have probably been put off by such phrases. These phrases may be okay for the Finance Team, they may even be okay for Deputies, although I do not like them. But this report is published, letting the public know what we have achieved and what we are going to achieve. Or so I thought.

It is another very important document to get the message across to counter this 'nothing has been done' or 'we are just jogging along' narrative. It should express in clear and unambiguous language what the States has done and will be doing. Then there is the way it reads as a whole. There are plenty of mentions of more cross-committee working, but there is still work to do on that score.

Now, I am afraid I am going to raise what many may call my hobby horse: the treatment of the committees who are not P&R and not one of the six Principal Committees. I call those committees the Gang of Seven. Whilst it is essential that the Gang of Seven work together, it is also extremely important that all committees work together. **(A Member: Hear, hear.)**

I am grateful to Deputy St Pier acknowledging yesterday that reference to Principal Committees should be read in the update as to include all committees and, indeed, the accounts has a footnote to that effect. But it is not enough. Some may say that I am just trying to raise the profile of these other committees. Yes I am, but only because if the Gang of Seven ... in fact if all Deputies and Alderney Representatives do not know the mandate of all the committees, how can we truly and effectively work together?

I say this because of the number of times there are references to some committees in the P&R Plan update, but not to others. Here are just a few examples. As many of you know, the cross-committee working group on the seafront enhancement has only just had a political member representing the Development & Planning Authority join its number, despite the DPA having to bring a policy letter to the Assembly on the subject. At least when considering what we can do to get that spade in the ground in October 2019, those wider enabling developments within the harbour action area and outside it, ahead of the local planning brief, the DPA's input will be there.

Then there is the DPA's report, in which we set out the legislation we need to prioritise. Yet at paragraph 10.2, P&R confirm they did not consult with the DPA to prioritise legislative drafting. Why not? Or did they forget to include us in their list of those consulted? Earlier, my colleague, Deputy Tooley, summed up the problem neatly: when it comes to accountability and consultation, committees are equal, but some are more equal than others.

So, sir, as I am ever one to try to resolve a problem, again I extend the invitation, not just this time to the President of the Policy & Resources Committee, but all the Members of P&R, or anyone, for that matter, to come along to a meeting of the Development & Planning Authority.

To finish, I ask myself, do I know how far we have progressed with our 23 priorities? Not really. Not from this document. But I do know of progress, because I happen to be on three committees

and the Legislation Review Panel, which unfortunately is not even considered a committee, and because I talk to my colleagues and read as much as I can. I see progress. I just hope that next year's update will not only set out clearly what has been achieved, but also what we have indeed achieved for the benefit of the people of this Island we represent.

Thank you, sir.

The Bailiff: Deputy Fallaize.

Deputy Fallaize: Thank you, sir.

I suppose I ought to say a few words in general debate on behalf of the Committee *for* Education, Sport & Culture, following the contributions from Deputy Soulsby and Deputy Lowe on behalf of their Committees.

The first thing to say, I think, is that the contribution of the Committee to this Plan update, the contribution of the present Committee, is very limited, because the Committee was elected only five weeks before the submission needed to be made. So what has been submitted at Appendix A.III, most of it actually belongs to the previous Committee. All the stuff about the performance in 2017, we as a Committee have not changed.

We have submitted a look forward to 2018 and 2019, which is over about two and a half pages and that was put together by the present Committee and covers, essentially, the Committee's policy agenda in secondary and post-16 reorganisation, curriculum, school inspections, pre-school education, primary education, sports culture, heritage and the arts and our approach to managing the budget. I will not repeat what is in there. Members will have read it, but that is the Committee's policy agenda between now and June 2020. That is what we can be held to account against. We will not be doing very much, if anything at all, other than what is covered on those two and a half pages.

Now the Scrutiny Management Committee was critical in its letter of comment about the pace of the delivery of efficiency savings at the Committee *for* Home Affairs and the Committee *for* Education, Sport & Culture. I think it is something of a reason, if not an excuse, to say, as Deputy Roffey said to Deputy Green, that this Committee was elected only five weeks before the plan needed to be submitted. Therefore I do not think we can be held much responsible for the lack of pace of progress that Deputy Green's Committee has identified.

I would say that, essentially, the new Committee agrees with the observations made by the Scrutiny Management Committee and recognises the need for greater commitment and greater pace of progress in this area and, therefore, is fully supportive of, I think, it is Proposition 1 (m) from the Policy & Resources Committee, which proposes that the Committee *for* Education, Sport & Culture should comply through the Budget Oversight Group with the outstanding, extant Resolution, which is to respond to each of the potential items for savings identified in the PwC report and to do that by reporting in full to P&R in advance of the 2019 Budget.

Just to be very clear about the approach here, there is an oversight group set up between Policy & Resources and Education, Sport & Culture, which, as the name would suggest, has oversight over the efficiency programme. But the approach is very clear. The Committee *for* Education, Sport & Culture is working its way through or has directed its officers, initially, to work their way through and come back with recommendations on each of the PwC recommendations.

I will give way in a moment, but I just want to finish explaining how this process is going to work. Once that has been done, the Committee will compile a report which effectively will explain how we are going to comply or why we are not going to comply with each and every recommendation made in the PwC report. It will be transparent. There will be proper political ownership and we will approach this in a collaborative way with the Policy & Resources Committee.

I am happy to give way to Deputy Dudley-Owen, if she still wishes.

Deputy Dudley-Owen: Thank you very much, sir, to Deputy Fallaize for giving way.

I do very much appreciate that, because I think at this point it is very valuable for Members to understand that the oversight group was started before the Committee *for* Education, Sport & Culture changed its personnel. The terms of that particular group were laid out in accordance with the requirements of the PwC part of the Resolution to look at the items brought up in the PwC recommendations and the composition of that group, two Members of P&R as well as myself and Deputy Le Pelley and we had started the process of going through, line by line, of the recommendations. It is valuable for Members to understand that that process had already been started by the previous Committee, before the present Committee took their seats.

Thank you.

The Bailiff: Deputy Fallaize.

Deputy Fallaize: Thank you, sir. Jolly good.

So I think what is important to point out is that the fact remains that, although the Committee will work its way through all of the PwC recommendations and will explain its response to each recommendation and does believe that there are some efficiency savings to be generated from some of those shorter and medium-term recommendations, that is not going to resolve the long-term budget challenge the Committee faces, because the anticipated overspend for this calendar year is nearly £4 million and it is not going to be possible to generate £4 million of savings by shaving percentages off various budget lines.

The only way that the long-term budget challenge is going to be met is through genuine, transformational change in the area of secondary and post-16 education, the restructuring of the education office, the reduction in grants to the grant-aided colleges, etc. I say that to emphasise the Committee's commitment to responding to the PwC report, but also to manage expectations about the extent to which responding to those recommendations will meet the long-term budget challenges. But we are working closely with the Policy & Resources Committee on that.

There was, originally, a Proposition 1 (f), which related to the Committee for Education, Sport & Culture, which has now been taken out, which is rather kind of the States. The Committee was not going to oppose it, although there were some complications with it. This was related to measuring the impacting of the relatively new – *still* relatively new – Bailiwick curriculum. It is still in the policy letter, of course. It was identified by the Policy & Resources Committee that it would not have been possible, up to this point, to measure the impact of the new curriculum, because it came into effect relatively recently.

They implied that it would be possible quite soon to measure the impact of the curriculum. I think it is necessary to manage expectations here as well. The reality is that the full impact of curriculum changes probably takes years to measure. Although it is necessary to set out how the changes will be measured, and you cannot say, if you make curriculum changes in year one, in year two you can measure exactly what the outcomes are from those curriculum changes.

Students are going through education over a period of many years and so it requires a longer period of time to measure any change. In any event, there is going to need to be another phase in the development of the Bailiwick curriculum. Our curriculum at the present time is extremely skills-based. In some senses, that is not a bad thing. But what we do need to establish is greater consistency of content across the schools, across the phases of education. That is not to replace what is already being developed in the curriculum statement, but to supplement it.

The next phase of work is going to include establishing greater subject consistency across the phases. The point is, the curriculum is a sort of living document. It is not something that is just finished at present and suddenly can be measured, or its effect can be measured in a year's time. Nevertheless, we take the point that Policy & Resources makes that curriculum changes do need to be measured in the future.

There is also some mention of school validations and inspections in the Policy & Resource Plan, the part of it authored by the Policy & Resources Committee. The position is – as I think I

195 updated the States in my most recent statement – Education Scotland will no longer be carrying out school inspections after this academic year.

It is likely that an interim arrangement will need to be agreed so that schools can be inspected in the short-term against the present inspection framework but, in the next couple of weeks, the Committee hopes to reach a conclusion about which inspectorate will inspect schools in the future. It is not going to be against the Education Scotland inspection framework, because the three inspectorates we are working with have their own inspection frameworks. But it will be possible to modify those frameworks to circumstances in Guernsey, but a decision will be made about the long-term inspection arrangements in the next couple of weeks, I hope, and we have communicated that to school head teachers.

205 Some general comments about the Policy & Resource Plan. Picking up first of all on the letter of comment from the Scrutiny Management Committee, I think that there was quite a lot of good in their letter of comment and I do not share Deputy Tindall's view. I think it is quite reasonable, quite proper, that the Scrutiny Management Committee should pick up on whichever part of the Plan it wants. It ought to have the flexibility and freedom to do that. I think quite a lot of its advice is very good.

210 There are a couple of things where I dissent from what has been written by the Scrutiny Management Committee. One is in relation to this business about the 23 policy priorities. Deputy Green creates the impression that really they ought to be ranked in order of priority. Could he find any government, anywhere in the world, which does that? I think, sometimes, we beat ourselves up a bit during the policy planning process. We expect to have some kind of document, which is not a sort of blueprint or a framework, which takes on almost Biblical proportions that we can go out on day one and say the public can understand, almost week-by-week, exactly what the States will be doing over the next four years.

220 That just is not going to happen. Maybe it can happen in the private sector. It is not going to happen in Government. There is not a government anywhere in the world which is able to set out its plans in that way, because of the phrase, wrongly attributed to some extent to Harold Macmillan, about, 'Events, dear boy, events.'

225 The fact is this Plan has got to be flexible; it has to be a framework in which the States can operate; it has to be possible for external parties to hold the States to account against delivery of the plan, but it cannot be a straitjacket. If it is, it will cease to enable the States and it will serve only to stop the States from responding to the kind of challenges which arise over a four-year term.

230 I do not really have much truck with this idea that we need to refine this Plan much more and it needs to become much more prescriptive. Actually, I think it needs to remain a framework which can guide the work of the States. Even a government with all the resources that they have in larger jurisdictions cannot possibly set out in minute detail exactly what is going to be done in every month of a four- or five-year term. I am sure that some Members will continue to call for that and I am certain that they will continue to be disappointed if that is their expectation.

235 The other area where I disagree with the Scrutiny Management Committee is in their comments over the timing of the development of the Policy & Resource Plan. It is very easy for critics to say it all takes too long; just a few weeks after a States' Assembly is elected the Plan should all be agreed, and we should get on with implementing it.

240 It is slightly unreasonable to level that criticism because those Members are Members of the States as well. They know the difficulty of trying to assemble 40 independent Members who are not elected on a party basis, who do not come with a ready-made policy platform. Deputy Meerveld and Deputy Ferbrache hope that they may be elected on a party basis in the future, but I think they have to grow their little association before they can fulfil that objective. Good luck to them. But at the moment they would accept that we have 40 independent Members elected and it is very difficult for any group of 40 independents, who have been elected on independent manifestos, to come together and form a definitive policy document very quickly.

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Deputy Green's Committee say they want it to happen much more quickly but actually, if he recalls, the timetable that is set out in the Rules of Procedure, required a more detailed Policy & Resource Plan to come to the States last summer and the States failed in that objective. It did not happen in July. We had some quite vague, slightly blue-sky thinking documents last summer and then the Plan itself had to wait until October. Even the timeline that was set out by the last States was not met. I think to try and put the next States under the expectation that they will work to a quicker timeline is probably unrealistic.

I also think that we must not get too obsessed with getting the Plan just right. This is really meant to be a framework. The problem is, if we try and put Policy & Resources under too much pressure to get the whole thing just right, what will happen is that bureaucracy will get hold of it. And I mean this respectfully, I think. The bureaucrats will get hold of it and will start to say the pressure from the States is to make this thing a work of art or turn it into such a science that we can measure everything, and we can put the whole thing on Gantt charts and we can know where we are at any one moment, with respect to all of these priorities, and we can see great big diagrams about how this priority fits with that priority.

We have been there and done that. That is why previous plans have grown like Topsy and then failed, because they do not have any relevance to what is happening in practice. We really must avoid that. I would much rather have a fairly straightforward plan that has imperfections and is a framework, rather than try and turn it into a straitjacket, which would simply invite the bureaucracy to take over the process.

In fact there is already some indication of the bureaucrats taking over the process, by the monitoring Propositions that were included in the original set of Propositions but have now been taken out by Deputy St Pier and Deputy Trott's amendment and I do not think we should see any reintroduction of them in future iterations of this Plan. It has got to be policy based. It has got to be political. It must not be a bureaucrat's checklist, which I think is where it has gone in the past and is the danger here if there is not proper political control.

To finish, I agree more with Deputy Stephens' analysis yesterday than with Deputy Lester Queripel's. Deputy Queripel is very depressed about the whole thing. He does not see any purpose in having a plan and, I think, rather regrets having been persuaded to vote in favour of it, or to be less hostile to it than he might have been a year or nine months ago. I think Deputy Stephens is right, the benefit of the Plan is to provoke cross-committee collaboration, so that we have some kind of framework in which we understand the direction in which we are moving and Scrutiny and P&R, to some extent, and the Assembly generally, can hold committees to account for progress, broadly against the plans they have set out.

I think this planning process – not so much the document itself, because this in a sense is the endpoint – does encourage cross-committee collaboration and I think we are in a much better place in relation to cross-committee working than we were in previous years and I do think that the process behind the Policy & Resource Plan is partly responsible for that. Yes, there is quite a lot of jargon in it. There always is in these plans. But the disciplines behind it, I think, are very constructive and worth protecting.

Thank you, sir.

The Bailiff: Deputy Gollop.

Deputy Gollop: Yes, sir. I was half expecting some other speeches, but I will go along now. Hopefully I will not repeat anything I said yesterday.

We had a variety of interesting amendments yesterday, many of which got passed, and I was particularly impressed with Deputy Tindall's contribution in working, really, on behalf of everyone on the Development & Planning Authority, to ensure that we retain the specialist resource of trained and highly professional town and country planners.

Sometimes, Planning has been criticised for delays, which I think have been minimised. We have an excellent working relationship now with the ... *[Inaudible]* but the delays are occasionally

caused by a shortage of skilled personnel and if skilled personnel are transferred to the corporate centre, however great a career move that might be, it does have a knock-on effect, holistically, on other parts of the estate.

Indeed, I remember when Deputy de Lisle, for example, was Environment Minister. There was talk from Treasury & Resources, at the time, of centralising Planning to be a corporate resource in the same way human resources and IT are. In reality that was considered not a particularly good way to go and, indeed, we still see a degree of confusion, actually occasionally amongst senior political figures, as well as elements of the media, of where the DPA stops and Environment & Infrastructure begins. It is important to emphasise that the Development & Planning Authority, in my time at least, has had a significant policy making role, as well as a more regulatory role in the planning applications and monitoring movements.

I will also praise Deputy Tindall for the work she and Deputy Yerby did yesterday in getting across the amendment about the processes that have perhaps been a barrier to investing quicker in the transformation of certain Government departments and processes and I think that is a scene we have seen echoed in Scrutiny.

It is interesting that we saw from several Members yesterday who are not associated in any way with the Charter Group or the Islanders' Association, dynamic new Members to the Chamber, who have perhaps been putting across a message not just from the right-hand side or the left-hand side of this Chamber but have been putting across a message that some of the biggest difficulties of this Chamber have not necessarily been division on policy. It has been questioning why processes are rather slow and cumbersome.

If there has been a reason why I have been attracted to work more closely as a Member, now, of the Charter Group and the Islanders' Association, it is not so much necessarily ideological differences with most of the Policy & Resource Plan, it is differences of style and application and the feeling that, for some reason, there are elements within the system which stall progress, whether that progress be on economic enhancement, or procurement or property organisation or funding transformation of services.

That is definitely a message and I think it is a message that many persons across the public feel. We hear from the public, they want everything to be spent on health and education. In reality, of course, as a Government, we know we cannot do that and we need to maintain expenditure across the piece. That is particularly true of Economic Development and I think there was an interesting mini-debate yesterday that Deputy Ferbrache and Deputy Langlois particularly engaged in about the nature of the States as an economic neighbour.

Deputy Langlois was asking the question how far beyond just having an economic development strategy has the state a role in defining and encouraging economic growth; which is really a two-part question. What economic growth levels are we happy with as an Island and whatever level we consider, whether it is too high or too low, how does the state intervene to create that kind of economic growth?

Clearly there are elements in our society, from development to transport hubs to infrastructure, that need consideration. I think Deputy Dudley Owen, in particular, has made progress with the Communication Digital Strategy, which has been heavily marketed, and I think a degree of concordance with leading telecoms operators and others. But I think we are still seeing question marks about how we resolve some of the other areas.

Of course, Deputy Meerveld and Deputy Ferbrache wanted to place an amendment yesterday. I got the impression that, probably, the majority, but not necessarily everybody on the DPA, did not wish to see that amendment. But I am sympathetic to it. It is not usually my policy to talk about individual applications, but I will on this occasion because there has been quite a media story in the last few weeks on the topic. We as an authority, in broad, high-level terms approved a significant development of up to 400 units of accommodation off the Bridge.

Now the lead owner of the site has publicly said that maybe they made a mistake and it is not commercially possible at this stage, apparently, to develop it. Now that kind of site, from the DPA

point of view, we have a hands-off policy. We will await, reactively, what comes forward and, of course, there are traffic and other issues to resolve.

The amendment that did not get placed yesterday was asking for a high-level extra piece of work on defining the cumulative effect of development. Some of the people who did not like the way the amendment was placed, I know, have spoken in the Chamber and elsewhere about the need to look at cumulative development, whether it be with road systems, transportation, impact of a car –

The Bailiff: You have given way to Deputy Hansmann Rouxel.

Deputy Gollop: I have given way.

Deputy Hansmann Rouxel: Thank you, Deputy Gollop, for giving way at that point.

I wonder if Deputy Gollop has seen the press release from E&I? As he says, this is something that, as a Deputy in the Vale, I am acutely aware of and have brought up in many committee meetings, as well as Deputy de Sausmarez, working with the Development & Planning Authority. So it is work that is already ongoing and, rest assured, it is not something that was rejected for that reason. It was rejected for the scale and concern over small parts of things that did not make sense.

Deputy Gollop: I thank you, Deputy Hansmann Rouxel, for the intervention and recall Deputy Brehaut saying that the problem with that amendment, had it been placed and passed, would have been a cost, financial and human resource implication, which I accept. I also accept that it could and probably would have had an impact on the Planning team at the DPA. There is a paradox here, of course, because some of the people that were proposing the amendment had, at an earlier part of this session, complained that perhaps the Island Development Plan was too much of a straitjacket and there was too much work going on as to defining these sites.

This was effectively an attempt to go back to that, but I still supported it, because clearly the area collectively, the north of the Island, is undergoing a degree of transformation, and when the IDP was placed and passed by the Chamber, what we did not know at the time, was that one or two of these sites would be left in limbo. What we did not know at the time was the aesthetic impact of the transfer station at Bulwer Avenue. What we certainly did not know at the time was the possibility of a much larger school in the Baubigny/St Sampson's campus area. So things change.

The Bailiff: Giving way to Deputy Merrett.

Deputy Merrett: Thank you very much, Deputy Gollop.

Were you aware, for example, of when Leale's Yard was approved the real effect that had on The Bridge, with shops closing, going to far more charitable shops because of the unknown effect –

Deputy Tindall: Point of correction, sir.

The Bailiff: Yes.

Deputy Tindall: There is no evidence that there is a link between the application and charity shops on The Bridge. In fact I can name one particular charity shop that was on The Bridge way before the application.

The Bailiff: I think Deputy Merrett was asking a question, rather than making a statement, but carry on Deputy Merrett.

Deputy Merrett: Thank you, sir.

So the impact after, being a local resident in the area, was that shops' leases were not renewed, shops were vacated, and it is only very recently – and I am very pleased to see this – that we have got new shops opening on The Bridge. Was that taken into account, the possibility of that uncertainty of that area being developed and the immediate effect it had on the area of The Bridge?

Deputy Gollop: Yes it was. We did take account of the new businesses that were being relocated. We knew what the States wanted at the time and it should be remembered that the entire Assembly, including all Members of Policy & Resources, three of whom represent St Sampson's, voted for the Plan generically.

As for the charity shop impact, the key hub of the scheme I am referring to, in what could be called Leale's Yard, it was fundamentally conceived as very much a residential area rather than as a huge retail complex, which was the dream of a decade earlier, or an office-type complex. If it had gone ahead, one would have assumed there would have been 400, maybe 600 or 800, more consumers who would live right on The Bridge and would have contributed to the urban regeneration of the area.

The point I am coming to is – the States actually are aware of this and could, and probably should, have a role in that development. Not at the planning level, or even at an Eastern Seaboard level, but on a level, for the sake of argument, of identifying such a site as a private/public partnership to maybe invest money to ensure that housing or other development is carried on at that site.

Because if the owner argues that it cannot be done viably at the moment and there is not another solution in the offing, then what happens? Our building industry goes quiet, our economy goes quiet, there is a knock-on effect. As Deputy Merrett has pointed out, there is a depression and a limbo on two major parishes. There is also a loss of professional skills. There is a potential brain drain, we have heard, from one of our leading Committees; a headline in the paper. Those are the kind of issues we should be dealing with in the Policy Plan.

We need to make the message out loud and clear: not only do we need to strengthen our Health and Education and other public services, but we need to have, dare I say, a more robust attitude towards public/private partnership and state intervention to help the economy. The curious thing we are seeing in the Chamber at this moment, from my perspective, is the more progressive centre-left of the States is broadly against that intervention and the more centre-right appears to be for that intervention; which is not necessarily what you expect from a standing position.

I think we need a grown-up debate on that and we need to ensure that we do not water down the Policy & Resources planning process. For example, we have seen the amalgamation of two of the policy proposals into one, for Education, and I would not like to see a loss of lifelong learning. Finally, I would wish to say there are two, in a way, warnings, within Policy & Resources' text.

Towards the end of the main policy letter, they say they have not got to the point yet of wanting to knock out policies and strategies from Committees, or rationalising those that cannot be done. Maybe they should. The first is on page three of the main report; they say they do have concerns that not everything in the Plan is deliverable, which is kind of a get-out clause.

My concluding point would be that we look across the water to Jersey, which is clearly going on an evolutionary path at the moment and their latest main line business plan, I think, is about 27 pages. Ours is 230. What that tells you is perhaps an interesting insight. Are we superior or are we perhaps over-egging, over-planning our report? I do think we need a clearer, action-oriented approach and less process.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

Yesterday, Deputy Lester Queripel posed the very reasonable question: why do we need a plan? As many other people have pointed out, it is mainly to do with prioritisation and co-ordination, specifically, of resources. I have just got one thing to add to the answers that have already been explained better than I would do on that issue. That is to say it is all very well to say that we understand our duty to protect the wellbeing of the people and surely we should be able to do this without a plan, but to say that implies that there is some homogenous view of what is best for individuals in the community that is, of course, simply not the case. There is often no homogeneity of opinion within even committees, let alone this Assembly, or the public as a whole.

In fact, if there were a homogenous view, there would probably be no need for politicians. If everyone agreed on what obviously needed to be done, we could just let the civil service get on with it. But there is not universal agreement or a homogenous view and that is why we need to debate things and agree a plan, so that we can allocate resources appropriately and get the work we agree needs to be done, done.

Speaking of prioritising, Deputy St Pier picked up in his opening speech yesterday one of the comments in the opening section of the P&R Plan, which is that the States is still undertaking work that has not been agreed as a priority. I would like to just delve a little deeper into this point, as what I feel this statement fails to acknowledge is that, when the Committees are told to find the resources within existing budgets, what this often means in reality is not pulling staff off workstreams that are not an agreed priority but pulling staff off business as usual.

Anyone who has taken the time to read through Appendix A.II, certainly my impression is in some respects we are chronically under-resourced, and, from my perspective, it is less about financial resources and more about human resources. Deputy Tindall made an excellent point yesterday, reiterated just now by Deputy Gollop: we cannot just move officers around as though they are entirely transferable resources, like pieces on a chess board. Many of them have very specific areas of expertise and knowledge and it is simply not a good use of that valuable human resource to transfer them to areas willy-nilly. We need to be very careful about the implications and impacts of moving staff and allocating them appropriately.

We also have to be careful not to spread them too thinly. For example, anyone who has paid particular attention to the E&I section will have noted that we have identified a lead officer for the Infrastructure Plan, which is –and I hope it is allocated some budget in the 2019 Budget – a good thing.

However, what is not mentioned is that that same officer is also leading on, or a key person involved with, many major other workstreams, such as the Energy Policy, the hydrocarbon supply programme, renewable energy, the Roffey amendment on fuel duty, environmental taxes and coastal defences. However talented that person is, we are still talking about a single, very busy person who is constrained by the number of hours in a day. So I think we do have to be very careful about spreading our valuable human resources too thinly.

Personally, my biggest frustration is the time it takes to get stuff done and this relates to the sheer paucity of human resources available to us to do the work that we should be doing. Part of our job is to look the community in the eye and explain why the problems that they have every reasonable expectation of being addressed, still have not been addressed.

Take Fermain Wall, for example: it has been an unsightly mess since the winter of 2013, from memory. A very reasonable question to ask, from the public's point of view, why in the best part of five years has it not been fixed? Well, as ever, it is not that simple. It is partly because it is not a simple job. The most important thing we need to do is make sure we are fixing the right problem. Just rebuilding the wall would not address the reasons it collapsed in the first place. Partly it is because, in policy terms, it has to sit within a pecking order underneath more strategically important coastal work that protects vital infrastructure.

It is that prioritisation issue again. It is absolutely unavoidable when working within budget limitations. But, partly, it is because we just do not have enough staff to manage the volume of work that we would like to do in the time that we would like to do it. What people really do not seem to understand, people within this Assembly even, is that even when the work itself is

505 outsourced, so staying with coastal defence as an example, where a sea wall, like maybe Vazon Perelle has to be repaired or repointed by local stonemasons, that requires a lot of staff time to tender and project-manage that work.

States' Members are regularly lambasted for using outside or UK consultants, but it is really not the simple or lazy option. Many people assume it is. In my experience, it is not an option
510 Committees agree to lightly. Money aside, using outside resources takes up a lot of in-house resource. When the Housing Review was outsourced, for example, it put a significant burden on our own staff, across several committees, to facilitate the work the consultants had been commissioned to do, in the form of managing the process but mostly collating the various different sets of data from various different areas and departments.

515 So using outside consultants is often inevitable. Most usually because we do not have the required very specialist skills or expertise in-house, but it is by no means a *panacea* – which brings me neatly onto the subject of the hydrocarbons supply programme. I was not intending to talk about it, but Deputy Paint spent some time on it yesterday.

I was a little bemused that Deputy Paint accused E&I of failing to ensure that the fundamental
520 issues around the import of hydrocarbons were addressed, as that objective is exactly why we have approached this programme in the way that we have. Deputy Paint is quite right to suggest that the Island's energy needs are likely to change in future, most likely towards greater electrification and most likely reducing our demand for hydrocarbons, but not eliminating the need for them entirely.

525 Again that understanding underpins the project's very *raison d'être*. That is why we are using specialist consultants and spending the money on exploring those fundamental issues. It is essential that we have robust data and analysis, not just locally, but regionally and globally as well and it is vital that we can model different scenarios and test the underlying assumptions and sensitivities.

530 It is crucial that we can forecast as accurately as possible the future energy needs of the Island and how those needs may best be met, bearing in mind technological innovation and geopolitical risk, for example. This is incredibly specialised work and it is work that will of course also inform the Island's Energy Policy and Renewable Energy Strategy.

535 Issues such as energy security, resilience and independence are fundamental considerations with far-reaching and long-lasting ramifications. So it is our responsibility to ensure that this Assembly is in a position to make well-informed, evidence-based decisions. It is not a cheap bit of work, but it is a valuable one.

Everyone involved in the hydrocarbon supply programme recognises that the specific expertise and insights Deputy Paint can bring are an important part of that equation, which is why he was
540 identified as a key stakeholder in this process and has been consulted accordingly. But, that said, it is also important to acknowledge that the hydrocarbons programme is broader and more complex than the single issue of how to get fuel from a boat to the shore. I know Deputy Paint does acknowledge that.

545 The workshop that Deputy Paint referred to was part of the consultation process to discuss critical success factors relating to the supply chain, on-Island storage, distribution and use. Many factors are within our control as an Island. But many, especially those relating to the supply chain, are beyond it.

The equation is complicated by the fact that some on-Island aspects and assets are States-owned, or controlled, and some are entirely commercial. We need to understand the myriad
550 practical and financial risks to us as a Government and as an Island community. We also owe it to the commercial operators, both the private operators and the States' trading assets, to give them a clear indication upon which they can base significant investment decisions.

555 Deputy Paint may have a firm and fixed view on the best way forward, which I believe is essentially to carry on what we are doing now, but it is important to understand that there is no such thing as a do-nothing option. Yes, we can replicate and extend the existing set up and that may very well be what this Assembly decides to do. For example, some of the boats currently used

to bring fuel to the Island are approaching their end of life in just a few years' time. So those commercial operators will need to make some weighty business decisions soon, even in order to carry on as we are now.

Of course, for them, it is not as simple as the question of whether or not to commission new boats. Their decision will have to take the bigger picture into account, weighing up the commercial realities within the context of a changing market. What we as a Government cannot do is make no decision and simply drift along as we always have. We need to make well-informed, conscious decisions that will help us to help ourselves and help others to help us.

As Deputies Hansmann Rouxel and Brehaut explained yesterday, the workshop that Deputy Paint referred to was looking at the critical success factors with the aim of whittling down a long list of options, for something that was a bit more focussed. There were no recommendations on the table at that stage. There still are no recommendations on the table at this stage, because the process is still ongoing, but when we can bring forward recommendations, ultimately it will be a decision for this Assembly. The important bit is that it is a conscious and fully informed decision that appraises the complexity of the situation and it is therefore essential that we ask the right questions of the right people from the start of the process.

Asking the right questions of the right people at the right time is something that relates to amendment 6 that was not laid yesterday. Had Deputy Meerveld raised his concerns with E&I and the other relevant committees – and I agree with Deputy Merrett, I would have thought the obvious time to have done that would have been before the Law Officers were instructed to finalise the drafting rather than afterwards – he may have been pleasantly surprised to discover that we, as a Committee, are mindful of, and in fact sympathetic to, his concerns.

As Deputy Hansmann Rouxel explained just a little earlier, she and I in particular have been something of a broken record on this topic since early in the political term, as Deputy Tindall and the long-suffering staff at the DPA will testify. We are and have been working on it. Had Deputy Meerveld come to talk with us about it, we would have explained the unworkable aspects of his proposed amendment and explained some better ways of addressing issues.

Asking the right questions of the right people at the right time is a key part of getting it right. Deputy Meerveld is right to flag the need to ensure that any new or expanded school, for example in St Sampson's, is supported by adequate infrastructure and transport systems. He is not the first to flag this issue and in fact it is something I spoke about specifically in the last education debate. As I explained then, we need to look at school transport differently. If we assume that it will continue much as it is now, just on a larger scale, then we will exacerbate and entrench the problems we have now on a larger scale.

Working within the finite physical constraints of Guernsey roads, no amount of redesign would comfortably accommodate a like-for-like increase in traffic if we assume that school transport will continue much as the *status quo*. This assumption was the innocent and completely understandable mistake made by the previous Education Committee in their work to prepare plans for a three-school model.

They, quite understandably, asked road traffic engineers how the infrastructure could be adapted to accommodate a greater number of students. That is a classic example of the wrong question asked of the wrong people. It assumes that an engineering solution is the answer, which is in fact not the case. The answer is to look holistically at the situation in the round. Who needs to go where? Why? When? With what and how?

Now this is what travel planners do and interestingly engineering solutions are the last consideration in that process, not the first and only. Whereas engineering solutions look to mitigate the worst effects of the problem, travel planning addresses the issues at source and allows transport systems to actually improve.

I am pleased to say that E&I is supporting the current Committee *for* Education, Sport & Culture with professional travel planning resource, so the transport systems could in fact be more efficient and effective than the systems supporting our schools are currently. Ultimately, when it comes to road transport and infrastructure, the fundamental aim is not to accommodate the

problems, but to address the problems. I ask anyone who shares the concerns of Deputy Meerveld – and I should add that these concerns are by no means unique to the north of the Island – to get behind the Transport Strategy and the bid for funding for the Infrastructure Plan as those are the most expedient ways of properly addressing these concerns.

Stepping back a bit, to look at the bigger picture, I thought one of the most insightful speeches we heard yesterday was Deputy Langlois'. He – and I think he was spot on – identified that we are operating in something of an economic policy vacuum. I very nearly decided not to speak after I had heard that speech as, before the debate, that was one of the main things I wanted to talk about. Sadly for everyone, I changed my mind!

Deputy Langlois posed the blindingly obvious question why? It is the economy, stupid. Or is it? Our default position seems to be an implicit assumption that indefinite economic growth is an objective in its own right. But is it and, if so, why? Surely economic growth should be a means to an end? What are we actually trying to achieve? Are we trying to make Islanders' lives better? If so, in what ways does economic growth achieve that?

It is absolutely fair to say that, in the broadest terms, there is a correlation between the strength of an economy and the quality of life. But the devil is in the detail. The reality is far more nuanced and granular than economic metrics can convey. We tend to measure economic growth through a single metric, GDP, which is the main metric we tend to use. It is a really useful way of measuring financial transactions, but it is utterly useless at measuring specific things that make our lives better. GDP does not measure a whole range of things that matter to us as individuals. Even in economic terms it is flawed as it does not properly account for public expenditure and it tells us nothing about how wealth is distributed within a community, for example.

The top 10 countries of the GDP *per capita* index are notably not the same as the top 10 countries on the World Happiness index. So yes I wholeheartedly agree with Deputy Langlois that we should have that debate. But for the same reasons I do welcome in the meantime the amended and newly streamlined and unbureaucratic Proposition 1(l), or whatever it turns out to be, to publish an annual monitoring report based on the OECD Regional Wellbeing Framework.

This report will also enable us to measure quality of life for the people in the Bailiwick with comparable jurisdictions and regions. These indicators include some of the things that really count to us as real people living in the real world. Some of the data that will be included in that report includes household net disposable income, average rooms per person and average percentage of income spent on housing. These are important indicators of housing affordability – as well as some of the subjective but really important things like quality of support networks and the personal perception of life satisfaction.

Together with key economic indicators including GDP and employment and unemployment rates, this report will give us a much better picture than we have ever had before about the experience of living in the Bailiwick and that, surely, is what our job as a Government is all about?

The Bailiff: Deputy Brehaut.

Deputy Brehaut: Thank you, sir.

I was going to say Deputy Lindsay de Sausmarez stole my thunder, but she stole my entire weather system, I think! (*Laughter*) I have made a few bullet points.

Just to pick up, I am sorry for the repetition, on hydrocarbons. Deputy Paint did say yesterday that the impetus, the reason we embarked on the hydrocarbon programme, was the view that there was about to be legislation imposed that would mean that we could not stop the importation of hydrocarbon fuels. Therefore that spurred us into action and having a review of what we do now. I know that has been said a number of times. It is just not the case.

The security of hydrocarbon supply, that piece of work had to be done. We know we have two of our tankers, through Jamesco, in our possession. We know only one of them, now, is kept busy with hydrocarbons. We hear from Alan Bates, from Guernsey Electricity, that they import huge volumes of heavy fuel oil. Ideally, they do not want to be doing that. They are now looking at

battery technology, so when the French link goes down, the battery supply bleeds into the grid, rather than burning hydrocarbon.

665 So that is a diminishing market. It is falling away. Deputy Paint said yesterday, I think, that actually the solution could be one smaller tanker. That could well be an option that is tabled to this Assembly in any report that we consider. So that is a broader context for it.

With regard to the amendment yesterday and the rationale behind placing the amendment, I met with St Sampson's Constables with my Chief Secretary, Jon Buckland, and following that meeting the planning officer responded – bear in mind, this was the understanding of St Sampson's Douzaine:

The States of Guernsey, in approving the States' Strategic Plan in 2009, was committed to enhancing and extending the road traffic infrastructure but has done nothing.

670 That was the view of St Sampson's Douzeniers and Constables that met with us. In fact, the plan they referred to, and I will just read from the response to them, briefly:

There was no specific commitment in the States' Strategic Plan 2009 to enhancing and extending the road traffic infrastructure. This plan set out high-level strategic, environmental, social and economic aims and objectives of the States of Guernsey and contained broad statements.

675 There was a view, a misunderstanding, from the Douzaine, that there was a commitment to improve road infrastructure and we had not done that. Once the St Sampson's Constables realised that they had really started in the wrong place, they then came back with – Members I am sure will remember reading this in the paper – 'In that case we want to see a moratorium of building within the parish.'

680 Just in the interests of clarity, the situation is there could be no moratorium on development, otherwise legally permissible, under the Planning Law and the IDP. Once you have said something is going to go ahead, and you have approved it – and I am sure people will make submissions to an open planning meeting, whatever mechanisms there are – that development is going to go ahead. There can be no moratorium.

685 So, respectfully, St Sampson's Constables started in the wrong place. That took them to somewhere else and actually there cannot be the moratorium that they wish to see. Although I think Deputy Ferbrache yesterday, in comments made with regard to Deputy St Pier and Deputy Trott – saying, 'Your parishioners, your electoral district will not forgive you for the manner in which you voted today,' – actually they placed an amendment in the right debate. They placed the Delancey amendment in the Island Development Plan, which is where any input should have been. **(A Member: Hear, hear.)**

690 Now if Deputy Meerveld does not mind me saying so, when he was speaking yesterday, I was trying to think who he reminded me of and actually he reminded me of my son when he had not completed his homework. 'I did have this piece of work and I gave it to the Constables and the Constables said, "That is a great piece of work." But I gave it to the Law Officers and they lost it and when it came back to me, it did not have the ...'

695 The reality is it was an imperfect amendment. It should not have been placed and the consequences were not clearly worked through. I know there was a feeling in this Assembly – I will not give way just at the moment, thank you – that the debate was halted, and I get that. I understand why people sometimes feel that the rug is pulled from their feet. Even if it would have gone to the vote, then the amendment would not have succeeded.

700 This is the crucial point and I will make this point, perhaps, just before I give way to Deputy Dudley-Owen. If the States would have agreed to embark on a process which would have seen a report out there, for how long? Because the amendment said by the end of 2018, which is six months away, to report back. That would not have happened. I imagine there would have been an extension into 2019. The cost would probably have been £400,000-£500,000. That is the reality of it, but who would have developed in the meantime?

705 If you are concerned about Leale's Yard, if you are concerned about housing, if you are concerned about the economy, why would you commission a report that would stymie development going forward? Why would you have a report out there that would mean any self-respecting developer would not do anything until they saw the outcome of that report?

I will give way to Deputy Dudley-Owen.

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

Through you, I do appreciate Deputy Brehaut giving way.

I just wanted to remind Members of the words, I think it was from Deputy Merrett, yesterday about being grown up, being respectful, having a debate in which we constructively criticise each other, rather than throwing barbed comments across the Chamber. (**A Member:** Hear, hear.) I do feel that there is often opportunity taken to chuck barbed comments at certain Members and I am afraid to say Deputy Brehaut has just indulged in that.

Thank you. (*Laughter*)

720 **Deputy Brehaut:** If she could have tried, you could have been a little more sanctimonious, if you do not mind me saying so. (**A Member:** Another one!) Every time I get to my feet in this Assembly, I am challenged. When I am challenged, I usually give way. I think it is a common thing to do. I am disappointed that Deputy Dudley-Owen has taken the opportunity actually to make something of a barbed comment, which is unnecessary.

725 Why any Member of the Economic Development Committee would want to see a stall on development in the north is beyond me. Why would we commission a report that would see that there would be no development in that area? What the amendment also tried to do yesterday ...

No, I will not give way to Deputy Meerveld. I am just trying to make headway, thank you.

730 **Deputy Meerveld:** Point of correction, sir.

The Bailiff: If it is a point of correction.

Deputy Meerveld: It is, sir.

735 Deputy Brehaut keeps on referring to a moratorium on doing construction in the north of the Island. The amendment did not mention a cessation or moratorium of any building works whatsoever. It said do research to ensure that the infrastructure can cope with the volume of work planned. That was it. No moratorium.

740 **The Bailiff:** Deputy Brehaut.

Deputy Brehaut: My interpretation of that is that, while this report was being drafted, that is exactly what would happen; that people would not embark on development because they were waiting for a report to be published. Look at the KPMG review. A relatively small piece of work. 745 Very tight in scope in its focus. What has happened? It took a great deal longer to write that report. It has been a while now that people are waiting for it to be published. That will be in July. How did the market react to that report being written? I think the industry will react in exactly the same way.

I have concerns about development in the Vale. I have concerns about development in the 750 Castel, St Sampson's, as a representative for St Peter Port South, which is the most densely populated and actually would take the brunt of any development. So this colloquial 'it's grim up north' argument, I think at times you can challenge that with the actual outcome of projects and the deliverables and where they are built.

755 All of that issue, with regard to the north, is covered in other policies. The Transport Strategy covers that. The Energy Policy would have had regard for that. The IDP, quite obviously, would see development in the round. But the cure for this, as referred to explicitly by Deputy Lindsay de

Sausmarez, is the overarching Infrastructure Plan, which we are bidding for. We need that resource so we can look at development in Guernsey in the round. Why would we randomly look at one area and put so much energy, so much input, involving the private and public sector looking at one area of Guernsey? Why would we not broaden that out to the rest of the Island?

I mentioned funding on infrastructure. Of course that also touches on Alderney as well and we will be speaking with P&R to ensure that we are looking currently to survey the mound, to have a sonar inspection of the mound that supports the Alderney breakwater and I believe it will be in the region of £50,000. So, with other bids that we will be putting in, we will be having those conversations with P&R to secure the long-term future of the Alderney breakwater.

Deputy de Sausmarez has just touched on this. Our staff resource is tight on E&I. As she has referred to earlier, the renewable energy team, because of their shared roles, is one and a half people. Hydrocarbon is about one and a half people, because of the staff shortages that we have. It is very difficult. In fact I will be candid: we have an embarrassment of riches at the moment because we can collect first registration duty; what we want to do is deliver projects on that first registration duty.

We have taken on engineers who can work on projects. This is not a criticism of the planning process because planning quite rightly takes time, but we want to do schemes within St Peter Port, we want to do pedestrianisation. We will do those schemes with funds from the first registration duty, but it takes time through quite legitimate considerations such as planning.

I just want to comment on some joint things. My Committee has worked closely with the Development & Planning Authority with regard to delivery of the Island Development Plan. My Committee has worked closely with STSB to deliver the Waste Strategy and we have worked closely and well with Employment & Social Security on delivering the KPMG Review. I think that is what the Policy & Resource Plan should be about – that collective working and that joint working for shared goals.

I would like to get to a situation that, when E&I announce a scheme that we believe is clearly beneficial, that has health benefits, I am sure I can go to Deputy Heidi Soulsby and promote and sell that. I would like to be in the same position, at times, I think to get our Home Department colleagues on board, to acknowledge that we have shared collective responsibilities with regard to road safety and policing. (**A Member:** Hear, hear.) We can work together in those areas.

I would just touch on one thing and perhaps it is the interjection from Deputy Dudley-Owen that spurred me into saying this. I think it is fair to say that E&I is probably the most politically campaigned-against department. I think other Presidents are contesting this – Stockholm syndrome on the top bench possibly! (*Laughter*)

If we want to spend £2,000 people call for my resignation. Whether it is a gate across Salerie, whether it is enhancement of a cycle scheme, whatever it is, people demand that I am called to account. Social media is alive. Politicians feed into that social media, to give it the oxygen to secure it burns a little longer. All we are doing at E&I is delivering what you want. If you respect the transport hierarchy, we are trying to deliver that for you. Biodiversity, we are delivering that on your behalf. The civil servants referred to yesterday do not work for us, they work for you, collectively.

Let us be candid, there is a clear fracture in this Assembly. Very clear, as evidenced by one vote yesterday. If I get to my feet, the first obstacle I have to do is I have to acknowledge that 17 or 18 people will not support the policy letter. I just do not think that is right. I do not want to lapse into cliché, because I do that too readily, but I would hope that States' Members would realise what our mutual and collective objectives are and deliver them together through the Policy & Resource Plan.

Thank you, sir.

The Bailiff: Deputy Kuttelwascher.

Deputy Kuttelwascher: Thank you, sir.

Just a few words in support of Deputy Paint's position of yesterday.

810 When I was on the Treasury & Resources Department in the last term, this whole issue of hydrocarbons was brought up and the catalyst at the time was this: that there was a distinct danger that refineries would not fuel our ships and that is what started the whole process. At the time the then Environment Department came for funding to start the process of evaluating how best to secure delivery of our hydrocarbons and my recollection is that we did not quite agree what they wanted.

815 I think the original sum was £860,000 and then a lesser sum was agreed for an initial investigation of the problem. That was the catalyst. Now we are told that it really was not a problem in the first place. In fact Deputy Brehaut just said we might end up with a recommendation that we just carry on as we are but maybe only have one boat. A very expensive way of getting to that position.

820 My question still is, is there a problem with our current delivery method? (**Several Members:** Yes.) Fine, some say yes, some say no. It has been working for quite a long time and there is an alternative. There are 29,000 litre tanks that can be brought in on a low-load method. So you do not need tankers at all and there is a company here delivering heating oil using just that method.

825 We can get by without any tankers at all using these 29,000 litre tanks which are being used at the present time. Are we seeking some sort of perfection? Can we estimate what is going to happen in 10 or 20 years' time. Nobody knows, but for the moment we do not actually, I believe, have a problem.

Thank you.

830

The Bailiff: Deputy Dorey.

Deputy Dorey: Thank you, Mr Bailiff.

835 I would just like to follow up on hydrocarbons, as it seems to be the subject of this debate. The origin of where we are in relation to looking at it comes from the 2012 Energy Policy Plan. I will read from it. It says:

In the first instance, of critical importance is a need for a comprehensive review and assessment of the current hydrocarbon import supply chain with a cost benefit analysis to determine the viability of new importation infrastructure.

840 That was in 2012 and that was supported by the States, including Deputy Paint. There were 34 for and 4 against that Energy Policy Plan, which included that. In 2017, in June, we voted on the Policy & Resource Plan phase two and one of the Propositions was Proposition 6, which again was supported by the States and it was a recorded vote of 37, with three absent. That included Deputy Paint supporting it. Included in that was a list of the capital portfolio, which included the hydrocarbon supply pipeline. There were words in that report to describe it.

845 As the Committee has before said, we are coming back to the States with the report before we go onto the next stage. Just one correction, as well, to Deputy Paint; I did not want to interrupt, because I wanted to make sure I had the correct information about the slides from that workshop that was done. The large project which involved allocation of cruise vessels, which had a capital cost allocated to it of just under £800,000, which came out in the stakeholder workshop, when they did not have the values, at 15th, it was not the third choice, it was the 15th choice. There were only 16 which were allocated a ranking. So it was not the third priority.

850 Following on from what Deputy Kuttelwascher said, it is essential, there needs to be in the next few years considerable private and/or public-sector investment for either of those sources of capital to be invested in hydrocarbons and bringing hydrocarbons to this Island. There needs to be a policy which this Assembly has agreed with and it is vital that we have that debate and agree on whatever is the decision of this Assembly in relation to a policy that the private or public sector could then make the necessary investments, because they are needed in the next few years.

855

I would just like to speak on two other items, which have partially been covered by other E&I Committee Members. One is 1(k), which says the Committee *for the* Environment & Infrastructure to work with Policy & Resources to identify resourcing needs to evaluate other demands as part of the 2019 Budget process. With the cuts in budget, we are just unable to have the manpower to spend our budget. I think it was summed up by part of the minutes from one of our Committee meetings, where it says:

The Committee expressed concern that there appeared to be regular underspending of budget due to the lack of resources to facilitate the works.

It is a major problem because those works are vital to this Island, the protection of this Island and the needs of this Island. Therefore I welcome 1(k) and encourage Members to vote for it.

The other Proposition I wish to speak about was 1(p), which has been partially covered, which is about doing a review of resources, Policy & Resource Plan to promote to the States 'cross-committee policy development by ensuring priority policy areas have appropriate governance and structure to manage resources, progress initiatives and report ...' within the planning process. It is covered on page 30 as well.

I disagree with Deputy Fallaize. I think we need to be more organised. We have the Policy & Resource Plan debate in June, but unless we at the same time allocate resources and allocate capital, we will not be able to achieve those priorities. It was then in the 2018 Budget that capital was allocated to some projects in order for them to achieve and we are not now allocating resources. We will get resources in 2019. I think that should be all done as one process when we decide on our priorities.

We needed to allocate the necessary resources, the necessary capital, in order to achieve those priorities. So I welcome that they are now going to be looking at those resources and making sure that there are resources to achieve those priorities, but I think that should have been done a lot earlier, so that we are able to achieve what we wanted to do in this term. Without that, we just cannot achieve.

As a States, we achieve so little, because we start things far too late. (**Several Members:** Hear, hear.) If we do not have the resources we should not start. We need to identify resources and allocate them, but say we are going to achieve that, or say we do not have the resources to achieve that.

Thank you.

The Bailiff: Deputy Trott and then Deputy Prow.

Deputy Trott: Thank you, sir.

There are a number of different issues I would like to cover, but the speech will be short nonetheless. I am going to start with Alderney. I think it was Deputy Brehaut who talked about some essential and potential, almost certainly long overdue, infrastructure improvement projects up there.

The people of Alderney do have an uncanny way of spinning words that come from my mouth and the most recent was when they said that I have been saying Aurigny runs at a deficit of £6 million a year, with regard to the links it provides to Alderney. That is not what I said at all. The losses are half that, the losses are, albeit a staggering amount, £3 million, not £6 million. The £6 million aggregate loss comes when you add up all the taxes that funnel into general revenue and you add up all the expenses that funnel out of general revenue.

That is where the £3 million a year deficit comes from fiscally. Add the two together, that is £6 million. I go on to say that if we, a population of 63,000, were running the same deficit as the 2,000 people in Alderney, we would be in the red to the tune of nearly £200 million a year. That is now on *Hansard*. That is what I have said. Maybe the Alderney Representatives – representative in this case, only one of them is in the Assembly – would be kind enough to ensure that those facts are widely understood.

I now move on to pipeline projects in the north. I have to say I was somewhat bemused yesterday when Deputies Meerveld and Ferbrache were talking. Deputy Ferbrache told us that probably nobody in this Assembly, probably nobody in the Island, had attended more planning inquiries defending his clients.

Let me tell you, sir, no Member of this Assembly currently or previously has attended more planning inquiries defending the interests of the electors of St Sampson's. Also, nobody in this Assembly, current or previously, has brought more amendments at the right time to ensure that the interests of the constituents, the people of St Sampson's, are protected. So I will take no lessons from either gentleman on planning matters regarding the interests of my constituents.

I now move on to, I think, something that is absolutely fundamental at any Policy & Resources debate time and that is our strong economy and fiscal strength. Let us examine one or two of the facts. Right now, more people are employed and earnings have grown, and tax receipts have increased by over £21 million, year on year. So a year ago things were very much worse than they are now. Those numbers demonstrate very real positive progress. You should all be very pleased with yourselves.

You should also be very pleased with yourselves that States' committees, in aggregate, have underspent by over £5 million and that total public sector pay costs represented a real-terms reduction of 1.2%. Our sovereign reserves are quite simply in superb shape.

Now pace of change frustrates most Members of this Assembly. I am not immune to that frustration. I am going to use an analogy of an outside toilet. (*Laughter*) Let us imagine we have an outside toilet and that outside toilet is too far from the house. If it is too far from the house, one has the potential to forget what you wanted to do when you got there. (**A Member:** Speak for yourself!) What that means is that you run the risk of having an accident, either on the way there or on the way back, having forgotten why one was there in the first place.

If there is one area regarding pace of change where I too would wish to focus, it is materially, on transport links. There is no doubt that I think we all stand collectively criticised that the decisions around this have taken too long to come before this Assembly. (**Several Members:** Hear, hear.) The good news is that those decisions are in fact imminent and I believe that we will be making a succession of material decisions regarding our transport links at the July meeting of the States and we will be making some more material decisions in September. So this decision is, I think, if not a full resolution, a partial resolution.

I now want to address the issue of economic growth. We look forward to the debate on the Economic Development Plan but, in particular, to comments made by the very able Deputy de Sausmarez. What I say to her is this: with regard to economic growth, you cannot stand still. That is an absolute fact of economics. If you do not plan for and succeed in achieving economic growth, you will recede.

The problem with economic recession is that it cannot be managed in an orderly fashion. It has a horrible tendency of gathering momentum, and the consequences of that are that the poorest and the most vulnerable are the first to suffer and the ones who suffer the longest. That is why economies continuously strive for economic growth.

I would like to talk about the Guernsey Investment Fund, because I am told that not only does this investment vehicle – remember £25 million of States' money has gone into that, alongside significant public investment ... has already made a number of significant investments. They tell me that it is obvious that our message is clear, that we are open for business. Why is that message so easily transmitted? It is because actions speak louder than words.

It leads me on to the fundamental question that was posed by Deputy Shane Langlois yesterday about what governments should do in terms of setting the economic climate. What governments should absolutely not do is seek to pick winners. This is a perfect example of us again putting those words into practice.

What we have done is we have made an investment where professional advisers are picking the winners against a platform that says, 'You are welcome, we want you, we are prepared to support you.' That is exactly the sort of climate that we strove for and I believe we are achieving.

A key part of this document is in fact the Chief Executive's report. I am not sure if any other Member has referred to it. He cannot, in person, so maybe I could for him. I would like to turn first of all to page two of his report, right at the back, and his assessment of progress since the last time we debated our priorities. He says:

Our aim is to build a single public service organisation, one that works in partnership with outside expertise, organising and delivering services centred on those who use them and using money wisely and carefully. An organisation designed around meeting community needs rather than expecting the customer to adapt to the public services, internal procedures and structures. One which has adopted technology and a one-stop, tell us once approach to make our services easier to access and use.

He goes on to talk about all of the laudable initiatives that are being undertaken, from transforming health and social care services, to transforming justice and equality services, to transforming education and training services, supporting Government, revenue services, property rationalisation and on that he provides some details. He says that phase one of this programme was completed in February 2018.

Both primary objectives, which was exiting Grange Road House and Cornet Street, were achieved by the end of Q4 2017, which involved ...

– and this is where sometimes the detail can be fascinating –

... 468 staff move, more than 1,000 pieces of furniture and over 2,000 pieces of IT and phone equipment.

You hardly heard a murmur, that was carried out so successfully. It is an example of the numerous things that this Government does that do not attract public attention. Why? Because they are carried out with supreme efficiency. Future digital services, he talks about, and then very materially, he talks about the People Plan and he says that we have now completed the learning and development review and also collected and examined data to inform our review of terms and conditions. All of the People Plan projects are now in the implementation phase.

The demographics around that are, I think, fascinating. We have over 1,000 nurses and clinical consultants and they cost about £51 million per year. We have over 800 teachers and learning support assistants, and they cost around £42.5 million per year. Let us look a bit further at the demographics, which he helpfully presents for us on page 13. Yesterday we were talking about gender equality, we were talking about CEDAW. We were talking about all the things that are so important in an inclusive community.

But let us look at the demographics of the public service. Let us see if our actions speak as loud as our words. Age and gender.

People are the public service's greatest asset. Over half of the workforce is aged between 40-59, which means that the public service can reliably draw on significant expertise and experience. Around one third of the workforce is under 40, which means we have a cohort who will provide continuity in the future.

Then this most revealing statistic:

Almost three in every five public service workers are women.

Nearly 60% of the people we employ are women.

I give way.

The Bailiff: Deputy Tindall.

Deputy Tindall: Thank you, sir, for Deputy Trott giving way.

I was hoping I may have pre-empted his speech, but I hope he is going to include at what percentage in the higher echelons in the hierarchy are women. For example, this morning, with the Jurats, we have two women. It would be great to have more women in those senior jobs.

Thank you.

Deputy Trott: I think we have more than two women Jurats. One was absent. But that is a detail. I was going to continue, Deputy Tindall, because almost three in every five public service workers are women ...

... with female and male distributed similarly across age groups.

But the Chief Executive does go on to say in his penultimate sentence there is still work to be done, because he says:

However there is an imbalance in the numbers and percentage of women in senior positions, an issue which we are seeking to understand better.

If one reads this Policy & Resource Plan objectively. If one assesses the economic performance and fiscal performance of this community objectively, there can only be one conclusion. Whilst there is still much to be done, we are in very good shape.

Thank you, sir.

The Bailiff: Deputy Prow.

Deputy Prow: Thank you, sir.

I will be exceedingly brief. I was not actually going to speak in main debate on the grounds of not compounding repetition. However, sir, I have listened with interest around the political, philosophical debate started by Deputies Langlois and de Sausmarez, raising the interesting question, if I understood correctly, as to whether growing the economy is the duty of Government, or even if it is a good thing.

The stark reality is that unless we maintain and grow our fiscal income, which is very connected to a healthy economy, it is surely the route to delivery around the 23 priority areas of the P&R Plan which we are debating. We have just heard from Deputy Trott, but I would be quite interested to hear what Deputy St Pier has to say around this when he sums up.

Thank you, sir.

The Bailiff: Deputy Merrett.

Deputy Merrett: Thank you, sir.

The Bailiff: Deputy Paint, you have already spoken in general debate.

Deputy Paint: Yes sir, I have, you are absolutely correct. I was going to bring that up with you. I was trying to bring in a point of order in about what Deputy Dorey said.

The Bailiff: The time has passed, because he has sat down.

Deputy Paint: That is fair enough.

The Bailiff: Thank you, Deputy Paint.
Deputy Merrett.

Deputy Merrett: Thank you, sir.

Deputy St Pier spoke to the Scrutiny Management Committee's comment in agreement with several points raised. For this, I am thankful. However, if Members had indeed read those comments they may have noticed the Scrutiny Management Committee only agreed by a majority

with regard to the timing of the SMC right to comment. This is because I believe the SMC should be making comment concurrently. I believe the issue is the timeframe of the Policy & Resource Plan, which makes it difficult for SMC's letter of comment to be concurrent.

1040 For example, but not limited to, on page four of the Policy & Resource Plan, section 2.8, it is noted the 23 priority areas of Government policy work, at the time of writing an influential report only three months have passed since the 23 priorities have actually been agreed – an annual performance report based on just three months of the year.

1045 I believe the process is simply too slow. I appreciate it is like herding cats, or like trying to pin jelly to a wall, but there needs to be more discipline, more realism and more leadership. On page three of the SMC letter of comment there is a suggested timeline – a timeline in broad terms for the process of developing the Policy & Resource Plan. I hope that the Policy & Resources Committee will take on board these suggestions.

1050 I believe the SMC letter of comment should be concurrent and it is simply that the timeframe and the timeline of the Policy & Resource Plan, in my opinion, needs changing, for the reasons alluded to in the SMC's letter of comment. Therefore, I will be voting against 2(b) and I would encourage others to do so.

I would like to move on to Proposition (q), because no one has mentioned it yet. You will be pleased to hear there is no tedious repetition here; 1(q) is in regard to Policy & Resources:

... undertaking a comprehensive review of all the extant States' Resolutions by reference to the P&R Plan and, if appropriate, consulting with lead committees to agree rescission for those de-prioritised by the process, bringing regular policy papers to the States to effect the rescissions.

1055 In my naivety, I honestly thought that committees and boards, indeed Members of the Assembly, upon election, would evaluate outstanding States' Resolutions, outstanding legislative drafting that are pending and carry on with them, unless of course those Members wish to rescind or amend them. Outstanding Resolutions could in theory, or maybe should, be the backbone of a policy for Government. The outstanding Resolutions of this States should be the policy direction.

1060 After lobbying a successful amendment on the prioritisation of legislation, I am most pleased I do not have to lay another amendment to enable the same to happen to have outstanding Resolutions treated in a similar way. If this Assembly does not fulfil the outstanding Resolutions, or choose to rescind or amend them, then why are we here? Why do we have debates, vote, sign a direction, a States' Resolution, a States' policy, and then just ignore it?

1065 My fear is we give hope to our community when we decide to support, for example, sexual offence legislation, but then not show political will or commitment to fulfil in a timely manner. If a successor Assembly wishes to rescind that direction or Resolution, then so be it, but it should be done in an open, timely and democratic way. Not just ignored or put to the bottom of an 'it's too difficult' pile. So thank you very much for publishing 1(q).

1070 Lastly, I am most concerned Deputy St Pier, when he opened the debate, stated that next year, being three years into the fiscal term, only then will P&R suggest some priorities are removed or additional resources allocated. This is not a bit late, more like literally years too late. Just what will the extra resources be able to deliver for the last six or 12 months of this political term? Furthermore, just how much time and money would have been wasted with the Committee doggedly trying to achieve priorities that simply are not achievable.

1075 Whereas I do appreciate it is in the gift of a committee of the States, or as committees, to remove priorities, I would suggest and would have thought that P&R would take lead on this – that, as a Deputy alluded to yesterday, P&R could or should take an holistic view and actually prioritise the priorities and explain why.

1080 For example, if there were committees, call it committee collaboration, working on a priority, but one committee decides they will not progress a joint initiative for another year because of resource or for any other reason, where does that leave the other committees who are trying to prioritise that initiative? The impetus would be lost.

1085 Not wishing to work in silos, but jointly, the question is should this Assembly decide to prioritise for individual committees? Furthermore, if P&R is making these suggestions, advising the Assembly of which priorities should be rescinded in a timely manner and which they believe should have extra resources, I would expect that to be happening now. By this, I mean mid-term, which of course is this debate we are having now.

Thank you very much, sir.

1090 **The Bailiff:** I see no one else rising. Oh, Deputy Le Pelley.

Deputy Le Pelley: Thank you, sir. I have hopefully waited until last!

1095 I would like to have an overview of the whole of this report that is in front of us. I have come from a position up there to a position down here. I have been down here now for four months and I have not really been that active, to be honest, because I have come from a Principal Committee, where I was having perhaps 200-300 emails per day, probably four or five meetings a day, down to having 20 emails a week and one or two meetings a month.

1100 So I have had a fair amount of time to look from the inside at exactly how things are working. Having said that, I understand we do have problems. There are solutions, but there are problems. I understand that I am part of the problem. I am not trying to be holier than thou, than anybody else here. I am a Member of the States and I will take my fair share of the criticism.

1105 I hope you will bear with me because I have spent an awful lot of my adult life as a teacher and I think it very difficult to do things other than to review things in a teacherly way. It is a little bit like Deputy Soulsby did in some of her earlier speeches. She actually made school reports, if she remembers rightly. So I will be along that line.

1110 Where are we and what are we doing? We have a plan for the future in front of us. It is one that was dreamed up, put together. Perhaps dreamed up might be part of the truth. But it was put together about two years ago. We are now looking to tweak it, to amend it, to actually make it stronger.

1115 It was a dream for the future, in some respects. We had James Bond presenting it to start with, then we went to Buzz Lightyear and we have to be very careful that we do not end up doing a Walter Mitty on it. I would like to see everything that we do in the States of Guernsey in an open and transparent way. I want to see fairness and equality for all. I want to see action rather than promises of action. I want to see targets that are achievable being achieved.

1120 I want to see action rather than talk-talk. But talk-talk is better than double-talk and I think we need to be absolutely honest in every dealing that we do. I would also want to say that reality is what it is perceived to be in the eyes of many people. It may even appear more real than reality itself actually is. So we have got to be absolutely honest and absolutely open with the electorate that put us here.

I do not like the idea that there has been perceived a starving of enemies and the feeding of friends. That is definitely out there as a feeling, that certain people have actually been preferred, others have not been. It has to be absolutely equitable. Everybody must be given the same degree of respect across the board, whether they are in this Chamber or outside it.

1125 We made a profit in 2017 – an unexpected profit, because it was not predicted – of £22.1 million. Let us not get carried away with that. It is good news, but by the same degree of error, we might have been £22.1 million in the red. What would we be saying then? Where would we be now? People would be jumping up and down even more than they are out in the parishes.

1130 I am interested in the quality of life for all our Islanders. Timescales involving years of research, testing, trialling etc., may be good in the long run; we must not forget that there are people living in the here and now; people in the here and now who may not have that forward prognosis of good health in the next two, three or four years. Delay is going to be of little or no use to them.

1135 I do not want to be adding to the suffering and the pain and the anguish during that wait. I do not want to see people who are going to suffer educational opportunities during a prolonged delivery of a new education programme. I do not want to see people having to continue in not-

so-good housing. I do not want to see a continuation of people living in relative poverty, where it is perceived that the rich are getting richer and the poor are getting poorer, but that is a perception.

1140 I have spent three or four years doing things like SWBIC and SLAWS and other various bits and pieces. I have seen it and it just goes on and on. Things are put on shelves and, when they do come off the shelf, it takes too long to actually put them into play. I am not criticising anybody, it is just the way it is. It takes too long to deliver.

1145 Now we have had some discussion and some debate in the last day or so about the north of the Island and some people have jokingly said, 'Where is the north of the Island? How do we define it?' I know that one of the Deputies in the north is actually going to come in and give a lecture on how to define what north is, etc. Whilst that might have been amusing, I do not think it really made the point that I want to make.

1150 We have, in the north of the Island, more than our fair share of the heavy industrial waste and all the rest of it that goes on there. That is a fact of life. It has been the quarrying area for many years. It has been the industrial north. It is an area where that kind of industry goes on. We understand that.

1155 But there is going to be an unfair distribution of housing projects, possible expansions of schools, etc. and this is going to result in a very big strain on the infrastructure. We have got a transfer station about to go online, with daily convoys of waste disposal moving along the St Sampson's/St Peter Port corridor – possibly as many as 1,400 new houses, with all the additional strains on the infrastructure, the utilities of water and waste water, gas, electricity, sewage, etc., and the run-off of water from all the concreted-over gardens and pavements and parking spaces and all the rest of it, which may result in flooding risks.

1160 There are going to be even more cars on the main arterial roads between the north of the Island and St Peter Port and I appreciate all the work that is being done by the Environment & Infrastructure Department. I am not criticising them, I am just making the observation. It is going to get worse and putting everybody on a bicycle is not going to be the answer.

1165 Who knows what may or may not become of the data park? It is looking like, at the moment, when you come down Route Militaire, it could well become the entrance to our own Cumbernauld, a new town in the north of England, or a Milton Keynes further south. What is going to happen there?

1170 This is the worry of the Douzaine of St Sampson's and I am a Constable. I have not been fronting this, it has actually been delegated to one of the Douzeniers who has actually been talking to one or two of the Deputies in the north, but not me. That is, a sum of the whole is going to be greater than the sum of the parts. Looking at all of these developments one by one and looking up and down the road 100 m from the entrance of any industrial estate, housing estate or new recycling or whatever, that is fine. You can look 100 yards up and down the road, but who is actually looking at every single one of those things on top of each other and how they are going to impact the north of the Island when they are all in operation at the same time?

1175 We do have an in-depth study on what was going to happen when that data park was first proposed, and we had 15 or 16 objections from the Planning Department itself, saying that it was not a very good idea. Yet it still was allowed to progress. It is the cumulative effect that is concerning and frustrating the Douzaine of St Sampson's. Whether this amendment that came through from Deputy Meerveld and Deputy Ferbrache was in the right timescale, whether it
1180 crossed all of the rules and regulations required, it is still a great concern. I do hope that Environment & Infrastructure will take that on board.

1185 Whether it was technically accurate or not, it is still a great concern for people living, certainly, in St Sampson's – that is who I can talk for, and I would imagine for quite a number of people living in the Vale as well.

Deputy Lester Queripel: Sir, a point of correction, please?

The Bailiff: If it is a point of correction, yes, Deputy Lester Queripel.

1190 **Deputy Lester Queripel:** I am of the view that Deputy Le Pelley is misleading the Assembly. It is not acceptable to keep on complaining about something without seeking to amend it, in my view. Later on this year, there is going to be presented to the Assembly the annual monitoring review of the IDP –

1195 **The Bailiff:** Is this correcting something he has said, or is this making another speech, Deputy Lester Queripel?

Deputy Lester Queripel: My point is this is not the first time that Deputy Le Pelley and other Members have complained about things relating to the IDP, but I would remind colleagues, through the chair, and Deputy Le Pelley you could have brought an amendment, you could have put a requête. The amendment could have been to the IDP –

1200

The Bailiff: This is a speech, Deputy Lester Queripel. It is not correcting anything that he said in his speech.

1205

Deputy Lester Queripel: Sir, it is misleading. He is misleading the Assembly. By simply complaining, it puts the emphasis and the focus back on Planning. Planning are not the problem, it is the lack of effort on behalf of Deputies who prefer to complain rather than try to do something.

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The Bailiff: You have made your speech now.

Deputy Lester Queripel: Thank you, sir. (*Laughter*)

1215 **The Bailiff:** We will move on. Deputy Le Pelley.

Deputy Le Pelley: Thank you, sir.

Notwithstanding that, I think we have too many priorities. I was part of that decision that agreed the 23 and in fact, Education wanted to put another two in. We would have had 25. Within each group, within each Committee; there is no problem in having priorities and you can rearrange them and sort them in the order that you want. That is your prerogative, as the individual committee. But if you are coming together to actually have an Island-wide or a States-capped or over-arching view of the whole thing, then you need to have a limited number, in my opinion.

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1225 It is a bit like a slave having two masters. He is a free man. If you have got too many priorities, you do not really have any priorities at all. I think I took those words out of Deputy Green's mouth. But I will repeat them! I have got one vote of support! (*Laughter*) I think that a Government with too many priorities is not a strong Government.

1230 Rather than setting up a long list of successes, I think we are in danger of setting up a shortlist of possible successes and a much longer list, by comparison, of relative failures. That will be the perception that is out there; that we have failed to deliver. We have put out false hope and have actually failed to deliver.

1235 I think we need to focus, we need to prioritise, we need to act and achieve. But we need to get those things done relatively quickly. We are now at the mid-term of our Government. I do not want to see too much wishy-washy, pie in the sky wish list dreams that are going to be prioritised in the wrong kind of sequence. It will dilute actions that are required and will allow us to achieve little or nothing that we absolutely need to achieve.

Two things in life are guaranteed, we are told: death and taxes. Hopefully, we have dealt with the death one and we have now got to look at taxes. I have had several people telling me that we

1240 should actually be helping people to live, rather than helping them to die. That is not asides, it is what can we do to make life more comfortable and more achievable for people across the whole of Guernsey society. What can we do to make the standard of life better?
I give way to Deputy Trott.

1245 **Deputy Trott:** Thank you, I am grateful to my friend.
I would, though, be interested to hear which of the existing priorities my friend, Deputy Le Pelley, would like us to remove. I think his constituents would probably be eager to learn of that as well.

1250 **Deputy Le Pelley:** Rather than which ones I would like to remove, Deputy Trott, I would rather go onto the ones that I would like to make sure actually happen. The very first three, if I can put them, the first one is we need to continue to improve – and I appreciate what is being done – within our healthcare. I think we have come a long way, we have still got a long way to go. I think that is something the general member of the public out there, listening in today, is going to say, 'I want to have a caring society that is going to make sure that my health is looked after.'

1255 The second thing, I think, is that people want to know that they are going to have a good education service. That the youngsters in this Island are going to be well-educated and that they are going to be able to have jobs that are going to give them a good income and a good security in the workplace.

1260 To that end, we probably need to make sure we are actually creating jobs that the workforce in Guernsey requires, that the employers require. Because if you are going to be required to import expertise, labour, or people into the Island, it is going to be at the cost of the locals that are still here. Either they are going to get lower-paid work or they are going to be displaced because of the housing costs and they are going to leave the Island. If you do that, you are running a risk of losing your heritage and your history. I do not want to see our local people being forced off Island.

1265 And the last thing that I think we need to do – it is not the last thing, but it is the third of the three things I was referring to – and probably the most important that we get absolutely right, is our business angle. Our transport to and from the Island to make sure we become a vibrant economy. If we are not lucky, and I really do worry about Alderney because they are in something of a spiral, if we are not careful, we will be joining them. They are attached to us and they will go down even quicker.

1270 We have got to get our transport system sorted and we have got to do it quick. Whether the Rules have to be changed for this £300 million whatever-it-is bond that we have got, so that it can actually be used to encourage that, to bring along, fine, but that is something that P&R should be leading on and asking us to agree to. This Island desperately needs to have some good news.

1275 I mean really good news. It is all very well saying we have got less unemployment than before, we have got more taxes in than we expected last time. All that is fine. But when the price of petrol has gone up by 5p or 6p a litre in a fortnight, if you are thinking you are going to raise more revenue by putting more taxes onto fuel, I think you are going to be getting a very unhappy population rather than a happy one. Eventually we need to upskill the locals. I think I have given you the three. Are you happy with those three?

1280 **The Bailiff:** Through the chair.

1285 **Deputy Le Pelley:** Through the chair, of course, I hope Deputy Trott is happy with those three to start with. There are, obviously, others. I think that the States of Guernsey can do, and must do, better than we are doing, and we must be seen to be doing better than we are. This really, for me, is a teacher's half-term report. It is brief, and it is superficial.

1290 If I was summing it up, I would be saying that we could and should be doing better. There has been some slow, steady progress in areas. There has been no progress in some areas. As I say, the

head teacher should really be calling a few people in and asking them what they are going to do about it.

Thank you very much. (*Applause*)

1295

The Bailiff: Deputy Yerby.

1300

Deputy Yerby: Sir, I am provoked to stand by the degree of support for this mention that we have too many priorities. We have 23 – 22 by the end of this debate, because Education will be combining a couple, if I understand rightly – across P&R and the six Principal Committees. That is an average of just over three per Committee. Of course, it is two for some and four for others.

1305

Can anybody in this room really tell me that the Principal Committees of the Government cannot deliver on three important things in one term? (**A Member:** Hear, hear.) Of course it is a bit more complicated than that and it is something to do with the nature of consensus Government, because we are not a party system and so we do not change from one way of doing things in one term to a completely different project in the next.

1310

We receive things from our predecessor. We have received and continue to prioritise the Supporting Living and Ageing Well Strategy, the Children and Young People's Plan, the Disability and Inclusion Strategy and others. We cash in the work of our predecessors and we hand things on to our successors.

1315

There, I hope I might be able to offer an olive branch to those who say that we are doing too much. It changed a lot in this term of Government, because we changed the Committee structure. So we were thinking about how we work as an organisation from scratch. But the next Government, presumably, will be coming into exactly the same structure as us. So we will have a plan. It will be in a fairly updated form, because it will have gone through two more of these iterations before the next election, but we will have a plan setting out what we think is important for Guernsey.

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Half the people in this room, after the next general election, are likely to be the same as those sitting here today. Another half will be different. We will be handing on for the next set of States' Members a set of priorities that we think are appropriate to the conditions of the time and that they will be able to start cashing in, just as we have done.

1325

Some things we have set up in the first half of this term and we will deliver in the second. Some things are necessarily longer term. Some things I find myself, as a politician, realising work that I began as a brand new civil servant seven or eight years ago. That is just how governments work. We are big, we are long term, we are doing important social work that is gradual and I do not think we should try and make ourselves more business-like than it is appropriate for a government to be. A government is there for when the market fails. It is to do the things that business cannot do, and we have to remember that and act in that way. (*Applause*)

1330

The Bailiff: Deputy Hansmann Rouxel, is this ...?

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Deputy Hansmann Rouxel: It is very short, sir. I thank my colleague Deputy Yerby, because she stole my thunder as that was exactly what my speech was on and I could not say it any more eloquently than she has just outlined. There is only one thing that I wanted to pick up on that nobody else has and therefore add to the debate. That is on page 13, the Social Investment Commission, which is:

Following consideration of the 2018 Budget Report, the States directed the Policy & Resources Committee to establish a Social Investment Commission during 2018, to begin operation from 1st January 2019.

The update is:

Collaborative work with the third sector is underway to establish a governance framework; to identify and secure sources of funds; and to set out clear conditions for investment of these funds.

I wanted to highlight this because, actually, I believe it is a crucial cog in how our Government operates with the third sector. We rely very heavily on the third sector and there is fantastic work with the Partnership of Purpose, starting to work and invest in those relationships with the third sector, formalising them with their KPIs.

However, the funding side, which is kind of how our Government has been set up ... A small Government has the third sector, we do not have corporation tax, although some corporations are taxed. Traditionally, companies have been very generous to the third sector and to charities and that is how we have learned to rely on the third sector and that relationship.

However, with the change in Rules we are looking at, it is more difficult for charities and third sector organisations to receive that funding. A classic example of that is currently with the Guernsey Disability Alliance, who perform an absolutely vital service and, actually, part of the reason why our social policies have been able to progress is the role that they have been performing, consulting with us and being the voice of their collective membership and being able to co-ordinate that. However, they are not able to secure funding for that, from businesses, because of the nature of compliance rules.

As a result of this, we have lost that important cog in our wheel. It is vital that project, the Social Investment Commission, is operational by 1st January and I do hope that it will fill that gap that currently exists in the third sector, where companies are not able to contribute to those third sector organisations, but we will be able to have the framework to make sure that part of the third sector that we are relying on is funded and we can proceed with those social initiatives. That was really the only thing that I needed to say, and it is now 12.30 p.m.

**Welcome to –
Sir Lindsay Hoyle, Deputy Speaker of the House of Commons, and Lady Hoyle**

The Bailiff: Members, can I just remind you that at 5.30 p.m. when we rise, there will be a meeting of the Guernsey branch of the Commonwealth Parliamentary Association, when I am delighted that the guest of honour will be the Deputy Speaker of the House of Commons, the chairman of the Ways and Means Committee, Sir Lindsay Hoyle, who has been sitting in the public gallery with Lady Hoyle for the last half an hour or so. A very warm welcome to you in Guernsey, we look forward to hearing from you, sir, this evening, and I just remind Members and ask that as many of you as possible attend the meeting of the Guernsey branch.

We will rise now and resume at 2.30 p.m.

*The Assembly adjourned at 12.31 p.m.
and resumed at 2.30 p.m.*

**Policy & Resource Plan (2017 Review and 2018 Update) –
Debate continued –
Propositions 1-5 carried**

The Bailiff: I have been asked whether Members may remove jackets. I was not aware that you were still awaiting permission but if you are, it is quite warm in here, so you may remove jackets, is the answer. Just before lunch there did not seem to be anybody else wishing ... Ah, Deputy Meerveld will speak next.

Deputy Meerveld: Thank you, sir.

I did not manage to make the speech I wanted to make yesterday, so I am going to make it today instead. The amendment I attempted to lay, myself and Peter Ferbrache yesterday, came about after a parish surgery in St Sampson on 19th May and resulted in me submitting a draft amendment to the Law Officers on 21st May, and the rest is history.

The reason we did that was that we shared the concern of the Douzeniers that prior to the approval of the Island Development Plan not enough consideration was given to the overall ability of the infrastructure, road transport, utilities, school, emergency services and Social Services, to support the aggregated volume of development being proposed in the parishes of St Sampson and Vale.

Instead the view seems to have been to assess the impact on a see-as-we-go, project-by-project basis. In addition, since the approval of the Island Development Plan, the parameters have changed significantly. The Waste Strategy has been approved, which will result in increased traffic to and from the north of the Island. Also, the States has decided to overturn its decision to develop three secondary schools and has instead opted for a two-school model which will almost certainly result in the St Sampson's School doubling from 720 students up to 1,450 students, with a massive consequential increase of traffic in the area.

Deputy Fallaize has mentioned numerous times that his Committee will be announcing the details of their two-school model before the end of this term, on 19th July. In fact, prior to that, he mentioned it was going to be Easter. I hope that he will come forward with those dates shortly as it has implications beyond simply the education system, as is illustrated by this statement.

We are also waiting on the KPMG, much-delayed housing report and we have a situation at the moment where we already have queues of traffic forming from 8 a.m. onwards at Bulwer Avenue and the Crossways till halfway travelling to Town. So we have a significant issue as of today.

We also have this backlog, this pipeline of property developments that we are approving, such as Leale's Yard, which are not being proceeded with. Some people may think what is the problem right now? But actually that pipeline is a problem in its own right and increases the concern. The issue that at the present moment, projects like Leale's Yard, Pointues Rocques, are going through the approval process, but they are not proceeding with construction, because of the downturn in our property prices, which tends to belie some of the people saying our economy is doing well.

The danger is, if there is an upturn in those property prices, then all of that development can come online and start going into delivery very quickly, simultaneously, and the fact is we have not looked at the impact that will have on the infrastructure in aggregate and that assessment needs to happen now.

If we do not ensure that all our infrastructure can handle the proposed developments, there is a danger that we will face an infrastructure crisis of our own making, resulting in potentially huge costs to rectify. A potential crisis which could be avoided or mitigated if we dedicated a small amount of resources to prudent research now.

Deputy Brehaut has mentioned to me that his Committee does not have those resources. I hope he will not try to persuade us that he can raise £100,000 to subsidise electric bicycles for rich people but cannot afford to do the research needed to ensure that they will still have a reliable electricity supply to charge them in the future. I would have gone on from there, but I will abbreviate that.

Going on to just address some other comments that have been made in general, that is looking at the infrastructure issue that I tried to raise in an amendment yesterday and I will return to that a little bit later. In the Policy & Resource Plan in general, I agree with Deputy Green's comments. If you have 23 priorities that cover the entire gamut of everything the States does, you in fact have no priorities. It is business as usual.

Also, Deputy Tindall mentioned they have different delivery times. They are different breadths. As Deputy Yerby mentioned, it averages out three per Committee. But some of these initiatives are huge in their scope, require multiple departments or committees to work together. In any commercial venture, you would prioritise the most important, you would have a timeline, the

whole lot inter-related. Sometimes one part of a project has to be delivered before the next part can. You have inter-dependencies.

In a business you would have a Gantt chart, you would project timelines, you would have allocation of resources, you would have milestones and you would work to a plan and you would prioritise the things you want to deliver first, the things that are most important, and then you would work down that priority list. You may well do work on all areas simultaneously, but you would have priorities. Unfortunately I do not see that in this States.

Going on to Deputy Trott, I would like to thank Deputy Trott for his very kind words regarding the previous ESC Committee and the supreme efficiency with which they vacated the Grange Road House. Particularly, as that was a time when the ESC Committee was debating education and it was under great stress and unfortunately deprived them of some of their resources to handle that debating process.

Deputy Paul Le Pelley shares concerns about the infrastructure. He also mentioned the data park; another very large piece of land, with its own traffic lights and junction, that is now lying fallow and potentially could be a residential or commercial development in the future, which again is not being factored into the Island Development Plan. That will be a change of use from what it was originally planned.

Again he went on about the cumulative or aggregated effect of all those developments on the infrastructure in the Island. When we talk about the north of the Island, we are talking about a geographical area in which the impact is having its greatest effect. But the impact is actually Island-wide. If we have a crisis in infrastructure in the north, it is the whole Island that will have to pay to get out of that problem. It will have impacts across the whole Island. We cannot think of a north/south divide on this issue.

Deputy Lester Queripel, enjoying his point of correction speech, pointed out that too much complaining is done by Deputies and they should put in an amendment. I tried to.

Deputy Trott interjected in Deputy Le Pelley's speech and asked him to try and prioritise which elements of our Policy & Resource Plan he would discard and which ones he would prioritise. I am rather confused by that, coming from Deputy Trott. Surely that is P&R's job?

P&R should be providing the leadership. They should be guiding the Committees on what to do first, what is the priority. They should be running that plan and I am afraid I have seen very little of that type of leadership from P&R in this term. I liken them to passengers at the back of the airplane, waiting for somebody else to land it for them; not even knowing what the destination is.

Deputy Fallaize gave a very eloquent speech on the benefit of an association or party system, where you could actually have a group of like-minded Deputies coming to the States, having worked out some of these priorities before they arrive, and pointed out the inefficiencies of our current system, where it takes a year or two for the Deputies to bed in and know what they are doing or have an idea of where they are going, and then spend the next two years campaigning to be re-elected.

Deputy de Sausmarez said they were very sympathetic about the infrastructure issues and were willing to work with people. I must say that it was the fact that the St Sampson Douzaine had approached E&I and were not happy at all with the reaction and the response they got that actually prompted them to approach myself and, through me, Deputy Ferbrache, to place an amendment to try and bring it before the States for consideration.

Deputy Brehaut mentioned we tried to suggest a moratorium. Actually it was quite the opposite of a moratorium. What the amendment was trying to do was to get the States to focus on and dedicate some resources to doing studies that should have been done when SLUP was being reviewed, when the IDP was being reviewed. I was not around when they were first being drawn up, other Members of this States were. Surely the aggregate impact was a factor in designing those plans? In which case, all you would be doing is updating previous research for the latest changes in developments or the actual plan approvals that have come into place?

If that work was never done, then it is even more critical that it is done. Deputy Brehaut alluded to a moratorium or the concerns about the impact on the economy. Imagine what the impact on

the economy will be if we find we have to implement a moratorium on developments because we have run into a crisis that we did not do the research to make sure we could mitigate before we got there.

As far as the north of the Island is concerned, again it was a generic term because we will try to leave discretion to others in determining where it should be, but I think it would stretch to St Peter Port South as a minimum, as that is the main area that people come to work in. I have worked it out at 49 degrees, 45 minutes and 69 seconds north, there is a nice latitude that divides the Island, if Deputy Brehaut would like to use that as a guide.

Deputy Brehaut suggested that the study of the impact on the infrastructure in the north of the Island could be part of a whole-Island project or other broader review. But then in the same breath he starts talking about costs and delays. Surely that does both? My final point is I cannot stress how important I believe it is that we get our infrastructure right and I would like to point out to Deputy Brehaut that infrastructure is actually half of the name of his Committee and that rather than making snide remarks about home work he might worry about getting on with his day job.

Thank you, sir.

The Bailiff: Deputy Le Clerc.

Deputy Le Clerc: Sir, I was not going to say anything in this debate. I think I have said enough and received support for the Disability and Inclusion and Equality work and I have got a President's statement coming up in the next meeting. However, Deputy Meerveld has made me rise to my feet because I just have to push back on some of the things that he said, particularly support from P&R.

We have got several pieces of work identified in this report and I will go through some of them. The Income Support work, we have had to speak with P&R on several occasions where, perhaps, some of the understanding of the costs impact, we have not assessed that correctly, we have gone back to them and they have been very co-operative. They have pushed back hard on some of that.

Disability and Inclusion, again, when we have asked for resource, short-term, for this year so we can get on with the work we have found a compromise solution. Secondary pensions, again, we have got a Member of Policy & Resources working with us on that. I am looking across at Deputy Stephens and Deputy Stephens is part of that SLAWS working group and we are working really hard and we have got resource from Policy & Resources on that.

Again, in this actual Policy & Resource Plan, P&R have outlined that we will need some resource on looking at our housing policy. So I feel, as a President, for the work that we have got through Employment & Social Security, when I have asked for help and when I have asked for resource, that resource perhaps has not always been forthcoming, but there has been a discussion and compromise and we have come up with a solution most of that time.

With regard to detail and Gantt charts, that is not something for this report. That is something that the underlying workstreams that are going on at committee level ... I go to a programme meeting board every single –

Deputy Meerveld: Point of correction, sir.

Deputy Le Clerc: I will give way.

The Bailiff: Deputy Meerveld.

Deputy Meerveld: Thank you.

My point was I was talking about the leadership of P&R, not whether or not they assist on a day-to-day basis with resources.

Deputy Le Clerc: Through you, sir, to Deputy Meerveld, I go politically to the Policy & Resources Committee, the leadership there, and then they filter down to officer level, but that initial discussion takes place at Committee level and we have a regular joint Committee meeting. I think sometimes that is just not understood, what the mechanisms are in place and how Committees work and co-operate together. We meet regularly with E&I, we meet regularly with Health & Social Care. I think there is a lot that is going on behind the scenes that is not always known to every single Member of this Assembly and, therefore, is not known to people in the public.

With regard to the amendment that Deputy Meerveld wanted to lay, I did have a question about what was regarded as the north and the impact on the north. But I would just like to remind him, sir, through you, that if people are coming into work in St Peter Port, from the north, every single one of those cars and persons has to come through St Peter Port North. So I have also got the interests of the St Peter Port North residents and there is a huge amount of development that has been undertaken in St Peter Port North. I think we are taking our fair share of that development. **(Several Members:** Hear, hear.)

Thank you, sir.

The Bailiff: Alderney Representative Jean.

Alderney Representative Jean: If I may mention a point of great interest when we hear from Deputy Michelle Le Clerc, that she can get the funding for everything she needs, when in Alderney, as regards the Airport, we find ourselves, for the last six or so years, ignored and slated. These things will eventually come to a situation where we will see the truth and the truth will out.

Deputy Le Clerc: Point of correction, sir.

The Bailiff: Point of correction, Deputy Le Clerc.

Deputy Le Clerc: Alderney Representative Jean, I did not say that we got everything that we wanted; we negotiate and we talk and we compromise, and we find a solution. It is not everything we want.

Thank you.

Alderney Representative Jean: I accept that, and I apologise.

The Bailiff: Deputy Graham.

Deputy Graham: Thank you, Mr Bailiff.

Rather like Deputy Michelle Le Clerc, I rise unexpectedly really. I had not expected to contribute to this debate, because I did not really think I had much wisdom to add. So much has been given. I am prompted by Deputy Meerveld's speech, very much to echo the sentiments that Deputy Le Clerc has just started. I am still on the Home Affairs Committee and although I am no longer Vice-President I believe, had Deputy Lowe not already spoken or, I believe, Deputy Rob Prow, either of those would have sprung up immediately to have defended the leadership that P&R have displayed in supporting the Home Affairs Committee.

I think we would be honest to say that we had difficulties initially over the initiation of the Population Management Regime when that came in and that ran into a number of troubles, not all of our making. It needed some political leadership and financial support and support in the form of resources to help that out in the interests of the Island; not just of the Committee. That was readily given, and I take that as very good leadership.

The same also could be said of JESSC. Again, not of the Committee's making, JESSC has run into problems after a year or so of operation and, again, that was a question of resources and

1580 financial support for them. That was willingly given, because I think P&R recognise that in the interest of the Island intervention was necessary. Certainly, on the Committee, we welcome that, and I would like to put that on record.

Rather, also like Deputy Le Clerc, I am going to just stray into the debate that we did not have over the north. I do share the concerns about packing too much into one part of the Island and I certainly do not dispute Deputy Ferbrache's family interpretation of where the north of Guernsey is. But I would remind you that the site of La Mare de Carteret schools, for example, is on exactly the same latitude as Delancey. Grandes Rocques, at the north of the Castel, is on exactly the same line of latitude as the Bridge.

1590 So we are, in the north of the Castel, very much in the north of the Island. Of course it was at La Mare de Carteret that Deputy Meerveld was planning not only to double the size of the current La Mare de Carteret School but also add various other things there. (*Laughter*)

The Bailiff: Deputy de Lisle.

1595 **Deputy de Lisle:** I wanted to make a couple of points, sir.

One with regard to the fact that, whereas there is a place for a strategy and vision and, of course, we have had a lot of those in the recent two years and this one is quite deserving, the development of the Policy & Resource Plan – an attempt to co-ordinate and prioritise objectives over the next political cycle and establish principles to guide longer-term policy making.

1600 That is all very important, but I would like to stress that, with only two years remaining in this particular term, action is needed to improve competitiveness in Guernsey and focus on short-term, achievable targets, because we have a responsibility to the public at large and a responsibility to see that within the term we do make some profound progress.

1605 It is important to prioritise and focus on short-term deliverables, if you like, on key economic issues and others – quick wins, if you like, that can be taken in the second half of this term. Action on improving transport links is key, of course, in this particular area and in all this I am pleased to see that economic development policy and the air and sea links are at the top really of the 23 Government priority policy areas. Not necessarily in that order, but at least they come first in the document that we have got before us.

1610 The other point that I would like to make is that I was somewhat disappointed in not seeing something on the preservation of open and agricultural land from the Department *for the* Environment & Infrastructure. Disappointed in not seeing something on environmental integrity and environmental sustainability to provide a balance to the socio-economic side that is throughout all of those particular priorities.

1615 In that way, there would be an emphasis on guarding the integrity of the environment and keeping this Island green; guarding the countryside and keeping the green lung – I will not give way, sir – between St Peter Port and St Sampson's. Not looking in envy at the western and southern parishes, but embracing, really, and appreciating the open countryside and guarding its integrity and sustainability.

1620 Or would it be more in keeping – given the situation in which we find ourselves, with the economy not perhaps, with respect to the States but with respect to the High Street which is a different matter altogether, it is not as buoyant; we cannot be talking about £23 million gains – more appropriate to be talking about green growth and development that needs prioritisation to expand economic growth and job creation through sustainable use and natural resources.

1625 Green growth can prevent further erosion of capital and scarce resources, pollution, climate change and biodiversity loss, all of which undermine future growth for Guernsey. In fact green growth creates jobs, increases prosperity, preserves our environment and improves the quality of life at the same time. All I am doing here is emphasising that particular dimension with respect to open land, agricultural land and the benefits of having green lungs, whether it be in the north or in Town or outside in the open countryside.

1630 Thank you, sir.

The Bailiff: Anyone else? No? Deputy St Pier will reply.

Deputy St Pier: Thank you, sir.

1635 Thank you to everyone who has participated in the debate. There are only a few things to respond to. I will not go through every contribution. Perhaps beginning at the end, with Deputy Le Clerc and Deputy Graham's interventions and comments. I think actually, to be fair, the comments which Deputy Le Clerc and Deputy Graham made have also been echoed previously in debate by Deputies Fallaize, Brehaut and Soulsby.

1640 I am grateful for them for explaining the leadership and co-ordination role which Policy & Resources has provided and which they have felt and experienced in their respective Committees. To be fair to Deputy Meerveld, of course given that his only role is on the Transport Licensing Authority, he will not have seen and had that experience, which others will have had in their respective roles. (**A Member:** Hear, hear.)

1645 Deputy Le Pelley implied that perhaps many of the priorities had not yet been started and I think it is important to emphasise that so many of them have started and got real traction and I think, in particular, the transformation of Health & Social Care which, of course, is an overriding programme of projects, which is an extensive programme of projects. Deputy Soulsby, I thought, in her speech yesterday, provided an excellent account of what progress had been made in 2018 on those priorities.

1650 Deputy Le Pelley made an interesting point in relation to the bond and in particular suggesting that perhaps we need to review the terms of its use. I think that is a very valid observation to make. I think, particularly given the States' recent decision not to use £32 million of the bond proceeds for the waste station, which of course was explicitly one of the rationales for a portion of it, Policy & Resources have already identified that we do need to take that into account and think carefully.

1655 Whether it is for transport links, as Deputy Le Pelley was suggesting when he spoke, or whether it is for supporting the third sector in the delivery of some of Government's priorities, which is what Deputy Hansmann Rouxel was suggesting, those are things which Policy & Resources are and will be giving consideration to.

1660 Deputy Roffey spoke of the need to focus on the development of skills rather than merely assuming that a solution to all of our problems was the importation of people through an increased population. Of course I think that has been recognised through the Policy & Resource Plan, which does very much focus on the need for skills development.

1665 Deputy Roffey – and I think, to some extent, Deputy Green made this point as well – has challenged the length of time which this process has taken, and I think Deputy Fallaize made this point – and I sought to address this in my opening speech – we have worked to the speed and the programme which is set down in the Rules. It was always envisaged we would be at this point at this stage. Importantly, and this is Deputy Roffey's point, there was an assumption that we get to the end of this term and the slate is wiped clean and we start again.

1670 I think Deputy Yerby picked this up when she spoke, so much will be handed on and that is envisaged in Rule 23, that actually the next Government will be handed the latest iteration of the Plan, so they will not be starting from scratch. It will be a very different experience for the next term. That is a point that has been made before and it is one that does bear repetition.

1675 Deputy Inder, when he spoke, almost sounded surprised about reference to the harbour action area. Actually I thought the account he gave of all the various different visions and strategies, and goodness knows what else had occurred over the years, provided an excellent illustration of exactly why we do need to have a co-ordinated approach and adopt it in the way that we have.

1680 The harbour action area was referenced in both the Policy & Resource Plan phase one and phase two. It is, as Deputy Parkinson said in his useful email exchange overnight in explaining its role, part of the development framework for the Island. What we are seeking to do is to co-ordinate the development of that framework but also, where we can move forward within the

existing framework and get going with some enhancements to our seafront, we should be getting on with that sooner rather than later.

1685 Deputy Langlois picked up the question of the need for a debate around economic development. I think Deputy de Sausmarez and I think also Deputy Prow had picked this up too. Fortunately, I hope that will be the debate that we will have an opportunity to have in only three weeks' time when we debate the Committee for Economic Development's strategy.

1690 Deputy Green challenged, in essence, what is important in this document and in this process for the community, which I think is a very fair question and challenge to have. To some extent that was a further iteration of Deputy Lester Queripel's challenge of why do we need a plan at all? What is in it?

1695 Policy & Resources had an interesting meeting over lunch yesterday with CICRA and it was during that meeting that it became clear that the development of a telecoms strategy, which is something that the Committee for Economic Development have been involved with in the last year or so, is incredibly important for business, because business can now plan.

1700 What they were saying, what we were being told was the absence of a strategy in the Plan had made it extraordinarily difficult for those businesses to be able to plan the future of their investment. That is one very demonstrable example why it is important to set out visions, strategies and plans, to enable others to be able to understand what is the direction of travel and to be able to adjust their own expectations accordingly.

1705 A second reason why it is important for the community is the ability to be able to deliver fiscal sustainability and stability. That enables us to be able to survive and thrive and to be able to provide the community with the public services which they want, they need and which we wish to be able to give them with certainty and reliability.

We would certainly know if we did not have that fiscal sustainability. That, as Deputy Roffey said in his speech, was in essence the experience that the last Assembly had between 2012 and 2016 which was a very difficult and uncomfortable one for everybody involved.

1710 I think the third example of why it is important is that the detailed operational output level of the delivery of services – and again examples were given by both Deputies Soulsby and Stephens: the Children & Young People's Plan, SLAWS, Disability and Inclusion – this is all about changing the way that services are being delivered and experienced by members in our community. The Health Improvement Commission was but yet another example of that real change being made.

1715 Deputy Soulsby also spoke about this, in essence, being a group of plans, and we need to have a more joined up process and working. I think the Scrutiny Management Committee would agree with that and certainly Policy & Resources Committee would agree with that assessment, too.

1720 Deputy Ferbrache, when he spoke at the close of play yesterday, spoke of Deputy Fallaize's gift as a politician being to paint a picture, but without reaching a conclusion or finishing it. I certainly felt that actually Deputy Ferbrache did that very much himself, yesterday. He spoke for a great deal of time, about 25 minutes or so. We had a third-party account of what a taxi driver in Jersey thought, which by Deputy Ferbrache's own admission was perhaps not the best source of evidence.

1725 He said – and I hope I have noted this down correctly – we need to be making Guernsey a better place to do business. We also, and I again I hope it is a direct quote, we have got to do 'practical things' for people. I think those are statements which many of us in this Assembly would find very difficult to challenge or disagree with, but at no point in Deputy Ferbrache's 25 minutes of speaking did he suggest how we do either of those two things. That, I think, was what was missing from his speech. My advice to Deputy Ferbrache, I think, very much would be to seek a profession where he is paid by the hour for his speech. *(Laughter)*

1730

Deputy Ferbrache: Correction, by the sixth minute!

Deputy St Pier: Even better.

Secondly, a point of correction.

1735 I did not want to interrupt Deputy Ferbrache yesterday but as a matter of fact, Jersey take more out of their economy in taxation than Guernsey does. So by definition the average taxpayer in Jersey is paying more than the average taxpayer in Guernsey. (**Several Members:** Hear, hear.)

1740 Thirdly, Deputy Ferbrache singled out Deputy Trott and I as being brave. I think he threatened – I think that is the right term – to ensure that the electors of St Sampson would be reminded in 2020. Whether of course that is relevant to Deputy Trott or I, or both of us, who knows? I think Deputies Merrett, Stephens, Fallaize, Smithies and Hansmann Rouxel, all from the north, will stand with Deputy Trott and I, not as being brave but as being proud and defend doing the right thing, rather than what is populist. (**Several Members:** Hear, hear.)

1745 Deputy Gollop said that we need to knock out the priorities; he wanted P&R to be giving advice on what priorities needed to be removed. Again it says it in the report, sir, and I said it when we spoke yesterday, we do envisage that being very much part of the next iteration of the process, and I think that hopefully addresses Deputy Le Pelley's comments on the same point as well.

1750 Deputies de Sausmarez and Dorey spoke about the need to address the policy resource deficiencies and Deputy Dorey drew attention to the relevant Proposition in that regard. I think the report does very much recognise that issue and that it does need to be addressed. Indeed, I can understand why both of those Deputies chose to raise it, because I am very conscious that the Committee *for the* Environment & Infrastructure has experienced that very real constraint on them in this term so far and I do not demur from that as being an issue.

1755 With regard to the need to debate economic development, as Deputy Prow spoke to earlier, I certainly think – and I am sure we will cover this in greater detail in three weeks' time – that it is Government's role to primarily be the enabler, but also to act wisely. To act as the wise investor, as we are seeking to do through the Guernsey Investment Fund, as Deputy Trott spoke to. Not seeking to select the winners but create the framework that enables that process to happen.

1760 Also to act wisely in terms of our procurement, whether that is on capital projects or in ongoing revenue expenditure. That is where Government can perhaps ensure that it uses its firepower to provide stimulus where required, but I am sure we will pick this up further when Deputy Parkinson leads the debate in a couple of weeks' time.

1765 With regard to the Social Investment Commission, which Deputy Hansmann Rouxel was seeking reassurance from, hopefully I can provide the reassurance that that process is very much on track. I had the benefit of being able to be briefed on this over lunch by Deputy Stephens. It is our expectation that it is still deliverable by 1st January 2019. With that, I close the debate and seek support of all the amended Propositions.

1770 **The Bailiff:** The Propositions as amended have been circulated and you should have them in front of you. I have had a request for a separate vote on 2(b). Sorry?

Deputy Merrett: Thank you, sir.

1775 I just want to point out we have actually got two 2(a)s as well. If we can clarify if the 2(b) is the 2(b) that goes with the first 2(a), not the second 2(a)?

The Bailiff: Sorry, say that again?

1780 **Deputy Merrett:** There are two 2(a)s. The first 2 was a procedure, there then follows a 2(a), (b) and (c) and (d). Then we have another 2(a) ...

The Bailiff: 2(A). Capital A?

1785 **Deputy Merrett:** Yes.

The Bailiff: So, you would like a separate vote on 2(b)?

Deputy Merrett: Yes, please, sir.

The Bailiff: And not on 2(A)?

1790

Deputy Merrett: Thank you, sir.

The Bailiff: Does anybody else require a separate vote? Yes, Deputy Paint?

1795

Deputy Paint: [Inaudible]

The Bailiff: Do you have a copy yet, Deputy Paint?

Deputy Paint: No, sir.

1800

The Bailiff: I thought they were circulated first thing this morning, or even last night? I will just pause while he confirms which Proposition he would like to have a vote on. Deputy Paint, was it one of the Propositions that has been deleted as a result of one of the successful amendments? Which one is it?

1805

Deputy Paint: Sir, I have just received this and it is not in here. I think it must have been thrown out.

The Bailiff: It is not in here, so you do not need a separate vote on it? Fine. The only Proposition that needs to be taken separately is 2(b), which is to amend the Rules of Procedure of the States and their Committees by substituting paragraph 5(d) of Rule 23 with the following paragraph:

1810

(d) Every 12 months, the Policy & Resources Committee resubmits the Policy & Resource Plan to the States, together with commentary on overall progress on the Policy & Resources Committee annual performance reports to the Principal Committees and any proposals to amend the Policy & Resource Plan which are considered necessary.

Can we go aux voix? We will go aux voix. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare 2(b) carried. Then we will take all other Propositions together. Those in favour; those against.

1815

Members voted Pour.

The Bailiff: I declare them carried.

That concludes the business for the meeting which started yesterday, and, on a strict interpretation of the Rules, we should now close that meeting and open a fresh meeting, but I propose to save time that we move straight on. The Members in the Assembly now were all present when we took the roll call earlier, so I need to have a fresh roll call. We will take the roll call that we had at 10.15 a.m. as being the roll call for now and we will move straight into the business for the meeting that was convened for immediately following the States of Election.

1820

**In Memoriam –
Former Alderney Representative Philip Cranford-Smith**

The Bailiff: We begin that with a tribute to former Alderney Representative, Philip Cranford-Smith, who sadly passed away in Alderney on 28th May at the age of 90. Philip was born in Wimbledon and moved to Alderney to be the Island dentist, which role he performed until his retirement.

He served two periods as a Member of the States of Alderney, from 1986-89 and again from 1993-2000. He was Acting Chairman of the Policy & Finance Committee from September 1999 to December 1999 and then Chairman of that Committee from January-December 2000. He held the position of Vice-President of the States of Alderney in the year 1999 and became one of the two Alderney Representatives in this States in January 1996, retiring from that position in December 2000. So he served here throughout 1996, 1997, 1998, 1999 and 2000, for five years.

During his term in these States, he served on three different States' Committees. He was a Member of the Board of Administration from June 1997 – in its day one of the more important States' Committees, whose responsibilities extended to several aspects of Alderney life. He also served, from June 2000, as a Member of the Civil Defence Committee, highly relevant to Alderney, given its proximity to the French nuclear installations on the Cotentin Peninsula. In addition, he was a Member of the States' Telecommunications Board from January 2000. His membership of all three Committees ended when he ceased to be an Alderney Representative in December 2000.

During his time in the States, he attended Tynwald Day in the Isle of Man, in July 2000, with the late Conseiller Laurie Morgan. A few months earlier, he had been a delegate at the Commonwealth Parliamentary Association Conference regional congress on the Isle of Man, in May 2000, with, among others, Deputy Gollop, who remembers him well and had seen him recently in Alderney as a some time respite guest at the Royal Connaught Home, where he was much respected.

Philip Cranford-Smith is remembered as an old school gentleman politician; respected for his eloquence, smart outlook, suave diplomacy and ambassadorial skills on behalf of the Island and people of Alderney and of the Bailiwick. He leaves a widow, Ann, children, Clare and Graham, and four grandchildren to whom we extend our sincere condolences.

Will you please rise to honour the memory of Philip Cranford-Smith

Members stood in silence

STATEMENTS

**General Update –
Statement by the President for Employment & Social Security**

The Bailiff: Thank you very much, we will move on.

We have two Statements, the first to be delivered by the President of the Committee for Employment & Social Security – a general update Statement, by Deputy Le Clerc.

Deputy Le Clerc: Thank you, sir.

I am pleased to have the opportunity to update you and the Assembly on the Committee for Employment & Social Security's work. Like the Statement I gave in March 2017, I am intending to use this time to talk primarily about some of our workstreams that do not get discussed in the States as often as they should be.

Firstly, I would like to talk about social housing. We reported on this part of our mandate in the Policy & Resource Plan update, as it forms one of the top 23 policy priorities identified by the

1865 States. As Members will be aware, one of the key work streams that will affect housing tenants during 2018 is Income Support. I will say a little more about the implementation of Income Support towards the end of this update.

1870 A key priority for social housing is our Single Gateway project. This will amalgamate the waiting lists for States' housing and Guernsey Housing Association properties into a single list. The current points-based allocations system will be replaced with a banding system, which will be linked to need and waiting times. The outcomes of this project are that our housing staff will be able to manage the demand for social housing more efficiently, by prioritising applications and applying a single set of eligibility criteria. It will also make it easier for potential applicants to understand whether they are eligible, how the applications are processed, and what they need to do to maintain good tenancies.

1875 The Committee continues to work closely with the GHA on the development of affordable housing units to meet demand. To date, the GHA has developed 851 properties, which also include extra-care, key worker and partial-ownership accommodation. These developments have been one of the main factors in the reduction of the waiting lists for both the States and GHA rented accommodation. The GHA has planned developments in progress until 2020 and is now working with ESS to identify further sites for development beyond 2020, to ensure that demand for housing can be met.

1880 We have been consulted and involved in discussions throughout the development of the Committee *for the* Environment & Infrastructure's policy letter on the Local Market Housing Review. E&I's policy letter, which is in response to the KPMG report, is expected to be published later this month. ESS is keen to see the development of a new Housing Strategy, which we believe is an integral and critical workstream in delivering the housing policy outcomes identified through the Policy & Resource Plan.

1885 I will now turn to unemployment. Members may have noticed a change in the way we have reported unemployment recently. We have moved to reporting on a quarterly basis instead of monthly. This enables us to show long-term trends better. Quarter one data for 2018 showed that the average number of job seekers without work was 297, which was a decrease of 22% compared with the same period in 2017.

1890 If trends continue as they are, then this year is likely to see the lowest unemployment figures since 2011, which in turn continues to give us one of the lowest unemployment rates in the world. Unfortunately, there is a long-term increase in the number of people who undertake some work, but still require additional financial support through Supplementary Benefit, soon to be Income Support. Statistics show that during 2017, median earnings increases did not match inflation. We are monitoring the figures to establish whether a trend will develop if median earnings do not exceed inflation during 2018, particularly for low earners.

1900 This leads neatly into my next topic, minimum wage. Initial conversations with key stakeholders have started and the public consultation on the minimum wage will launch subsequently. Last year, we pushed for more engagement and received more responses than ever before. The responses last year were enlightening, and allowed us to conclude that it was appropriate to propose a significant increase.

1905 Sir, I would ask that all Members of this Assembly direct concerned parishioners to take part in the consultation, whether they have an interest as an employee or employer. Of course, the consultation is also open to Members, and we encourage you to participate. Around the time the proposals are debated each year there tends to be some criticism, which is to be expected as we are not going to please everyone. But it is concerning that, more often than not, criticism comes from those who did not take part in the consultation, despite being directly offered the chance to participate.

1910 Last year, the Committee was minded to propose an adult rate of £7.50 per hour, but following the results of the consultation, we proposed a rate of £7.75 per hour. This year, public opinion will be even more important, because we will be responding to Deputy Roffey's amendment, which requires us to indicate a direction of travel for minimum wage increases in the years to come. We

also wait for the Scrutiny Committee's report on In-Work Poverty which may also assist us with this work.

Another area of the Committee's mandate that I would like to focus on is the Health and Safety Executive. The project to modernise the Bailiwick's health and safety legislation commenced during the last quarter of 2017. This will update the legislative framework, which dates back as far as 1905, and currently contains significant gaps.

Several of the Laws are now obsolete and no longer serve the purposes required by modern industry. The significance of this project became clear in recent months when it was identified that Brexit would have serious implications for Guernsey's health and safety legislative framework. The Committee is therefore keen to ensure that the project is progressed at pace to align with the gaps that will be created in Guernsey's legislative provision when the UK leaves the EU. The work required to undertake this project will not be possible without the allocation of additional staff resource from now until December 2021. The Committee is preparing a business case to request the additional resources.

Sir, the timing of this Statement is very appropriate, because today the States will be asked to approve the final pieces of legislation that will introduce Income Support, which is due to launch exactly one month from today, on 6th July. This has been the Committee's top priority since the election, and it is a huge achievement to be able to now say that implementation is in sight.

The changes are very complex, so communication has been key. In April and May, we sent over 3,000 individual letters to households, each with an individual breakdown of how they will be affected by Income Support. This gave people the chance to correct any outdated records and resolve any queries long before their entitlement changed. We have held open days, operated out-of-hours helplines, and organised user focus groups to assist people with the changes.

But I do need to say that, despite these very determined efforts, we have some concerns about some tenants of social housing that have not been in contact with us. This is despite our letters and attempts to make contact by telephone. This group of tenants, who are not currently on Supplementary Benefit, and have so far not taken the opportunity to update their details as invited, will have two choices from 6th July. Either they will have to pay the full, unrebated rent for their tenancy or they will face a delay in receiving any Income Support.

Despite all our efforts we still expect to receive lots of calls and enquiries in the first few weeks as people seek clarification as to why their benefit has increased or decreased. It will be a very busy time for the Income Support Section – and Housing – on top of what has been an exhausting lead up to the launch. But we must not let that detract from what has been a super effort by the staff. In just one month's time we expect to have delivered one of the key projects prioritised in the Policy & Resource Plan, which is something that I think this Assembly should be proud of.

I also want to take this opportunity to remind Members that, from the beginning of 2020, the age at which an individual can claim their old age pension will begin increasing from 65. It will rise by two months every 10 months, until pension age reaches 70 in 2049. The start date for this process is now fast approaching.

As a result of the pension age changes, many computer systems and communications have needed to be amended. If anyone is unsure of when they will receive their pension, they can enter their date of birth in the pension age calculator on the gov.gg website. I would also like to mention that many people are already choosing to work beyond state pension age. There is no requirement to stop working upon reaching pension age. Pension entitlement is not affected by your employment status upon reaching pensionable age.

This concludes my update, sir. I now welcome any questions on work that comes under the Committee's mandate.

The Bailiff: Any questions? Deputy Dudley-Owen.

Deputy Dudley-Owen: Yes, Deputy Le Clerc has identified in her Statement a group of those hard-to-reach tenants who the Committee have not been able to reach by telephone or letter.

1970 Will Deputy Le Clerc be able to reassure Members that officers will go and knock on the doors of the houses of those tenants, please?

The Bailiff: Deputy Le Clerc.

1975 **Deputy Le Clerc:** Deputy Dudley-Owen, I am not sure that we will be able to knock on everybody's door, but we are arranging further drop-ins and we are after-hours trying to make contact with people on a Saturday and in the evenings as well and we will be sending out a further communication to those people to say, 'Please come and contact us if you have not already done so.' We will do everything that we possibly can.

1980 **The Bailiff:** Deputy Prow.

Deputy Prow: Thank you, sir.

1985 The President, in a previous statement in January, indicated that it was an aim for ESS to bring to the States an off-Island medical insurance policy letter and that the policy letter would be before the States in March of this year. Does the President share the concerns of many Islanders, particularly those suffering from pre-existing conditions, regarding the withdrawal of the Reciprocal Health Agreement with the UK in 2009, especially when they are aware that both Jersey and the Isle of Man have successfully renegotiated a new reciprocal agreement, which not only covers Islanders when travelling to the UK, but protects their visitor economies by providing those
1990 visitors with cover?

Thank you, sir.

The Bailiff: Deputy Le Clerc.

1995 **Deputy Le Clerc:** Sir, yes, I do express the same concern as Deputy Prow, as does the rest of the Committee. We have been working very hard on coming up with a solution. Unfortunately the solutions that have been put before us, and we also met with Policy & Resources, we did not think would be acceptable to this Assembly and needed further work.

2000 However, the good news is that, in the last couple of weeks, we have received a notification from the UK that, as part of their Brexit work, they are looking at all the reciprocal agreements with the various jurisdictions and I am hopeful that something will arise out of this invitation to meet with the Ministry of Justice and that we will have, potentially, a reciprocal health agreement in place. This is ongoing work and I went back through officers and said, 'Yes please, let us meet up as soon as possible.' But we are continuing to work on another solution to bring forward to
2005 this Assembly as soon as we possibly can.

The Bailiff: Deputy Roffey.

2010 **Deputy Roffey:** Will the President accept that one of the frustrations for social housing tenants who aspire to home ownership is that the capital limit that they are allowed to accumulate while still in a housing tenancy is less than the typical deposit on a first-time buyers' house? Will she consider either a general increase in that limit or perhaps a scheme where those people that can show specifically that they are saving to try and buy their own home are allowed to accumulate more funds before being asked to move on?

2015

The Bailiff: Deputy Le Clerc.

2020 **Deputy Le Clerc:** Sir, since I have been President of Employment & Social Security, I have pushed for an increase in capital limits to enable people to move on and transition through social housing to partial ownership and, hopefully, to full home ownership. Yes we have increased the

capital limits that people are allowed to have, we have increased some windfall limits and, in particular for those people over retirement age, we have looked specifically at those so that they are not forced to leave their home if perhaps they receive a small sum of money from an occupational pension scheme.

2025 I think there is more work that we can do on this area and hopefully through the work we are doing following the KPMG review it will be something that we could look at. But I am keen to develop that sort of idea. I am keen to develop, actually, something like the UK have got, which is an ISA-type product that would be suitable not only for people in social housing but perhaps younger people who want to save for that reason, of a deposit on a house. That requires further

2030 work.

The Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, sir.

2035 Can the President tell me what the current level of housing tenant debt is and whether this stagnant debt is likely to be written off again, as it has been historically?

The Bailiff: Deputy Le Clerc.

2040 **Deputy Le Clerc:** I am afraid I do not have the current debt figures with me, but I will be able to find that information and release it. It is something that is of concern to the Committee and it is something that is constantly under review. We have got a new Director of Housing and, going through some of the records, we believe that some of that debt has been around for many, many years and some of that should be written off. But there is some underlying information that we need, and we are working really closely with those tenants. I will release the information on debt and arrears to the rest of the Assembly.

2045

The Bailiff: Deputy Gollop.

2050 **Deputy Gollop:** Since we started our term together in the last two years, under the new system, we have seen a mini-revolution in deliverance, in that Edward Wheadon House occupies not just Social Security, but Housing and Income Tax. Would the President, on behalf of us, say whether this coming together has generally proven beneficial and if things have gone smoothly?

2055 **The Bailiff:** Deputy Le Clerc.

Deputy Le Clerc: As far as I know, everything has gone reasonably smoothly. I think there were some initial hiccoughs and some queues. Perhaps some of the signage at Wheadon House needed to be made a little bit clearer. But, as I understand it, it was a very successful project, amalgamating those teams into Wheadon House.

2060

The Bailiff: Deputy de Lisle.

Deputy de Lisle: Thank you, sir.

2065 Many pensioners fear the loss of the Health Benefits Grant and exemption from prescription charges. Can you provide some comfort to pensioners that you are not taking these benefits away in the near future?

The Bailiff: Deputy Le Clerc.

2070

Deputy Le Clerc: I cannot guarantee anything beyond the time that I am in this Assembly and what I will fight for. I think with regard to prescriptions in the uprating report last year, we said we

were not minded to make charges on prescriptions, even though that was perhaps an outstanding Resolution that we had.

2075 With regard to the Health Benefit Grant, I am assuming that the Deputy is talking about the £12 and £6 grant. What we are actually looking at, working with Health & Social Care, is how we can improve the overall delivery of primary care and that is part of that Partnership of Purpose, working with Health & Social Care and primary care providers to see the best way forward. I cannot make any guarantees on that, but I would hope that we will come up with a solution that is
2080 fair and equitable to everybody.

**General Update –
Statement by the President of the Transport Licensing Authority**

The Bailiff: We move onto the next Statement, to be delivered by the President of the Transport Licensing Authority, Deputy Paint.

Deputy Paint: Sir, on 7th July 2015, the States' Review Committee submitted a second policy letter on the organisation of States' affairs to the States. In that policy letter, it recommended that policy responsibility for air links and the determination of air transport licensing applications should be separated, and that recommendation was accepted by the States.
2085

Consequently, while the responsibilities of the Committee *for* Economic Development include the development and promotion of air and sea links, the Transport Licensing Authority was constituted with effect from 1st May 2016 with the duty to determine air route licence applications in relation to services between Guernsey and any other location in the British Isles.
2090

The Authority does not have a broad mandate and this update is therefore just brief. The work of the Authority is reactive, and it carries out its functions in accordance with the Air Transport Licensing (Guernsey) Law 1995. When determining licence applications submitted by airlines, it must take account of the air transport licensing policy statement that was last amended by the States in 2013.
2095

Since it was constituted, the Authority has determined seven applications and granted licences for services to Luton, Cardiff, Alderney – two licences, of which one is cargo – Jersey and for sightseeing tours around Guernsey.
2100

In order to avoid any perception of partiality, the Authority does not engage with airlines, other than through the licensing process. If any Members have questions at the end of this update, please be aware that I am only able to provide information on the licensing process. Any questions regarding air transport policy and air route development will need to be addressed to the Committee *for* Economic Development.
2105

In 2015, the States' Review Committee also envisaged that the responsibilities of the Authority would be extended to incorporate all forms of transport licensing, including in relation to public vehicles and vehicle and driver licensing. In this regard it is anticipated that the Authority could have a licensing function in relation to Ro-Ro ferry services, however the enactment of appropriate legislation is pending until the future service model and approach to Guernsey's ferry services is decided. This is a policy matter and rests with the Committee *for* Economic Development.
2110

It was also envisaged at the time that the Authority would have functions in relation to various road traffic and road vehicles. There is a considerable body of legislation relating to these matters, some of it dating from the 1950's, and taken together it covers a range of both policy and licensing functions.
2115

The work to separate policy from licensing is ongoing. The aim is that the Committee *for* the Environment & Infrastructure will retain responsibility for policy, while the Authority will undertake

the licensing functions. This has proven to be a complex undertaking, and there is ongoing engagement with St James' Chambers.

2120 Finally, I would like to thank the present board Members, and also past board Members, for their invaluable contributions to the work of the Authority and to thank St James' Chambers for the support they have given us in this line.

Thank you, sir.

2125 **The Bailiff:** Are there any questions? Deputy Leadbeater.

Deputy Leadbeater: Thank you, sir.

2130 With many modern motor vehicles getting longer and wider, and bearing in mind that someone can pass their driving test in a Fiat 500, then jump straight into a Range Rover, would it be a good idea to examine looking to introduce a second driving test for larger domestic cars, just as we do with different size lorries and HGVs?

The Bailiff: I am not sure that is within the mandate of the Transport Licensing Authority at the moment, is it Deputy Paint?

2135 **Deputy Paint:** Sir, it is not within our mandate to answer that. I would therefore ask that the question is directed to the Environment & Infrastructure Committee.

The Bailiff: Deputy Roffey.

2140 **Deputy Roffey:** Sir, would the President agree with me that as the States of Guernsey owns an airline, it would be far better off if the air route licensing function was carried out by a non-governmental organisation, under policy devolved from this Committee, in order that a complete level playing field – which I am sure is provided – would be seen being provided by all quarters?

2145 **The Bailiff:** Deputy Paint.

Deputy Paint: I think things are developing in that stage at the moment. I cannot say any more than that.

2150 **The Bailiff:** Deputy Brehaut.

Deputy Brehaut: Thank you, sir.

2155 One airline that has just entered the market is taking out an aircraft, apparently for servicing, for 21 days. Was that aspect discussed at the time the licence was issued, whether there was provision to cover for the absence of any aircraft?

The Bailiff: Deputy Paint.

2160 **Deputy Paint:** Sir, I think Deputy Brehaut should be asking that question to himself. I cannot comment on it.

The Bailiff: Deputy Hansmann Rouxel.

2165 **Deputy Hansmann Rouxel:** Thank you, sir.

I just want to find a timeline for a general update and how long it usually takes to process a licensing application for any route being licensed?

The Bailiff: Deputy Paint.

2170 **Deputy Paint:** I thank Deputy Hansmann Rouxel for her question; a very good one. It could
take months. First of all, we receive an application and then we have to check to make sure it is
done properly and then we have to publish it in the local paper for at least two weeks. If any
objections come back we have to then look at them, see if they are valid, and then pass them back
2175 to the company that is applying. Then there is quite a lot of toing and froing going on and then
we have to determine, under the Law, if we can give the licence to the airline or not give the
licence to the airline. We have to have that under the provision of what I said earlier. It has got to
be under the Transport Licensing Authority 1995 and updated later. It is a very difficult process.
Thank you.

2180 **The Bailiff:** Deputy Hansmann Rouxel, another question?

Deputy Hansmann Rouxel: I did not plan to do a supplementary, but has the President
thought of possibly streamlining that process or looking into how that process could be
simplified, in order to speed up the process at all?

2185 **Deputy Paint:** I can answer that question and, as I said earlier, we have had meetings that are
looking at these matters at the moment.

The Bailiff: Deputy Parkinson.

2190 **Deputy Parkinson:** I think I may be able to assist, but I think I have to do it in the form of a
question, which will seem a bit strange. Is Deputy Paint aware that the Committee *for* Economic
Development will be bringing a paper on air transport licensing to the Assembly in July and that
that will propose in general an open skies policy?

2195 **The Bailiff:** Deputy Paint.

Deputy Paint: Sir, I was aware of this and we, as a committee, or I as the President, have
already had a meeting regarding this matter, with my Authority.

2200 **The Bailiff:** Deputy Soulsby.

Deputy Soulsby: I apologise if I did not pick this up within Deputy Paint's speech, but could
he provide details of any applications which were refused for the last two years? The numbers,
2205 please.

The Bailiff: Deputy Paint.

2210 **Deputy Paint:** I think if I was to answer that, I would be getting very close to becoming biased,
I think I better not. I am sorry, I will speak to you privately about it, if you wish. We have to be very
careful that we show no bias towards any airline, regardless of what they have done in the past.
We have to be absolutely unbiased and show no bias at all. I do not feel it would be right for me
to answer that at the moment.

2215 **The Bailiff:** Deputy Soulsby.

Deputy Soulsby: Sir, I do not think Deputy Paint understood my question, perhaps I did not
phrase it well enough. I was just asking for the numbers of applications that have been refused
over the last two years.

2220 **Deputy Paint:** Oh, I am sorry. I refuse, no, I cannot speak about that. I already told you that.

The Bailiff: I think the question is: were any refused, Deputy Paint, and if so, how many? You have said how many were granted. You have said that they all had to be published. Of those published, were there any that were not granted?

Deputy Paint: Yes, sir. There was one.

The Bailiff: One. I think that was the answer that Deputy Soulsby sought. No further questions? Well, we move on then, Greffier.

Billet d'État XVI

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

**The Regulation of Investigatory Powers (Bailiwick of Guernsey)
(Amendment) Ordinance, 2018;
The Liquor Licensing (Fees) Regulations, 2018;
The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit)
(Amendment No.3) Regulations, 2018**

The Greffier: Statutory Instruments laid before the States: The Regulation of Investigatory Powers (Bailiwick of Guernsey) (Amendment) Ordinance, 2018; The Liquor Licensing (Fees) Regulations, 2018; and The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No.3) Regulations, 2018.

The Bailiff: I have not received notice of any motion to debate those Statutory Instruments?

POLICY & RESOURCES COMMITTEE

I. The European Union (Brexit) (Bailiwick of Guernsey) Law 2018 approved

The States are asked to decide:

Whether they are of the opinion to approve the draft Projet de Loi entitled "The European Union (Brexit) (Bailiwick of Guernsey) Law, 2018", and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

The Greffier: Article I, the Policy & Resources Committee – the European Union (Brexit) Bailiwick of Guernsey) Law 2018.

The Bailiff: Is there any request for any clarification or debate of this legislation?
Deputy Gollop.

Deputy Gollop: I definitely feel a sense of pride that Guernsey has managed to present this legislation in a timely way and it shows very much that, perhaps, in a small way, we are more prepared than the United Kingdom. But I would wish to ask a question: it says in the explanatory

memorandum that the Law makes provision in respect of any or all agreements the UK may enter into, but it implies that this Law is effectively able to exist whether the UK actually leaves or not; is that in reality the case, because clearly it would have legal implications for us in terms of migration policy and on our air links?

The Bailiff: Any further debate? Would Deputy St Pier like to reply to that question?

Deputy St Pier: I was rather hoping that H.M. Comptroller might wish to leap to his feet.

The Bailiff: He is rather hoping you would answer it! (*Laughter*)

Deputy St Pier: I will attempt to respond, but if H.M. Comptroller believes that I have not understood the position correctly, I am sure he will seek to intervene or correct me. My understanding is that the legislation will take effect on the withdrawal of the United Kingdom from the EU, which of course under the Treaty is destined to happen at midnight on 29th March, irrespective of whether there is an agreement or not. Subject, of course, to all parties agreeing something different before that date.

We are in the slightly unusual position of needing to legislate for a withdrawal agreement we have not yet had sight of and that is clearly reflecting the political realities of the environment in which we are currently faced – a not dissimilar position to many other parties, including Westminster itself. So I think the legal position is that the treaties will cease to exist, therefore this Law will take effect at midnight irrespective of the status of the withdrawal agreement.

The Bailiff: I do not know whether the Comptroller wishes to assist or not. He is sort of half hovering.

The Comptroller: I think I am in agreement with those statements. I just point out the obvious, which is this Law does not come into effect until the States enacts an ordinance to bring it into effect. So we can take account of developments as they occur and contingencies that will apply in relation to the withdrawal agreement. But it will go onto the Statute Book. In due course an ordinance will be enacted. We can have regard, the Policy & Resources Committee through its External Affairs Division, is very conscious of the developments that are going on in the UK, which we have regard to. If that helps?

The Bailiff: In that case, we vote on the European Union (Brexit) (Bailiwick of Guernsey) Law 2018. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

POLICY & RESOURCES COMMITTEE

II. The International Trade Agreements (Implementation) (Bailiwick of Guernsey) Law 2018 approved

The States are asked to decide:

Whether they are of the opinion to approve the draft Projet de Loi entitled "The International Trade Agreements (Implementation) (Bailiwick of Guernsey) Law, 2018",

and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

2285 **The Greffier:** Article II, Policy & Resources Committee – The International Trade Agreements (Implementation) (Bailiwick of Guernsey) Law 2018.

The Bailiff: Any requests for clarification or debate? We go straight to the vote. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

III. The Income Support (Implementation) (Amendment) Ordinance 2018 approved

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled "The Income Support (Implementation) (Amendment) Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

2290 **The Greffier:** Article III, Committee for Employment & Social Security – the Income Support (Implementation) (Amendment) Ordinance 2018.

The Bailiff: Any request for debate or clarification? We go to the vote. Those in favour; those against.

Members voted Pour.

2295 **The Bailiff:** I declare it carried.

COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

IV. The Alderney (Application of Legislation) (Income Support) Ordinance 2018 approved

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled "The Alderney (Application of Legislation) (Income Support) Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

The Greffier: Article IV, Committee for Employment & Social Security – the Alderney (Application of Legislation) (Income Support) Ordinance 2018.

The Bailiff: Any request for debate or clarification? We vote. Those in favour; those against.

Members voted Pour.

2300

The Bailiff: I declare that carried.

POLICY & RESOURCES COMMITTEE

V. The Income Tax (Guernsey)

(Approval of Agreement with San Marino) Ordinance 2018 approved

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled "The Income Tax (Guernsey) (Approval of Agreement with San Marino) Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

The Greffier: Article V, Policy & Resources Committee – the Income Tax (Guernsey) (Approval of Agreement with San Marino) Ordinance 2018.

The Bailiff: Any requests for clarification or debate? We vote. Those in favour; those against.

Members voted Pour.

2305

The Bailiff: I declare it carried.

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

VI. The Electoral System Referendum (Guernsey) Law, 2018

(Commencement) Ordinance, 2018 approved

The States are asked to decide:

Whether they are of the opinion to approve the draft Ordinance entitled "The Electoral System Referendum (Guernsey) Law, 2018 (Commencement) Ordinance, 2018", and to direct that the same shall have effect as an Ordinance of the States.

The Greffier: Article VI, the States' Assembly & Constitution Committee – the Electoral System Referendum (Guernsey) Law, 2018, (Commencement Ordinance) 2018.

2310

The Bailiff: Any requests for any debate or clarification? We vote. Those in favour; those against.

Members voted Pour.

The Bailiff: I declare it carried.

STATES' TRADING SUPERVISORY BOARD

**VII. Replacement of Cremator and Emissions Equipment –
Debate commenced**

Article VII.

The States are asked to decide:

Whether, after consideration of the policy letter entitled 'Replacement Cremator and Emissions Equipment' of the States' Trading Supervisory Board dated 16 March 2018 they are of the opinion:-

1. To approve Option 1 as the preferred option for the replacement of Cremator and Emissions Equipment and to authorise the States' Trading Supervisory Board to appoint the preferred equipment supplier at a cost not exceeding £867k, to be funded by a capital vote charged to the Capital Reserve.

2. To authorise the States' Trading Supervisory Board to approve tenders for the other works required to deliver the preferred option, subject to prior approval of a full business case by the Policy & Resources Committee and to authorise the Policy & Resources Committee, upon its approval of such a full business case and the approval of the relevant tenders by the States' Trading Supervisory Board, to increase the Capital Reserve vote to a maximum of £3.88m.

The Greffier: Article VII, the States' Trading Supervisory Board – Replacement cremator and emissions equipment.

2315

The Bailiff: Debate will be opened by Deputy Parkinson, the President of the Board.

Deputy Parkinson: Thank you, sir.

2320

The STSB is a practical committee engaged in providing a range of basic services, touching on almost every part of Island life. When people get up in the morning, they switch on the light, have a shower, perhaps use the toilet, make a cup of coffee with milk. All using products and services provided by the STSB. They drive to work on roads repaired by the STSB, pass floral displays provided by the STSB and using petrol imported through one of our ports, in one of our ships.

2325

Yet my guess is that most people in Guernsey would say they have nothing to do with the STSB. That is because our businesses are mostly process-driven, technical operations delivering services efficiently and unobtrusively. We are pragmatists, dealing with real world problems. So it is at the end of life.

2330

One of the literally hundreds of things that we do on a daily basis for the people of this Island is the provision of the Island's only cremation service and the management of the graveyard at Le Foulon. In 2017, more than 600 people died in Guernsey and, of those, 435 were cremated; about 70%.

2335

The choice of cremation rather than interment is normally, of course, the express wish of the deceased, a wish the families obviously will respect. In some respects, these services are like others, but the solemnity which rightly surrounds death and the natural grief of the bereaved require that we deliver these services with exceptional sensitivity. I believe we achieve this and can assure Members that any complaints will be dealt with very seriously.

2340

Our one and only cremator was installed 16 years ago, by the then Board of Administration, at a cost of more than £900,000. The project was approved by the States in March 2001, after Members had considered a range of options and had concluded that Le Foulon remained the best of the options available.

The risk of a failure of our single cremator was identified as a serious concern in 2013 and the risk was compounded when the manufacturer of the equipment went out of business in 2014. Specialist spare parts now need to be manufactured by us and we have no technical support. Even permanent breakdown is now a real possibility and there is no viable back up other than the use

2345 of the livestock incinerator, which is clearly not an acceptable alternative. Additionally, it is a fact
that people have got larger, since 2001. Our cremator can no longer accommodate some of the
coffins that are being used today. This was a situation which STSB inherited when it was formed in
2016.

2350 Moreover, the cremator does not meet modern standards in terms of emissions control, so the
time has come to replace it. The focus of this project is to replace an ageing piece of equipment.
However, at a very early stage it was identified that the larger size of the new cremator, from any
manufacturer, means it will not fit in the space currently occupied by the existing cremator.

2355 It is therefore not a simple case of removing the current equipment and installing new
equipment in the same position. A new enclosure has to be constructed. Therefore, in developing
the business case to the project, a comprehensive range of options has been considered in terms
of the equipment required, the potential configuration and possible locations. The objectives of
the project include the maintenance of a functioning cremation service, improving operational
efficiency, providing cleaner emissions, and enabling the process of larger coffins.

2360 To avoid a repeat of this current situation, consideration has also been given to the likely size
of future equipment and the buildings required to house it. This will ensure future replacement
can be achieved with minimum of service and disruption and additional building work. To improve
resilience and to provide capacity for periods when a cremator is out of service, it was decided to
recommend the installation of two new cremators in place of the single existing unit.

2365 The project team have considered, assessed and dismissed so-called green methods of
disposal, including resomation, otherwise called dissolving the dead, along with other niche
alternatives. As I have already noted, many people specify in their wills that they wish that their
bodies should be cremated, so we would need to provide cremation equipment whatever other
alternatives might be available.

2370 An Island-wide review of potential alternative locations identified close to 100 sites in States
and private ownership of sufficient size to accommodate this type of facility and we are not
talking just, of course, about the cremator and the building that houses it, we are talking about
car parking, a garden of remembrance and so on.

2375 From these, a shortlist of 36 were chosen for more detailed evaluation against key planning
considerations and other factors, not least cost. The list also included a number of options at the
existing site at Le Foulon Vale. Each of the sites was comprehensively reviewed against the various
criteria and key stakeholders were also consulted. It is estimated that a new crematorium, away
from Le Foulon, would cost at least £7 million. That, of course, could be able to offer all the
facilities of a UK crematorium, but developing an entirely new facility at a new location would
involve serious risks and complexity.

2380 Those include a much longer time to implement, potentially one to two years longer than the
timetable for the proposed works at Le Foulon, thereby significantly increasing the risk of a major
failure. There would be substantial planning risks, especially for sites in proximity to residential
areas and there could be land purchase costs.

2385 It should be noted that while the proposed emissions abatement equipment will make a
significant improvement to all future emissions, the public, and especially neighbours of any new
facility elsewhere might take the view that the air quality in the vicinity of the crematorium would
deteriorate. We cannot be certain that such a proposal would not face legal challenges.

2390 By contrast, Le Foulon can be adapted to provide a functional crematorium service, with two
large capacity emissions abated cremators, together with additional parking on site. That meets
the project objectives at an estimated capital cost of around £3.88 million, around half of the
estimate for a new site. This option therefore provides the best value for money, with acceptable
risk. It will also be possible to make the enclosure a respectful place for funeral rites, appropriate
to the sensitivities of the bereaved.

2395 The shortcomings of Le Foulon, in terms of accessibility, have been acknowledged by the
project team and the business cases considered the Disability and Inclusion Strategy and
incorporated as many potential improvements to the current arrangements as is possible at this

stage, given the constraints of the existing site. Further opportunities to improve the design will arise at the design stage.

The improvements that have been planned at this stage are maintaining the existing level access through the east entrance door and improving level access where possible; providing designated Blue Badge parking adjacent to the chapel to replace the current informal parking arrangements; providing additional on-site parking, including Blue Badge spaces located next to the current groundsman's hut; and providing a new more easily wheelchair accessible toilet.

This enclosure project is at an early stage and further enhancements will be explored once detailed design development commences. Officers have met with Deputy Hansmann Rouxel and assured her that any input from the Guernsey Disability Alliance would be taken into consideration at the design stage.

We are anxious that the new facility should be as accessible as possible, given the limitations of the site. But when we consider the issue of accessibility of the proposed facility, we have to be mindful of the fact that there is no obligation on mourners to use the chapel for funerals prior to cremation. There are many other options, with numerous churches and community facilities now available for services; of different denominations or none at all. These are viable alternatives to Le Foulon in terms of both capacity and accessibility, if these are primary concerns.

Right now, in many instances, Le Foulon simply provides a cremation service after the funeral. There is no reason to assume that situation will necessarily change in future. We will do all that we can to improve accessibility on this site, but we have ruled out other sites for the reasons I have given: the planning hurdles, likely public opposition, the resulting delay and the increased cost of what we could call a greenfield development. That is why we will oppose the *sursis*, but more of that later.

Essentially, the choice here is between designing the ideal crematorium and then finding a site to build it on or choosing Le Foulon site and building the best crematorium that the site can accommodate. If we choose the first option, our choice will be limited by the IDP and Planning Laws. An application for a crematorium development other than extending the existing facility at Le Foulon would be considered a strategically essential development, under IDP policy S5.

This policy requires that the proposal accords with the relevant objectives of the plan and it is demonstrated as part of the planning application process to the satisfaction of the Development & Planning Authority that there is no better site. I underline those words. We would have to prove there is no better site, having regard to relevant environmental, economic and social considerations.

Substantial greenfield development would also be likely to require an environmental impact assessment. The local objections would of course be enormous. So if we were to design a new crematorium and locate it in, let us pick a parish at random, Le Vale, we would have to demonstrate to the satisfaction of the Development & Planning Authority, that there was no better site. Clearly, with the objectors, and one may assume there would be several, would point out that there is already a site used for a crematorium, which has been used for a crematorium for the last several decades at Le Foulon.

All of this suggests the choice of an alternative site would be attended by delay, and delay carries an increased risk of a major failure. Such a failure could result in the total absence of suitable cremation facilities on-Island for an extended period of time. Meaning that the mortal remains of the dead might have to be shipped off-Island for cremation elsewhere.

The resulting toll on the bereaved, not only emotionally but financially for those who wish to attend the cremation service in Jersey or the UK would be cruel. I therefore hope Members will support our Propositions as practical, appropriate and respectful of the needs of local families. I undertake that we will do everything we can to provide the best possible access at Le Foulon for those with disabilities, but we have to consider the interests of all stakeholders. Redevelopment at Le Foulon is the obvious solution and we simply have to accept the limitations of the site, so I ask Members to please allow the STSB to progress this much-needed and now urgent project.

Thank you, sir

2450 **The Bailiff:** There is now to be a *sursis motivé* which is available for those who are working paperless, but those who would prefer to see a hard copy, it is about to be circulated. So we will just pause while the *sursis motivé* is distributed. Does everyone who wants a copy now have one? In that case, Deputy Hansmann Rouxel, would you like it to be read, or would you like to read it yourself?

2455 **Deputy Hansmann Rouxel:** Sir, I believe there needs to be a motion to suspend the Rules in order to lay the *sursis*?

2460 **The Bailiff:** That is true. Thank you for reminding me. We need to suspend Rule 24(2)(b), because the effect of a *sursis motivé* may be either to increase expenditure or to alter the timing of any work. I assume those are the parts of 24(2)(b) that are in place. So you propose that Rule 24(2)(b) be suspended to the extent necessary to permit Propositions to be debated? Is that right, Deputy Hansmann Rouxel?

2465 **Deputy Hansmann Rouxel:** Yes.

The Bailiff: Deputy Yerby, do you formally second that?

Deputy Yerby: Yes, sir.

2470 **Deputy Parkinson:** Can I request a recorded vote, sir?

The Bailiff: Right, we will go straight to the vote.

2475 **Deputy Hansmann Rouxel:** If I may say, during debate yesterday, there were speeches involved in suspending the Rules? If it is not necessary –

2480 **The Bailiff:** We do not normally do that. We normally go straight to the vote, otherwise there is a danger of repetition and duplication. I think it is pretty clear why the Rule needs to be suspended. I have explained that as far as necessary, so we will go straight to the vote and a recorded vote. This is a recorded vote to suspend Rule 24(2)(b) of the Rules of Procedure to the extent necessary to permit the *sursis motivé* to be debated.

There was a recorded vote.

Carried – Pour 28, Contre 9, Ne vote pas 0, Absent 3

POUR

Deputy Lowe
Deputy Laurie Queripel
Deputy Hansmann Rouxel
Deputy Graham
Deputy Green
Deputy Dorey
Deputy Brouard
Deputy Dudley Owen
Deputy Yerby
Deputy de Lisle
Deputy Soulsby
Deputy de Sausmarez
Deputy Prow
Alderney Rep. Jean
Alderney Rep. McKinley
Deputy Ferbrache
Deputy Tindall

CONTRE

Deputy Inder
Deputy Smithies
Deputy Paint
Deputy Langlois
Deputy Roffey
Deputy Kuttelwascher
Deputy Brehaut
Deputy Parkinson
Deputy St Pier

NE VOTE PAS

None

ABSENT

Deputy Fallaize
Deputy Le Tocq
Deputy Oliver

Deputy Tooley
Deputy Gollop
Deputy Lester Queripel
Deputy Le Clerc
Deputy Leadbeater
Deputy Mooney
Deputy Trott
Deputy Le Pelley
Deputy Merrett
Deputy Stephens
Deputy Meerveld

The Bailiff: Members, the voting on the Proposition to suspend the Rules was 28 in favour, with nine against. I declare it carried.

Sursis Motivé:

To sursis the Propositions until such time as the States' Trading Supervisory Board shall have complied with the following directions of the States:

1. To replace the main project aim (currently "to replace the existing cremator equipment by the Summer of 2019 with a resilient cremation service") with the following:

"to provide a modern, resilient cremation service (including suitable cremator equipment and accessible facilities), which is capable of meeting the needs of the Bailiwick population over the next 30 to 40 years and is sensitive to the cultural and social significance of funerals as an end-of-life ritual and an important part of the grieving process."

2. To adopt the following Investment Objectives in place of the Investment Objectives set out in the table in 2.13 of the policy letter (Table 2 under Part B, section 2.4, of the Outline Business Case):

"1. To provide a modern cremation service (including cremator equipment, accessible and culturally-sensitive facilities for mourners, and ancillary facilities) which is capable of meeting the needs of Bailiwick residents over the next 30 to 40 years. 2. To provide cremator equipment which is compliant with the Loi relative a la Cremation, 1928, which is capable of providing a bariatric cremation service, and which can process 600 cremations per year for the first 15 years. 3. To replace the existing cremator equipment by the Summer of 2019, or as soon as possible thereafter, in order to minimise risk of a complete failure of service. 4. To deliver a cremation service that promotes operational efficiency; that reduces the risks associated with a single facility in an island location; and that has the capacity to expand or adapt in response to future needs. 5. To provide a cremation facility that can meet the proposed air quality emissions regulations in Guernsey (as considered by the States of Deliberation in February 2017)."

3. To re-run the options evaluation which forms the subject of the Outline Business Case, using the revised Investment Objectives in Proposition 2, and to invite one or more nominated representative(s) of local Funeral Directors and celebrants, and one or more nominated representative(s) of local charities dealing with grief and bereavement, to be part of the group conducting that evaluation.

4. In the event that the preferred option remains Option 1 (Le Foulon), to consult with stakeholders (including disabled people's and older people's representative groups) and include in its recommendations to the States a full plan of measures that will be put in place to mitigate the disadvantages of the site, especially in respect of accessibility. Such plan may include physical adaptations to the site, and/or other appropriate adjustments (such as, e.g., the provision of an on-site shuttle service for mourners).

5. To begin the work of consulting with: a. The Committee for Employment & Social Security and the Policy & Resources Committee on the projected future costs of cremations and the way in which this will be distributed between the States and the individual, including the role and value of the Death Grant; and b. The Committee for the Environment & Infrastructure on potential ecological alternatives to cremation which may be developed alongside the new cremation service, or at the end of the lifespan of the new equipment.

2485 **The Bailiff:** We therefore move onto the *sursis motivé* itself. Do you wish it to be read, or will you read it, or will you simply introduce it, Deputy Hansmann Rouxel?

Deputy Hansmann Rouxel: I will read it.

The Bailiff: You will read it?

Deputy Hansmann Rouxel read out the sursis motivé

2490 **Deputy Hansmann Rouxel:** Thank you.

I thought I would read that out, given that Members have only received the paper copy, so that they would have time to digest that. The *sursis* is asking for the project aim to be updated to properly reflect an holistic policy direction and that is to provide a modern, resilient cremation service, including suitable cremator equipment and accessible facilities, which is capable of meeting the needs of the Bailiwick population over the next 30 to 40 years and is sensitive to cultural and social significance of funerals as an end of life ritual and an important part of the grieving process.

2495 To start off with, we need to understand how policy has been absent in the decision-making process. This has not been through conscious omission, but through a process issue. It boils down to the separation of powers of Church and state, just as in our Assembly, which is the separation of operational and policy.

2500 The mandate of STSB is operational, as Deputy Parkinson stated in his opening speech. They are a practical committee. By design this is the very purpose of STSB, to allow more nimble business decisions to be made. But these operational decisions have to be made within the framework of policy.

2505 An example of how this works was the Waste Strategy where E&I was responsible for the policy and STSB was responsible for the operational aspects of the strategy and the implementation thereof. They worked very closely with E&I and we had some very robust discussions around the implementation of the strategy and interrogated whether it was fulfilling a policy. We had that relationship and that is how it is supposed to work.

2510 This has not happened in this case. I want to make clear that this is not some glaring error that has been perpetrated, or an excuse for unnecessary recriminations. This has happened, understandably, because of the process that we as a Government have undertaken, for several reasons.

2515 (1), the operation of STSB is quite new, along without changing structure of Government and the understanding of how the operational responsibilities fit with policy frameworks is only just being embedded; (2), the policy in this case is not obvious, it requires some thought and going back to previous States' debates in order to uncover it. From the Billet VIII, 2001, on page 568, I will quote, it says:

2520 The existing facilities are perceived to be poor. This has discouraged use in some instances, with families choosing burial instead. In particular there have been complaints with regard to the limited seating capacity of the chapel. Existing access and parking is poor, particularly for the elderly or infirm. There is a lack of toilet facilities, no adequate covered waiting areas and no suitable area for floral tributes. The chapel has insufficient seating capacity and the existing facilities need to be upgraded with additional parking so as to provide for the reasonable needs of those persons attending funerals.

The States then agreed proposals which included the extension to house the cremator, the installation of a new cremator to meet modern requirements, additional parking for up to six cars adjacent to the chapel, conversion of the existing furnace room, reconstructed alcoves, a room containing a book of remembrance, covered waiting areas included a covered way for floral tributes, renovation of the existing building and provision of toilet facilities. That is what the States then decided. By the States agreeing to approve accessibility at the site and not only provide a cremator but improved cremation facilities, it is recognised that the States' policy is to provide for the reasonable needs of those persons attending funerals.

The third reason that STSB have not, through this process, adequately taken policy into account is there is no obvious Committee who is responsible for this policy. One can argue that Policy & Resources, as the gatekeepers, who have looked at this project, could be the responsible Committee, but they have scrutinised the business case, they have used their treasury role and not their policy role for this, because the policy is not immediately clear. It does not scream out at you.

This is understandable, given this project, in the previous term, was under the then Treasury & Resources Committee. There is no obvious home for this policy. Does it fit underneath Employment & Social Security? Does it fit under Home? Does it fit under Health & Social Care? That is something that has only come out through interrogating this process.

This project started its life in the previous term under Treasury & Resources, and went through various gateways, the States decided to put it in the pipeline process. With the changing of Government, it also changed from Treasury & Resources. There was also a change of officers at that point, and a change in – it was also after the 2014 debate – a change and a more robust interrogation of how a project was worked through, eventually reaching the business case stage and request for funding. All of that, coupled with the change means that we have seen this project go through many life iterations.

So what will applying the policy achieve? During the project life, which started out as a simple replace cremator, and then, after they realised that they could not simply replace the cremator, they broadened the scope, which is quite right, the crematorium development project team – the clue is in the name there – began looking at the replacement holistically, looking at over 100 sites and then narrowing those down until, eventually, there were just three options.

During the process, and you can see all these iterations in the business case, critical success factor seven was to get a level site to improve accessibility. Now the feasibility study notes that the limitations and difficult topography of Le Foulon site, and specifically the crematorium within it, will not improve the level of accessibility to the facility.

In fact, because the small parcel of land to the east of the existing channel, which is currently used as an impromptu car park, will be used for the proposed crematory extension building, the only land available, there will actually be a noticeable reduction in the accessibility of the building for those mourners with mobility difficulties. The planned lower car park will in part mitigate this, although the climb from the car park to the crematorium will still be precipitous and is difficult to traverse for people with such a condition.

Conversely constructing a purpose-built crematorium on a site with level access, where the car parking is all on one level, there is the opportunity to construct mobility impaired spaces adjacent to the crematorium building and would be the best solution by far to overcome this particular issue. Again in critical success factor eight, it says: improvements in car parking for the public, especially those with mobility problems. It references the points made in point seven:

Developing Le Foulon will not deliver significant improvements in car parking for the public, if any.

It is important at this point to note that accessibility is more than car parking. In fact there is a distinct lack of understanding of what accessibility actually is. This could have been overcome if accessibility charities and experts had been consulted earlier on in the process. The dictionary definition of accessibility is:

Easy to approach, reach, enter, speak with or use.

2570 So really accessibility also includes the use of the space. How do people approach the space? How do they enter the space? Are there barriers to the ease of use? The tight space for the hearse to turn, the working environment of the funeral directors and the staff of the crematorium – all of these add up to create a picture of inaccessibility.

2575 Coupled with that is both the assessment from the crematorium specialist and the architects' feasibility studies, and I will quote a few references:

Any new crematorium will be designed with a lifespan of 50 years or more. If the option is chosen instead to construct an extension to the existing crematorium, then it will need to be borne in mind that, as the existing crematorium building was first opened in 1929, this is now 90 years old. If the extension has been designed to last 50-plus years, then the whole building will be over 140 years old by the time the decision is taken to replace the whole facility.

Le Foulon site has limited and difficult access, surrounded by existing established graves at the end of a steep, narrow and winding access road. Overall, the existing building cannot offer the space or scope to significantly expand the facilities to offer the residents of Guernsey a state-of-the-art facility which incorporates the best aspects of a modern crematorium.

Shortcomings include difficult access, limited parking, limited capacity, no expansion capacity and limited potential for sustainability strategies.

Option E(1) extension at Le Foulon is the strategy strongly favoured by Planning. Now, throughout the business case, there is a reference to this being a key in making the decision – favoured by Planning or that there are concerns with how Planning views the process. This quote concerned me.

Option E(1), extension of Le Foulon is considered to be the path of least resistance ...

2580 – on the basis that it has the strongest support from Planning and is therefore likely to be able to be delivered more quickly than option two, new build. Correct me if I am wrong, I do not think we should be making policy decisions based on Planning and I do not think that Planning intends us to do that, either.

2585 The risks associated with the new-build site reference heavily a risk in planning, which stems from a second meeting with the planning officers, in which it is fair to say an unfair extrapolation, that Planning in any way can influence or have preference for a site. It is the States to decide on policy and, if we have assessed and decided that there is a strategic need, planning will need to be sought, but it should not be a barrier to us deciding on policy. The risk has been highlighted as the major decision for not proceeding with the long-term, sustainable option.

2590 Also from the report:

To develop Le Foulon crematorium is the least expensive and in the short-term carries the least risk as the land is already owned by the States of Guernsey.

2595 It is the 'short-term' in that sentence that jumps out at me: 'In the short-term carries the least risk' Looking at the assessment of Le Foulon and the crematorium equipment positioning, the site is very restrictive. There are so many things that will require mitigating. The abatement equipment, the air blast cooler, which weighs 0.9 tonnes and the ideal position is to mount such a unit on the ground to the rear of a crematory.

Given the topographical restrictions to the site, a position either side, either on the roof of the crematory or on the ground in the west of east elevation will be required, all of which present considerable logistic and aesthetic challenges as the equipment should be in a position which is both hidden and apart from mourners.

2600 The ID fans and flues for the cremator are situated in the cone above the main crematory, accessible via the aperture in the concrete supporting slab above the narrow access passageway below, making the maintenance awkward and the changing of components or whole fan difficult in the future.

2605 Then there is the actual delivery of the crematory thin cells. Because of site accessibility, they may need to be delivered to the site and then built at the site – so taken apart. In the report, it is highlighted it is not ideal and shortens the life of the cremator. If the option is chosen to deliver a pre-built cremator, a large mobile boom crane will be required on-site. How they would get that through the very narrow entrance is a question, which would increase the possibility of damaging nearby cemetery roads and the small car park surface, as well as underlying drains.

2610 In choosing Le Foulon, there are many things that are already being mitigated. It is not the path of least risk. Other risks, let me get to. I have already pointed out Le Foulon has lower risks in the short-term, but there is a very real possibility that these risks will increase with the lifetime of the project. We already have a track record of that. In 2001 they thought they were making a long-term investment and now, just 16 years later, we are building again.

2615 Regulations change. The equipment has gotten bigger. Perhaps there are more significant changes in technology or new ecological methods that might mean that the site needs to be adapted again at the end of the cremator's life. But there is no wiggle room left at Le Foulon. Anyone who has read the feasibility reports and the outline business case cannot tell me that there is any wiggle room left at Le Foulon, if they go forward with these plans. Where will we be then and how much will we be spending again?

2620 At this point, I would like to go onto the risks if the *sursis* is passed. Where we are now and how will the decision we potentially make today affect the project? Yes, we are looking at a delay, but much of the work is already being done and scrutinised. The gateways and pathways have been followed. This is not a criticism of them finding a business case; it is a criticism of them applying policy.

2625 Those who are on the project board, who now know far more about the subject than when they started, should be assured that they would be able to then use that knowledge appropriately and apply it with this new policy. It is not throwing out all the work, it is merely asking for the parameters of assessment to be altered and for the options to be reassessed fairly, under a clear policy.

2630 All the *sursis* is doing is asking that knowledge and the detailed advice from the consultants apply the policy perspective and a re-measured planning risk, not the misconstrued advice of one officer, and, importantly, use different perspectives of those who understand the accessibility and use of the service – a funeral director or disability/accessibility partner; Access for All Guernsey has indicated to me that they would be more than willing to contribute – then decide and move forward.

2635 A more robust decision would then be made, and we will have enough evidence to make an informed decision, which currently, as the policy letter stands, we do not. I am sure my colleagues at STSB will put their case to the Assembly and relay the concern that there is a real time pressure. 2640 The current cremator is beyond its life expectancy and could suffer a critical failure. Yes, this is a real risk and I do not make this decision lightly and nor should the Assembly.

2645 Even to contemplate this road, unless I thought it was absolutely necessary, would not be a wise move. If we do end up deciding to go with a new-build site there will be a delay; thus increasing the risk of critical failure. We have to weigh up whether this is the best long-term solution or a short-term fix.

Will we be able to ensure that this is the best long-term, sustainable solution? How can we mitigate the risk of critical failure? I will read from the report:

The existing cremator, installed in Le Foulon, is now beyond its original anticipated lifespan of 15 years plus. While this equipment remains in a reasonable condition, it is manufactured by a company which is no longer in business. To assist in mitigating this situation, a recent formal agreement with another crematorium company to maintain the current equipment has been put into place. Additionally, the States of Guernsey is currently formulating an improved continuity strategy to improve and formalise relationships with other councils and crematorium facilities in Jersey and the south and midlands of the UK, the latter of which will assist with sea and air transport to the UK in future, if required.

So let us not have any more talk of using the livestock incinerator.

2650 There are many reasons why, in my opinion, we have come to the wrong preferred option. With the lack of application of policy, over-emphasis on planning risk and lack of an holistic look at the true value of accessibility. The question then is do we do something about it and vote for the *sursis*, potentially going down the path to a new site, which will take longer than the path of least resistance, short-term fix, option one, but will deliver a far more sustainable long-term service in which we do not have to worry about creating a two-tier service, because the site is not accessible?

2655 I will use our own local accessibility champion, Aindre Reece Sheerin's favourite quote, which is:

Accessibility discriminates against no-one.

2660 We need to today make that decision, whether to implement a clear policy, reassess those options under that policy and then proceed with an option, knowing that we have made an informed decision.

Thank you.

The Bailiff: Deputy Yerby, do you formally second the *sursis motivé*?

2665 **Deputy Yerby:** I do, sir. I will speak later if I may?

The Bailiff: Thank you.

2670 Deputy Parkinson, do you wish to speak on it at this stage? (**Deputy Parkinson:** No, sir.) No? I remind Members that debate at this point must be limited to the *sursis motivé*, although as we have heard, that can still be fairly wide-ranging. Deputy Smithies, I will call first, as he is a Member of the States' Trading Supervisory Board. Then I will call Deputy Lester Queripel.

Deputy Smithies: Thank you, sir.

2675 I congratulate Deputy Hansmann Rouxel on her very comprehensive speech. She started by saying that the STSB is not formed to create policy, but it seems to me in the *sursis* there is a demand that the STSB does formulate policy and that, I think, is outside our mandate. I would say that is potentially a flaw.

2680 It does seem unfortunate that I need to restate that the STSB is not the policy maker but simply acts as instructed. We have been asked to come up with a solution to an urgent problem and, taking the best available advice, have done just that. If the States, and I would suggest that the debates that have taken place in the States in 2013, 2014, again in 2015 and 2016, in themselves actually have produced a policy which we have been following.

2685 Speaking as a Deputy, and leaving aside the STSB element, I think the instruction to come up with a solution based on the outcomes of the previous debates is still the right one and I would resist strongly the request that we should actually formulate a policy. One thing which I thought was lacking perhaps in the speech proposing the *sursis* is a refusal to acknowledge the extra cost; £3.88 million is the figure we have come up with and put forward. This is the costed figure.

2690 The alternative figure of £7 million has been put forward. Deputy Hansmann Rouxel carefully skirted around that. Yes, there will be an extra cost, she said, but she did not quantify it. Deputy Parkinson did, in his introductory speech, mention that. We are talking here of at least double the amount.

2695 In an ideal world the crematorium development project team agree that constructing a completely new facility, which would be purpose-built, would be the ideal. But we are not actually living in that ideal world. Deputy Hansmann Rouxel has quoted from the outline business plan and some of the reports we have received.

From Robert Potter and Partners, of Glasgow, who are the project team, she quoted the existing crematorium equipment is reaching the end of its service life and the replacement crematorium project has, as its primary aim, the provision of replacement cremation facilities to

ensure the service can continue to be provided on Guernsey. Twenty-eight sites have been examined. It has been whittled down to two; one at Le Foulon, the other site which was identified was in St Sampson's.

The cost estimates, I have covered, but we heard this morning about resistance to further development in the north and yet we have here a *sursis* to move the cremator from a central site to St Sampson's, or potentially to St Sampson's. That is not something I could support. I would just like to place on the record that I am opposed to further expansion and development in the north and whilst other suitable sites exist elsewhere, my opposition to an amendment brought yesterday was motivated entirely by a belief it was flawed, not by my opposition to its sentiments.

The Bailiff: Deputy Lester Queripel.

Deputy Lester Queripel: Thank you, sir.

I am going to support the *sursis* and I applaud Deputy Hansmann Rouxel and Deputy Yerby for laying it. They have laid it because they have concerns about the planning element and the costings and, in this speech, I am going to focus on my concerns regarding the costings and steer clear of anything relating to planning.

I just feel the need to explain and I do that because if I comment on anything to do with planning, then I will have to recuse myself from the panel, should this application be laid before the DPA in an open plan meeting. That may not be the view of my colleagues on DPA, but it is mine. That is the way I see it. I would much rather err on the side of caution.

The first thing I want to focus on in relation to the costings is I have been told in the business case, it is not within the scope of the business case to look into how much would have to be added to the cost of a cremation or a burial as a result of the installation of a new cremator or what adjustments, if any, would have to be made to the death grant.

So it seems there has been no contact made with Social Security by STSB as regards death grants. Surely in a very real sense we are being asked to vote in favour of the proposals and the business case in the policy letter in the hope that Social Security have enough money in their budget to cover an increase in the death grant? I do not think we should govern in hope. That is certainly not the way to govern, in my view. We need evidence-based proposals and we need to be fully informed to enable us to come to a decision on any issue laid before us in this Chamber.

As Deputy Hansmann Rouxel has already alluded to, we have not been fully informed in the business case on the actual running costs of the cremator and we have not been fully informed about the possible increase in the cost of cremations or burials and we have not been fully informed about how much of an increase, if any, will need to be added to the death grant.

All that concerns me greatly, sir – and it should concern my colleagues because those are all major issues – none of which are dealt with in the actual proposals. That, in my view, is the fundamental flaw. Hence my welcoming and supporting the *sursis*. As we all know, Proposition 5(a) of the *sursis* seeks to open up the dialogue on costings.

As I said earlier, we are told on several occasions in the business case that any future increase in cremation and burial costs is beyond the scope of the business case itself. Although oddly enough there are some examples and suggestions for those increases on page 61. We are told in one paragraph that research into any future increase in costs goes beyond business case scope, but yet further down the page we are given examples and suggestions for increases, which I find rather odd.

What it means is someone at STSB spent time considering possible increases in costs, even though it was not in their remit to do so. Seeing as they did that, then surely they should have then perhaps contacted Social Security to seek their views on the situation regarding the death grant. What we are actually being told in the business case is that consideration will need to be given to the death grant, which currently stands at £592. But it does not say anywhere in the business case what kind of consideration. Presumably, we are talking about an increase, but of

2750 course we could be talking about a reduction of the grant, or perhaps even withdrawing the death grant altogether? We do not know, because Social Security have not been consulted.

Presumably the death grant will need to be increased and increased by a considerable sum to help Islanders fund the increase in cremation and burial costs. But what about if Social Security say they do not have enough money in the pot to fund the increase in the death grant?

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Deputy Le Clerc: Sir, point of correction.

The Bailiff: Point of correction, Deputy Le Clerc.

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Deputy Le Clerc: I am sorry to amend Deputy Queripel, but the amount of death grant is not £592, it is £610 based on your insurance contributions, so it is only if you have paid insurance contributions and between 45 and 52 years. It reduces if you have not paid that sum.

Deputy Lester Queripel: I thank Deputy Le Clerc for that clarification.

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As I was saying, what about if Social Security say they do not have enough money in the pot to fund the increase in the death grant? In that case, they will have to get it from somewhere else and, inevitably, it will be the people of Guernsey who will be paying for that increase. The same as they will be paying for the increase in cremation and burial costs, the same as they will be paying for the cremator and everything else that is associated with it.

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So that will be a triple whammy, at least to many Islanders. The business case and the policy letter are silent on all of those. Actually, sir, I need to clarify that. Even though, as I said earlier STSB said it was not within their scope or remit to look at costs, the business case tells us on page eight that in order to cover the capital and financial costs of the project, the costs of cremation would have to rise from £557 to £1,153 and that would make Guernsey the most expensive place to be cremated in the UK.

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It would require a similar increase in the cost of a burial to ensure that cremation remains the preferred choice. That just-over-100% increase concerns me greatly, for several reasons, all of which I am sure my colleagues can work out for themselves. Having said that, I do take some comfort from what we are told later on in the paragraph, where it states that it is suggested that a more realistic rise, to £728.50 per cremation be considered, which would align us with Jersey and allow the increase in burial costs to be proportionate and acceptable.

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But I do question the use –

I give way to Deputy Le Clerc, sir.

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Deputy Le Clerc: Sir, I would just like to ask Deputy Queripel which pages he is looking at, because I cannot find this information and I think it is quite important? I cannot see it in the pages he is referring to.

Deputy Lester Queripel: I thought I had found them in Frossard House, on page 61, sir. I may be incorrect. In the Members' room at Frossard House there is a very large document, the outline business case. I was of the view that I thought I had found those figures on page 61. I may be getting confused because it is such an involved document, I lost the will to live at one stage! But it is in there. Members in this Chamber often get away with saying 'in this document' and they do not cite page numbers, but it is in there. I thought it was page 61, but it may not be. I can assure my colleagues it is in there.

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I just want to question the use of the word 'acceptable' because as I said, an increase to £728.50 would allow the increase in burial costs to be proportionate and acceptable. I just question the use of the word 'acceptable', because not only is that totally misleading but in my view it is also inappropriate to use it in that context. It is inappropriate because this is an extremely sensitive issue and to use such a word as 'acceptable', when most people are in crisis and trauma due to having lost a loved one, is incredibly insensitive, in my view.

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I am wondering to whom will the increase in cremation and burial costs actually be acceptable? I doubt if an increase in those costs will be acceptable to any of my fellow Islanders. It certainly will not be acceptable to the people I have spoken to about this issue. We are also told in the business case that STSB will continue to fund the cremation service. Actually, it says the cremation service will be self-funding, which is a little bit confusing. I am wondering what is the difference between 'self-funding' and 'being funded from', but I will not labour that point.

As I said earlier, even though we are told that we are looking at a possible increase in costings, which is my primary focus of this speech, beyond the scope of the business case, we are given some examples and we are told, in order to cover the costs, the fee for a cremation should be increased and surely that would mean then there would be additional strain on the STSB budget? If they do not have enough money to accommodate an increase then will they not have to go to P&R and ask for an increase in their budget in years to come?

None of that is made clear in the business case, so again, the theme of this speech is we are being asked to vote in hope that this money is going to fall from the sky, someone has got a magic wand to magic it out of thin air.

Paragraph 3.3 of the policy letter tells us that STSB has determined the preferred best value for money option for the cremator and 'ascertained the affordability and funding requirement' for the product and the services. With the utmost respect to my colleagues on STSB, I think they could and should have done a lot better than this.

As I say, I went to Frossard House on two separate occasions to read the business case. The information that I expected to be in there was not in there. It is not in the policy letter, so I do not feel fully informed and none of my colleagues can feel fully informed. That is a fact, because they have not been given the information that we need about the costings that I am talking about.

I have no confidence in the proposals as regards the future costings, whatsoever. I am always open to persuasion, but unless some of my colleagues can allay my concerns during debate, I will be voting in favour of the *sursis motivé* because, like Deputy Hansmann Rouxel and Deputy Yerby, I think a lot more work needs to be done to truly ascertain costs and affordability.

Once again, I am going to cite a page number. I hope I am right. We are told, on page 20 of the business case, that the running costs for Le Foulon are currently £290,176 per annum. That includes £149,000 maintenance costs, which is spent mostly on the upkeep of the cemetery. Staff costs come to £88,424. The cost of gas comes to £49,074 and the cost of electricity comes to £3,668.

Surely those costs will increase considerably if there was an increase in the number of cremations? Deputy Gollop says it would, sir.

I give way to Deputy Parkinson. I suspect I have got my page numbers wrong.

Deputy Parkinson: No. I would simply rise to inform Deputy Queripel that the cost of a cremation at the moment is £557. The cost of burial at Le Foulon is £1,980. The cost of a burial plot at Le Foulon is £2,329. So the total cost of burial at Le Foulon is £4,309 and the value of the death grant is £592, which covers the entire cost of cremation. I might add that the proposal would be to cover the additional costs from the capital reserve.

Deputy Lester Queripel: I think I take some comfort from that, sir. I am not sure. I will listen to the rest of the debate. The question I was asking there was surely the costs will increase considerably if there is an increase in the number of cremations? That is my logical brain coming to a logical conclusion. I might be totally wrong. I appreciate I might be missing a fundamental point somewhere along the line. If I am, I apologise to my colleagues.

Once again I would repeat, at the risk of tedious repetition, if you just indulge me for a second: I think we really need to know all this and the business case does not give us any information at all on the potential cost increases. As I said earlier, I am not going to vote in hope.

In closing, to elaborate a little more on the issue of STSB saying they have determined the best value for money option for the cremator and ascertained the affordability and funding

2855 requirement for the services, we are reminded in the business case, in the graph headed *Sustainable Public Finances* in page 16, which I hope I have got right, that one of the objectives of the Policy & Resource Plan is to maximise States' assets and entities without placing a disproportionate burden on customers, especially those on low incomes.

2860 The proposals as they stand do not comply with that objective. To go ahead with the proposals as they stand is to live in hope that Islanders will not have to then deal with a disproportionate future financial burden. I think I will leave it there. I could make a couple more points, but I will leave it to others to have their say. I urge my colleagues who do not feel fully informed – and I do not see how anyone can be fully informed because we have not been given the information we need – please vote for the *sursis*.

Thank you, sir.

2865 **Deputy Leadbeater:** Sir, can I invoke Rule 26(1) please?

2870 **The Bailiff:** Yes. Rule 26(1), this is the guillotine motion. Will those who have not yet spoken but might wish to do so, please stand in their places? I see eight people standing. Do you wish to pursue, the motion? (**Deputy Leadbeater:** Yes, please.) I put then to you the motion that debate be closed, Those in favour; those against.

Members voted Contre.

The Bailiff: I declare it lost. Deputy Brouard.

Deputy Lester Queripel: Could I have a recorded vote on that please, sir?

2875 **Deputy Brouard:** Thank you, sir. It is too late?

2880 **The Bailiff:** I have already called Deputy Brouard, I am afraid, Deputy Lester Queripel and it was quite clear. Deputy Brouard.

Deputy Brouard: Thank you, sir.

2885 The world is not perfect. The world is pretty good, but it is not perfect. It is not flat. It is round. Le Foulon is much the same. It is not perfect, and it is certainly not flat. Deputy Hansmann Rouxel makes a very good point, especially about car parking there and facilities, so I am very pleased that that aspect will be fully looked at. It is also being looked at by STSB as well, in their proposals.

I would be very interested to hear about what Deputy Hansmann Rouxel envisages as the ideal site. I do not want her to name the site, because the price of it will suddenly go up, but if she could draw my attention as to what the perfect site looks like, how it will be, where it should be located, what sort of area, that would be very helpful.

2890 The cremator does a specific job and the chapel provides a particular job as well. But they do not need to be at the same place at the same time. I just want to read one of the most important paragraphs, for me, which is 2.16 on page six. It says this:

There is no obligation to use the chapel prior to cremation, with numerous churches and a much-increased provision of community facilities now available in the island for non-denominational services or when attendance capacity dictates the need for a larger facility. The availability of these facilities provides viable alternatives to the Foulon in terms of both capacity and accessibility for services if these are primary concerns.

I think that needs to be made clear. You do not have to have your service at the Foulon to have your loved one pass through the facility.

2895 The next point I want to make is the sites. Our civil servants have looked at over 100 sites, I think it is mentioned in the document as well that 36 sites have been shortlisted. Do not underestimate the difficulty of finding a site where you are going to be welcomed by your neighbours

to put in a facility such as a crematorium and the church facilities that go with it. That is not going to be a very easy place to find.

2900 I just want to also touch on the price. The option two which is mentioned, which is a new facility, is basically double the cost of refurbishing at Le Foulon. What could we do with that other money? The opportunity cost of that is quite important. There we are saying that we want to make sure we use our money as wisely and as cleverly as possible and yet, by definition, if you go away from that site, you are going to double the cost rate.

2905 I just want to touch on something which Deputy Lester Queripel has mentioned. He was worried about the disproportionate burden. If you build your crematorium anywhere else other than Le Foulon, someone is going to be paying more, or someone will not have the facility for something else, because that extra £2 million or £3 million of going to another site will have to be recovered from somewhere, or something else will not get done.

2910 If you go somewhere else, Deputy Queripel, someone will be picking up a tab that is larger than it will be at Le Foulon. That is just the mathematics of it. It has to be. I would just say please, I am glad we are going to have this debate but let us reject and let us move on and let STSB get on and refurbish the facility. It is not the best, it is not ideal, but I think it is the best option that we have in front of us. I think it will serve us well for 30-40 years to come and the world is not perfect,
2915 but at least you can go to a service that is suitable for the congregation elsewhere in the Island, if you need to. Please, reject the *sursis* and support STSB in this proposal.

Thank you.

The Bailiff: Deputy Ferbrache.

2920 **Deputy Ferbrache:** Sir, I would like to commend what I thought was a truly excellent speech by Deputy Hansmann Rouxel. She outlined the *sursis* in great detail, with great passion and principle. But I am sorry, I will not be able to support the *sursis* because, in relation to the practical issues that Deputy Brouard, amongst others, touched upon, we have to look at the fact that there
2925 will be an increase of between £3.88 million and £7 million, which is £3.12 million extra costs that will be incurred.

That is money that has to be found from somewhere, whether it is the families who have to pay for that cost or somebody else, it has got to be found somewhere. Of course it is true, as is evident both from those of us ... all of us know Le Foulon site, most of us will have attended
2930 services at Le Foulon, it is not ideal. If you were starting afresh you probably would not have a crematorium there.

But it has got a significance. We have had the crematorium there for the best part of 90 years and where I do disagree, and I disagree both with Deputy Parkinson in the policy letter and Deputy Brouard's comment that of course you can go elsewhere – factually that is correct, you
2935 could have your service in very many places, but a lot of people want their service at Le Foulon and they pay their final respects to their loved ones or their friends and then the cremation actually takes place. I do not think we should dissociate ourselves from that.

Also in connection with the situation, we are told in the policy letter that an adequate, satisfactory facility can be constructed, which will last 50 years. Sometimes a short-cut is the
2940 longest way around and sometimes, in relation to doing something because it is expeditious, because it is expedient, is putting on a sticking plaster when, in due course, you need an operation. I accept all of that and I accept if you were starting afresh, as I have said already, that you would probably look somewhere else.

What I was a bit surprised ... and I may have misheard Deputy Hansmann Rouxel, when she
2945 said you could always ignore the planning, you have got to get the policy right. Surely we have a planning process, we have an IDP, we go through lots of hoops to get to the IDP with any development plan which the IDP has approved and, as Deputy Parkinson says, there would have to be a planning inquiry of some kind, you would have to meet the policy that you referred to.

I am not too sure whether you would be able to get around it and you would be able to say, 'I am using the St Sampson's site,' just for the purposes of example, a pristine brand-new St Sampson's site might not meet development criteria. It depends how able the lawyer was, or the architect was to make the case. I think you might have a reasonable chance at meeting that requirement.

Of course access is important, and we want all our citizens to be able to attend the cremation whether they are bodily able or whether they are disabled or whatever. Again, a flat surface would be much more accommodating for that. But it is not beyond the wit of man and woman – and I am sure it has been taken into account by the team that Deputy Parkinson has referred to – that it is possible, it is not ideal, people could be transported there in vehicles and arrangements could be made for that. Nothing is perfect, the world is not perfect, as Deputy Brouard said.

Again I have considerable sympathy for the very-well put, principled address by Deputy Hansmann Rouxel. Where my eyes gloss over a bit is when we look at proposal 5(b), where they want to consult with the Committee *for the* Environment & Infrastructure on potential ecological alternatives to cremation, which may be developed alongside the new cremation service or at the end of the lifespan of the new equipment. Well fine, I cannot see why that cannot happen anyway.

But we have got to do something practically. Lots of people want to be cremated. The number of wills that I have seen where, 'I wish to be cremated and I desire that my ashes be scattered over a field of remembrance' or something like, or at St Martin's Cemetery or wherever it might be. So there will be lots of people that want cremation. That will continue well beyond the next 50-100 years.

Therefore, if we have ecologically persuaded people that there should be alternatives to cremation that will be their choice over a period of time. I have no idea what relevance that is to whether or not we should be having a new crematorium soon. So that is where my eyes gloss over when I see that kind of jargon. I just do not think it is relevant to what we are talking about.

We have got three practical choices: we do nothing, in which case we are going to be in trouble because the equipment will break down and the people who supply it have gone bust, so we have difficulty getting spare parts; we go with a brand-new facility, which will take time and will cost, we are told, £7 million – I have not seen those figures challenged particularly, although I do not think that Deputy Parkinson, having listened to Deputy Le Clerc, gave the wrong figure for the maximum grant; it is £610, not £592, she explained that.

Can I just say, a complete aside, absolutely nothing to do with what we are talking, when you deal with things like death grants or pension requirements or pension things and you deal with the civil servants at Deputy Le Clerc's department, they are not good, they are truly exceptional. I have had to deal with authorities in the UK and I have had to deal with authorities in Guernsey. The comparison is no comparison. We are international class, premier league; we are Barcelona, Real Madrid against Accrington Stanley. I would like that passed back because it really is excellent. They are sympathetic, they are ... *[Inaudible]*

When we come back to this we then come to the practical option, which will more than do the job. You will still have the feeling of a proper service when you go to Le Foulon. You will still have decent crematorium facilities and it will meet the requirements of our society going forward.

So although I am very grateful, and I am pleased that the *sursis* has been brought and I have no doubt we will have another very able speech from Deputy Yerby in due course, in connection with this the practical alternative is the one being put forward by the States' Trading Supervisory Board, at a not inconsiderable cost of £3.88 million.

The Bailiff: Deputy Inder.

Deputy Inder: Thank you, sir.

I think I told Deputy Yerby last night that I was fairly warm to the *sursis motivé*, but I think I am cooling off a little bit, to be honest with you. Sometimes when you read these things quite drily, the policy letter from STSB, you miss a few things. I think it was Deputy Parkinson's opening

statement that helped me warm more towards the main policy letter, with the exception of why we have got two crematoriums. If we ever get to that point, I would like to talk about that.

What Deputy Parkinson did say, with Deputy Smithies, they seem to have addressed, where they can, issues like toilet facilities and they mentioned Blue Badge facilities. They seem to have given greater consideration to people with mobility issues. I think it was both Deputy Ferbrache and others who have said it is not perfect, but I do not think we live really in a perfect world.

It is true, using the UK standards, as described on page three of the *sursis motivé*, which I think is lifted from the policy letter, neither of the two sites, at Le Foulon or St Sampson's – Foulon definitely not, actually – tick many of the boxes. The one that is going to be the most difficult is probably the 185 m from residential buildings, which neither Le Foulon nor the St Sampson's site is likely to comply with.

Where it is now, as a site, it may not be 185 m from a residential building, but it is already there. It is in, effectively, a garden of rest. There is a cultural significance to the place. I think Deputy Ferbrache touched on people wanting to be cremated at Le Foulon and possibly their ashes laid in a garden of rest. There is something possibly not quite right of having something mildly commercial not attached to the cultural identity of the Foulon cemetery.

Deputy Parkinson, again, he explained in some detail the challenges of moving to Le Foulon and I think in planning terms and possibly public acceptance they are going to be significant. For the first time in many times – first time possibly since I have been in the States – I am not entirely sure where I am going with this, but at the moment I am likely to reject the *sursis motivé* because there are nuances in there which I do not think are particularly obvious and maybe not understood; certainly where Le Foulon is, its cultural significance. I have got great sympathy with the Disability Champion – an exceptional speech. Deputy Yerby, I am sure, is going to back Deputy Hansmann Rouxel considerably and also those out in the community have got great concerns about the crematorium being on top of a hill.

But, on balance, right now, unless something happens overnight, because we have got another 10 minutes of this debate, I am likely to vote against the *sursis motivé* and actually I am going to apologise for that.

Thank you.

The Bailiff: Does anyone else wish to speak? Deputy Yerby.

Deputy Yerby: Sir, I thought I might get to kick off the debate again tomorrow morning but as everyone else has run out of steam, I will try and be brief tonight. Deputy Lester Queripel and Deputy Le Clerc pick on an important point, when Deputy Queripel brought up some of the figures that were in the outline business case and Deputy Le Clerc stood up to say, 'This is important information, where did you find it?'

Because actually there is a very substantial document tucked away in the Members' room. I say tucked away advisedly, because although all of us had access to it, it is not presented in the policy letter for consideration and within it there are some matters of key policy relevance that I think should very much have been brought to our attention.

Had I just read the eight pages of the policy letter and had somebody who cares about it like Deputy Hansmann Rouxel not brought it to my attention, I would probably have nodded through option one today. I am not one for just throwing out hard work that others have done. I would far rather find a constructive solution and so that is why we find ourselves with a *sursis motivé*, which tries to find a better way forward than just to say option one is no good; actually saying it is more complex than that, there are some issues that we need to look at in more depth.

What has happened is the States' Trading Supervisory Board has lost its way somewhat in terms of what the objectives of its work should be. So let us just reset that a bit and see if we can find a better alternative.

I did find the policy letter remarkably bland, insensitive maybe, in the context of the assisted dying debate that we had just had. The one thing that it really does not do is recognise the social

and cultural significance of funerals, including cremations. I think that if we had started from the place of going how do we make sure that everyone has a good death, that everyone has, as far as possible, the service, the cremation, that they and their loved ones want, we would not have ended up here. Or we would have ended up here having eliminated things in quite a different way.

One of the questions that has been repeatedly brought up in this debate is what about the cost? Are we looking at a £7 million solution, as against a £4 million solution? Honestly, the mathematics of it is not as simple as that one-off cost, because you have to ask yourself the question how long is this thing going to last and, having dug into the outline business case, it is quite clear from the external experts' reports that Le Foulon is seen as a fairly short-term solution. Although I paraphrase it, that sentiment is quite clearly there in both reports.

If we go for option one, okay we may be paying less up front, but like that cheaper pair of shoes, it is going to run out much quicker than the sturdy boots we might pay more for. So when you are comparing a £7 million solution as against a £4 million solution, you have to know more about the lifespan of both.

That is why we have tried to be clearer in the *sursis motivé* about looking for a solution that will meet the needs of the population over the next 30-40 years and understanding what the value for money of that solution is. We really do not have a fair comparison in front of us. We also do not, as Deputy Queripel pointed out, know what the cost to the user will be of the different solutions. Obviously, there will be different costs depending on the solution, but that is a real important and relevant issue that should have been brought to the attention of the States in exactly the same as the question of waste charges were and this was not.

So there are unresolved issues which are going to be important to Islanders in the moment of dealing with a loved one's death. Again, thinking about the next 30-40 years, the issue of accessibility is really being under-played. We are still talking about disabled Islanders as a fairly small special interest group. That is really the subtext that I am picking up. Despite the fact that surveys have been done showing that up to one fifth of Islanders already have some form of long-term condition, some form of need for adjustments that will affect them. That is only going to get more significant with an ageing population.

We already know that older people are likely to be over-represented among mourners. Well, again, that is going to be a need that is going to be more pronounced over future years. So we have to make sure that we have a service that is capable of respectfully and naturally accommodating the needs of the people who are going to use it.

I acknowledge Deputy Brouard's point that there is no obligation to use the chapel if you are also going to use the crematorium. However, I think this is more to accommodate freedom of belief than it is to force people into other locations. You could not, for example, say to somebody, 'You are obliged to have your service in Le Foulon Chapel,' if actually their religion would require them to have their service somewhere else. That is natural. But what you do not want to say to people is, 'You are forced out of Le Foulon Chapel, because it cannot accommodate your access needs or the size of your family.' In developing a modern, culturally sensitive and accessible crematorium we should be as accommodating as possible to the needs of our community.

Deputy Brouard challenged Deputy Hansmann Rouxel to come up with the ideal site in terms of its attributes, rather than in terms of its location or naming a specific place. I would encourage him to turn to the explanatory note of the *sursis motivé*, which sets out 10 or 12 features that an ideal site should have and to compare the ticks in the column all the way down the St Sampson's site compared with Le Foulon site.

In other words, to see that these are standard features for a decent crematorium service and there are sites in Guernsey other than Le Foulon that are much better capable of accommodating them. I was really disappointed that Deputy Smithies said he would oppose option two, because I hope that if this is returned to the STSB for further consideration, they would feel themselves able to conduct a neutral and fair assessment of the options ahead of them.

3105 But I would strongly emphasise that the *sursis motivé* does not tie the States to any particular site. If I had felt confident enough that I understood the risks, the benefits and the consequences of choosing option two over option one, I would work with Deputy Hansmann Rouxel simply to amend the policy letter and to seek a preference for that site. I am not confident enough that I understand all the implications, and that is why it is better to send STSB back for further consideration.

3110 But I am confident that some very policy-relevant implications have not been fully thought through. In particular, I noted that in Deputy Parkinson's opening speech, he set out four reasons why Le Foulon was to be preferred over any other option. They were planning hurdles, the likely opposition from the community, the risk of delay and the increased cost.

3115 Well I have dealt with the matter of increased cost already. What this policy letter tells us nothing about is the value for money of the two options set against each other. That really needs to be weighed and balanced. As I mentioned to Deputy Parkinson outside this debate, I come from a fairly long history in health and social services and we have equipment that can have a major impact on people's lives and sometimes that equipment is used beyond its manufacturers' recommended lifespan and sometimes we are facing what might look like a critical equipment failure. The trouble with that is the unpredictability of it.

3120 Honestly? You do not know if a piece of equipment is going to fall over tomorrow or if, by patching it, you are going to get another five years of use out of it. So to say with the absolute certainty that STSB have that the equipment is going to fall over by summer 2019 is simply wrong. If –

3125 **Deputy Parkinson:** Point of correction sir.

The Bailiff: Point of correction, Deputy Parkinson.

3130 **Deputy Parkinson:** I do not think anyone has said that the equipment will fall over by some time in 2019. We have just said it is a possibility; it is a risk.

3135 **Deputy Yerby:** In that case, sir, I must ask the States to trade-off the risk where we already know that there are effective back-up options in place, against spending two years further on this project, which is the timeframe that Deputy Parkinson indicated in his opening speech, to get a much more fit-for-purpose, sensitive and accessible crematorium available to the population of Guernsey. I will leave it there, I think.

3140 **The Bailiff:** Members, I remind you once again that there is going to be a meeting of the Commonwealth Parliamentary Association Guernsey branch in here. I invite you all to remain and I suggest that you remove your papers, perhaps not on the bench, we will not be using the bench, but elsewhere remove your papers because other people may be sitting at your seats for the purposes of that AGM.

We rise and will resume at 9.30 a.m.

The Assembly adjourned at 5.30 p.m.