



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Thursday, 31st March 2022

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Present:

Ms J E Roland, Deputy Bailiff and Presiding Officer

Law Officers

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

People's Deputies

S. E. Aldwell	J. P. Le Tocq
C. P. A Blin	D. J. Mahoney
Y. Burford	A. D. S. Matthews
T. L. Bury	L. J. McKenna
Deputy A. Cameron	C. P. Meerveld
D. de G. de Lisle	N. G. Moakes
A. C. Dudley-Owen	R. C. Murray
J.F. Dyke	V. S. Oliver
S. P. Fairclough	C. N. K. Parkinson
S. J. Falla	R. G. Prow
P. T. R. Ferbrache	L. C. Queripel
A. Gabriel	P. J. Roffey
J. A. B. Gollop	H. J. R. Soulsby
S. P. Haskins	A. W. Taylor
M. A. J. Helyar	L. S. Trott
N. R. Inder	S. P. J. Vermeulen
A. Kazantseva-Miller	

Representatives of the Island of Alderney

Alderney Representatives S. Roberts and E. A. J. Snowdon

The Clerk to the States of Deliberation

S. M. D. Ross, Esq. (States' Greffier)

C. Foster (H.M. Deputy Greffier)

Absent at the Evocation

Deputies A. H. Brouard, H. L. de Sausmarez and G. A. St Pier (*relevé à 9h 42*);
Deputy M. P. Leadbeater (*relevé à 11h 33*)

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States of Deliberation

The States met at 9.30 a.m.

[THE BAILIFF *in the Chair*]

PRAYERS

The States' Greffier

EVOCATION

The Deputy Bailiff: Deputy Brouard, do you wish to be relevéd?

Deputy Brouard: Please, madam.

The Deputy Bailiff: And Deputy St Pier, do you wish to be relevéd?

Deputy St Pier: Yes please, madam.

The Deputy Bailiff: And Deputy de Sausmarez, do you wish to be relevéd?

Deputy de Sausmarez: Yes madam, certainly.

Procedural – Rules 17(1) and 17(15)

The Deputy Bailiff: Good morning, everyone.

Before we begin, there were just two reminders of the Rules, which I spent some time reminding myself of last night:

17. (1) When speaking in the States a Member shall always address the Presiding Officer and must not address another Member.

Can I remind everybody of that part of the Rules?

And a second Rule, or subparagraph of the Rules, in relation to those who have direct or special interest in the subject matter. As you all know, under Rule 17(15) there is an obligation to declare that within the Meeting before one speaks on a Proposition. So can I just remind everybody about that obligation under the Rules?

Thank you.

Billet d'État VI

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

5. Simultaneous Electronic Voting in the States of Deliberation – Propositions carried

Article 5.

The States are asked to decide:

Whether, after consideration of the policy letter entitled 'Simultaneous Electronic Voting in the States of Deliberation' dated 31st January 2022 they are of the opinion:-

1. To approve the introduction of the system of simultaneous electronic voting, as detailed in this policy letter, for an initial three-year term.

2. To agree that the Rules of Procedure of the States of Deliberation and their Committees should be amended, immediately prior to the system being operational in the States of Deliberation, as follows:

a) for Rule 26, substitute:

"Closure and voting

26. 'Guillotine' motion

(1) A Member who has not already spoken in the debate, otherwise than in pursuance of Rule 17(3), (11) or (12), may at any time (but without interrupting another Member who is addressing the Meeting) request the Presiding Officer to close a debate on any matter (including an amendment or a sursis). Neither the Member making that request nor any other may address the Meeting about it. Members who would be entitled to speak and who would intend to speak should the debate continue shall be invited by the Presiding Officer to stand in their places, and thereafter the Presiding Officer shall ask the Member making the request to close the debate whether he or she still so requests, and if he or she does still so request the Presiding Officer shall put the said request to the vote and if the majority of the Members voting support it then (except that the President, Policy & Resources Committee shall be entitled to comment on any financial implications, if he or she has not already done so, and subject to Rules 17(2), 24(7) or 28(3)), the debate shall be closed, and (subject to Rule 27) the matter shall be put to the vote.

26A. Proxy voting

(1) A Member may, by reason only of absence from a Meeting of the States of Deliberation for the purpose of childbirth or care for an infant or newly-adopted child, by written notice in the form set out in Schedule 4 to these

Rules arrange for their vote to be cast in accordance with this Rule by another Member acting as a proxy (a proxy vote) for a maximum duration of six continuous months.

(2) The Presiding Officer may, from time to time, upon representations from the Civil Contingencies Authority in light of circumstances prevailing in the Island, prescribe certain reasons for absence ('Authorised Absence') from a meeting of the States, which shall entitle a Member to arrange for their vote to be cast by another Member acting as a proxy (a proxy vote) if their circumstances require them to take an Authorised Absence from one or more States Meetings. The manner in which the proxy arrangements between Members will operate in respect of an Authorised Absence will be as directed by the Presiding Officer. Proxy voting arrangements in respect of an Authorised Absence shall only be valid during the period prescribed by the Presiding Officer.

(3) A proxy vote may be cast on the following propositions:

a) original propositions (excluding any propositions from the Presiding Officer);

b) secondary propositions; and

c) amended propositions.

(4) A proxy vote, other than one being cast pursuant to Authorised Absence, may be cast only if the Presiding Officer has first certified that the Member for whom the vote is to be cast is eligible under the terms of this Rule and if that certificate, including the name of the Member nominated as a proxy, has been submitted to the Greffier before the commencement of the States Meeting in question.

(5) A vote cast by a proxy shall be clearly indicated as such in the Official Report and voting records published.

(6) The provisions of paragraph (1) that enable a Member to vote by proxy do not apply to the Alderney Representatives;

Provided that:

an Alderney Representative may act as a proxy for another Member, other than a Member who is an Alderney Representative.

26B. Voting – General Provisions

(1) A Member may vote only from a seat in the States' Chamber (except where the Member has been issued with a certificate by the Presiding Officer to vote by proxy). In presidential elections where there are two or more candidates, a Member may vote only from a seat in the States' Chamber.

(2) On the announcement of the result of a division, any Member may challenge the accuracy thereof and thereupon a fresh division shall take place. Such further division cannot be challenged.

(3) Unless otherwise stated, in order for a proposition to be carried it needs to be supported by the nearest whole number above one-half of the Members voting on the proposition.

(4) Where a Proposition is rejected which had proposed that a particular action not be taken, such rejection is not a positive instruction for the action to be undertaken.

26C. Vote taken using the electronic voting system

(1) A vote shall be taken using the electronic voting system, unless:

(a) there is a requirement that the vote is taken by secret ballot;

(b) it is a vote on a procedural motion where no division is requested; or

(c) it is unavailable.

(2) The Presiding Officer shall ask the Greffier to open the vote.

(3) A Member shall -

(a) select the appropriate button to vote or, if he or she so wishes, to record his or her abstention; or

(b) absent themselves from the vote.

(4) The Presiding Officer, when satisfied that Members have been allowed sufficient time to vote or record their abstention, shall ask the Greffier to close the vote.

(5) The Presiding Officer shall then -

(a) announce the number of Members voting "Pour" and "Contre" respectively, the number of Members whose abstention has been recorded and the number of Members absent; and

(b) declare the result of the vote.

(6) The voting record will be displayed on Members' devices and online via the States of Guernsey website.

26D. Manner of taking vote when electronic voting system unavailable

(1) In the event the electronic voting system is unavailable, a Member will announce his or her vote or abstention in a division (appel nominal) and immediately before such an announcement must switch on his or her microphone and switch it off again immediately after he or she has voted or abstained.

(2) The order of voting on a division at any Meeting of the States shall be the same for each division taken at that Meeting (including a Meeting adjourned in accordance with Rule 6, and including a division on a matter adjourned from a previous meeting) but shall be rotated by groups of five members, listed alphabetically, between each Meeting and the next.

26E. Manner of taking votes on a procedural motion

(1) A vote shall be taken de vives voix on a procedural motion unless a Member requests a division.

(2) Where voting is carried out *de vives voix*, any Member may, before the Presiding Officer rules that the matter was carried or was lost, or immediately after such a ruling, claim a division."

b) in Rule 11.(5), for "Rule 26(8)" substitute "Rule 26D(2)";

c) in paragraph (1) of Rule 30 in the definition of "Member", for "Rule 26(13)" substitute Rule 26A(6) and insert the following definitions:

"division" means a vote taken using the electronic voting system or, unless it is unavailable, an *appel nominal*.

"procedural motion" means any proposition or motion which is not an original or secondary proposition."

3. To agree that paragraph (3) of Rule 16 of the Rules of Procedure of the States of Deliberation and their Committees should be amended, immediately prior to the system being operational in the States of Deliberation, as follows -

a) For "Where, in any election by the States, the number of candidates exceeds the number of vacancies:", substitute:-

"In any election or appointment by the States, voting shall be carried out by secret ballot. Where the number of candidates exceeds the number of vacancies":

b) Delete subparagraph (a);

c) Re-designate subparagraphs (b), (c) and (d) as (a), (b) and (c).

4. To rescind States' Resolutions 2 and 3 on Article 6 of Billet d'État XX dated 20th August 2010, 'Record of Members' Attendance at Meetings of the States of Deliberation, the Policy Council, Departments and Committees and Sub-Committees Thereof'.

The States' Greffier: Billet d'État VI, Article 5, States' Assembly & Constitution Committee – Simultaneous Electronic Voting in the States of Deliberation.

25 **The Deputy Bailiff:** Deputy Meerveld.

Deputy Meerveld: Thank you, madam.

I am pleased to be presenting the proposals for the purchase and use of a simultaneous electronic voting system in the States of Deliberation on behalf of the Committee. The States have considered introducing a system of simultaneous electronic voting many times over the last 20 years. The report from the Harwood panel published in November 2000 had recommended that the States' Chamber should be equipped with facilities for simultaneous electronic voting. However, it was not until 2018 that the States agreed in principle that voting in the States of Deliberation should be by means of a system of electronic voting.

35 The current Committee inherited the extant Resolution requiring it to return to the States with proposals for a system of simultaneous electronic voting. The desire for such a system to be introduced was reinforced this political term through the Government Work Plan 2021-25 debated and agreed last June, where the workstream was included under Priority 4 to enhance the operation of Government.

40 When considering what system to propose to the States, the Committee looked at the option the previous Committee intended to propose in 2020, an e-voting tablet, which was viewed as the best solution at the time. However, the lessons learnt from how the States of Deliberation operated during the pandemic demonstrated how Parliament could adapt to new technology and new ways of working, and the previous option lacked the technical flexibility to meet the needs of the States in different formats, be that in the current Chamber, at an alternative venue, or in hybrid Meetings. 45 The system proposed today meets these needs, as well as providing a flexible solution which can evolve in line with changes required in the future.

The Committee is aware there may be a few Members in this Chamber who ideologically oppose electronic voting, wishing to maintain the tradition of votes on the shout, or via an *appel nominal*. 50 The Committee understands the appeal of the traditional votes on the shout, and has preserved them for procedural motions, but as set out in the policy letter, we strongly believe that the public

has the right to know how Members of the States of Deliberation have voted on all substantive Propositions in the interest of transparency and accountability, and those decisions and voting records need to be available to the public with immediacy for all substantive votes, which the current system does not provide with votes taken both on the shout, and recorded votes.

Voting on proposals is arguably Members' most important function as Members of the States of Deliberation. It is unsatisfactory that the public do not know, with votes taken on the shout, the way each Member voted, who abstained or who was absent. A system of recorded votes on all substantive Propositions will provide the transparency and accountability the current system lacks and it will provide a greater understanding of the position of elected Members on issues.

At present, the process of producing recorded votes is labour intensive. Whilst the recorded votes in the Chamber only take a few minutes, there are many processes undertaken behind the scenes in the production and publication of the voting records. The parliamentary team estimate it takes 15 minutes to produce each recorded vote from the vote being taken to the vote record being published, without distraction.

When there are numerous recorded votes, this is hugely time-consuming for a parliamentary team of three, who are also providing numerous other services to the Meeting and Members. For example, during the debate on the Government Work Plan of Friday 23rd July last year, there were 27 voting records to be produced on amendments, motions and the final 22 Propositions. Given the timing of these votes, it was impossible for staff to process and upload all the voting records on the same day. This means the voting records would either need to be produced by the team over the weekend or on the following Monday. Under the proposed system, all this information will be in the public domain immediately after the outcome of the vote was declared, meaning Members and the public have instant access to this information online, without delay.

There are also potential future benefits of the system in the ability for the data to be exported and used for analysis, and for websites to be created using the information provided by the system, to provide a comprehensive view of how Members voted on all issues and to search for voting data. Voting patterns of Members could be independently collated, so the public can see the percentage of Members who vote the same way as others. The introduction of data would also be able to show how many votes a Member was absent for, negating the need for current manual collection of such statistics. Such a resource would be invaluable to assist the public in holding Members to account for their decisions and in leading up to the general election. It will also assist in engaging the public with proceedings of the States of Deliberation and provide accessibility for that information, which will suit the current and next generation of voters in a way that has not been possible before.

One of the matters raised with the Committee since publication of the proposals is that of cost. As I have demonstrated, there is an unseen resource cost to the current processes, with the staff time taken up administering the current system. The system is value for money for what it provides and it has been confirmed that it is of comparable value to an off-the-shelf or other bespoke solution. In the first year, the system will cost £40,000. It will then cost £15,000 a year to run. Whilst there are initial costs of £33,000 in the set-up of the hosting framework, additional hardware etc., the ongoing annual cost of this will be £3,000, giving an ongoing annual cost of £18,000 a year.

Madam, the Committee was tasked with returning to the States with proposals for the purchase and use of a system of simultaneous electronic voting in the States of Deliberation. The system proposed by the Committee not only meets the Resolution, but is innovative, smart, and locally developed and supported – and value for money. It further digitalises our parliamentary processes for the benefit of Members, the public and parliamentary services, and has the flexibility to evolve with those processes and our Parliament. It also brings us in line with neighbouring jurisdictions like Jersey, the Isle of Man, Wales and Scotland, who have had electronic voting for many years.

After over 20 years of discussion of this subject, I hope this is the last debate this Assembly has regarding the introduction of simultaneous electronic voting. I encourage all Members to support the proposal today and in doing so completing one of our stated Government Work Plan deliverables.

Thank you.

The Deputy Bailiff: Thank you.

105 Deputy de Lisle.

Deputy de Lisle: Thank you, madam.

I support this system of simultaneous electronic voting on the basis of the time saved and improving transparency and accountability in Government. States' Members will vote independently, all at the same time. There will be less opportunity to see how others have voted before voting.

110
115 Ever since returning from the Isle of Man CPR meeting years ago, where members were offered the opportunity to test their simultaneous electronic voting system, and their *Hansard* reporting system, which we adopted with their assistance, I have been in favour of the States here adopting a system of simultaneous electronic voting. The *Hansard* system, as you know, was put in and we put it in with the Isle of Man's assistance at the time, which has been a huge benefit to us at a cost of £30,000, I think, a year. But unfortunately we were not successful in bringing forward at that time simultaneous electronic voting.

120 What I like about the system is that it has the ability for the data to be exported into machine-readable format for use elsewhere as a standalone website, posted on social media, searchable, sortable and transferrable electronically. It should save the costs of all the backroom manual work produced currently with respect to voting records, and provides the voting records, at last available to the public and all electronically. All the digital proponents would surely love to see this implemented in Guernsey.

125 Another benefit of course is it is flexible, it is good for hybrid and fully remote Meetings, and it is not tied to the Assembly Chamber.

In conclusion, it has been a long time coming – some 20 years, I believe – and I am expecting a lot of improvements from the system. I encourage Members to take this opportunity to vote for this long-awaited system of simultaneous electronic voting becoming operational in the States of Deliberation for an initial three-year term.

130 Thank you, madam.

The Deputy Bailiff: Thank you.

Deputy de Sausmarez.

135

Deputy de Sausmarez: Thank you, madam.

I am glad to see that SACC in their policy letter are not selling this on the basis of time savings or cost savings particularly, or certainly cost savings that could be related to time savings. I completely agree with the argument that it would be potentially a much more efficient system and I am supportive of it in that respect, but I do not think anyone should delude themselves that this is going to free up people's time and we might see some reduction in staff costs or anything like that.

140
145 I would like to also take this opportunity to say thank you, and put my thanks on record, to the parliamentary team at the moment, who do such a fantastic job. (**Several Members:** Hear, hear.) I have every sympathy for them. I think they are doing a fantastic job in a really inefficient system that is so labour-intensive, as Deputy Meerveld described. It is just not an efficient use of their time and of that particular resource, and it certainly would free up that team and therefore that human resource to do other more productive things. So I think that is something in its benefit, but I do not think anyone should delude themselves into thinking this is going to be some sort of cost saving – quite the opposite.

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155 For me, really this comes down to whether or not it is worth the additional expenditure which this will require. At the moment, on balance, I think it is. Like Deputy de Lisle, some of the greatest potential is to do with the increased efficiency, yes, but more to do with the increased transparency. The current system is inefficient, not just in terms of the procedural issues that the parliamentary team have to go through to do all these things, and the time and effort that takes, but it is also not

particularly efficient in terms of transparency. We sit here, don't we, when there are recorded votes and we take little tallies, and it is quite interesting comparing those tallies to see who has got the same answer! Quite often there is a discrepancy, and I know it drives the media nuts as well, trying to actually ascertain who has voted which way, whether that comes down to microphone user issues or people not turning their microphones on or people just being misheard. It is often actually not that clear to members of the public listening in on the radio which way individual voters have voted.

I do accept that members of the public will not have the same kind of immediacy and the same direct relationship that they get at the moment through listening to the votes being called out in a recorded vote, but I think that is more than made up for by the potential gains in transparency. Ultimately this data could and should be used for much greater transparency over the way Members of this Assembly vote, and ultimately I would hope that that would lead to better informed decision-making at the time of elections as well. This has got great benefits in terms of transparency and democracy in that respect.

What I would say is that if this does not get supported by the Assembly, I would ask SACC to please look at revising the current rule of recorded votes, and I would suggest – I did toy with whether or not to bring this as a potential amendment, but (a) I think this will carry, so it would just be a waste of time, but (b) it needs to be better thought through than just by me on the hoof – there is potential perhaps to consider moving or adjusting the rules so that a recorded vote needs the support of seven Members, say, or something like that, except by people who are bringing policy letters or amendments themselves.

So I would ask SACC to consider that, but I do think this has got potential to improve the way we work as an Assembly. I think it might have some interesting effects in terms of how people vote. There is interesting potentially ... We could all be, in that moment where people are trying to decide which way to vote, or whether to vote at all, experiencing some simultaneous electronic floating, and if people find themselves in the majority then some simultaneous electronic gloating, who knows. But I think there are benefits to this. Unless I hear arguments that persuade me to the contrary, I am minded to support it at the moment.

For me it really comes down to whether this can be justified on the grounds of the expenditure, and I do think, although it is quite right that we are focusing on the initial three-year cost, we do need to be mindful of the fact that obviously there is an ongoing cost beyond that as well. So I do not think we should get too fixated on that particular figure and we do need to take that longer view in mind in terms of the overall additional expenditure required.

The Deputy Bailiff: Deputy Brouard.

Deputy Brouard: Thank you, madam.

I appreciate that we sent SACC away to do this as an Assembly. I do not think I did and I do not think I have throughout my 17 years in the States. I do prefer the present system, I am not keen on an electronic system, but I do thank SACC for coming back with the proposals – that is what they were tasked to do, although I do not think I asked them to do it.

All substantive votes, where we have got any crucial votes or ones which are of public interest, we always have a recorded vote and, thanks to Deputy Queripel, quite a few others that we do not want to have recorded are also done as well. I cannot recall a complaint to me that some member of the public did not know how I voted on a particular issue. Again, it has not been a burning issue with the electorate from my point of view. We do have an immediacy now with regard to the votes that we take. As soon as our name is called, we say how we are going to vote and the public can well hear that. I would rather I had my Billet a day or two earlier if SACC wants to do something, or from the staff electronically, to have my hard copy, that would be probably much more useful to me than having a knowledge of the electronic voting record.

I think Deputy de Sausmarez was absolutely right, I do not think there are going to be substantial cost savings and I do not think there are going to be many savings in time.

Finally, I just cannot quite get myself around to spending another £109,000 when we are in the position that we are in now. (**A Member:** Hear, hear.) So for a myriad of reasons, and I thank SACC for coming back with these proposals, but I am not prepared to go along with them.

210 Thank you very much, madam.

The Deputy Bailiff: Deputy Inder.

Deputy Inder: Thank you, sir. (*Interjections*) Deputy Bailiff, madam, sorry – here we go.

215 It is very few occasions I agree with absolutely everything Deputy de Sausmarez says, but today is one of those days.

It is actually quite a good news story. I had a role on SACC once, and we looked at simultaneous electronic voting, but all I got was a very expensive ... effectively the current partner that is working on this spent a lot of time talking about it and not actually doing anything. Actually, what the current
220 SAC Committee has done is actually got on and done it. And really quite importantly, from a localisation point of view, it does show where Government has a role in developing young, Guernsey, talented companies. This has been created by local talent, developing, working with a local Government body, finding a local solution for what is a very local way of how our Parliament works. So in that regard, I think it is a great piece of work.

225 I have been to the presentations. It is elegant, it actually works, it is fairly easy, admittedly some prefer the fairly analogous red button, yellow button, green button on the desk, but that is not the kind of building that we have gotten. We cannot compare that to Jersey. Jersey has its own parliamentary building.

I was not entirely sure, when I was on the Committee, whether an application could work,
230 because I did have concerns, and I cannot say I have not got concerns. We saw in the last Meeting that our internet system did not work. It was just basically switched off. We had no access to Wi-Fi. But, as I understand it, we can always default back to our non-electronic voting system if that does happen. The fact that it did not work at the time is probably a conversation for another day with Deputy Soulsby in her role in leading Digital Guernsey. But that does not mean just because we
235 have had one bad day, or several, five or six bad days where a website cannot even work, that we should be beating up SACC about it.

The job of the Parliament, the importance of Parliament anyway, is to check and challenge and debate.

240 Deputy Soulsby ... There is a lot of murmuring, I am happy to give way, if you want to.

Deputy Soulsby: Oh, I thank Deputy Inder for that.

I am not heading Digital Guernsey. That is a Member of his Committee, Deputy Sasha Kazantseva-Miller.

245 **Deputy Inder:** Well, the point remains. I am fairly sure, in our last Committee meeting, we just agreed a new working party, of which Deputy Soulsby was a member, along with three others as well. Anyway, the point remains, and I am happy to have this conversation, but I will not have it now, you have heard my views on the management of that account and those views have not changed. But that is not going to stop me voting for this.

250 The importance of the Parliament is to check, challenge and debate on important issues. That is what we do, we do it very verbally, very vocally, and then of course is the importance of our vote. Actually, it does not matter if you are a rich man, poor man, beggar man, thief, we are all equal here. But what happens after this? I challenge anyone to go and actually look through the Government website and search 'What Inder did in 2016' on any issue. It is impossible to find. But through this
255 system which SACC is creating, it will all pile into one database and, as explained by officers in the presentation, there comes a point where all your votes will sit in one single database that will probably have an API attached to it, and then you can go down the Jersey route of, effectively, at some point, every parliamentarian in Guernsey in the future will be able to be searched and find

260 out what he or she did on a certain day. You cannot do it right now. The actual recorded vote, you could basically tell anyone anything, because it is practically impossible to find out what any Member of this Parliament did three or four years ago. They are sat on PDFs attached to the date of the Meeting, buried in the second or third folder down, and it is almost impossible to find.

265 So in that regard, madam, we are going to hear from some Deputies about the importance of Radio Guernsey and that three people cannot get it and one of the media politicians cannot be the first to tweet something or some nonsense like that. Set it aside. It is utter rot, utter nonsense. This Island needs to move on in so many ways and I ask everyone in this Assembly to support this. Just get on and do it, be accountable and be transparent.

The Deputy Bailiff: Deputy Prow.

270 **Deputy Prow:** Thank you, madam.

I note the history of the debates on this subject is outlined in Appendix 1 of the policy letter. I therefore acknowledge the reason it has been brought to the Assembly and I thank the States' Assembly and Constitution Committee for all the work they have done on this.

275 They are right, there is an outstanding extant Resolution and a Government Work Plan workstream under Priority 4. The States have indeed agreed in principle to introduce a system and I generally support the historic, in-principle decisions and understand the transparency achieved in recording all votes taken by this Assembly, which have been very well articulated by Deputy Meerveld in his opening, and endorsed by most speakers, including Deputy Inder. I understand where he is coming from and I support what he says.

280 However, madam, at the moment, I cannot support the Propositions as outlined in the policy letter, and my reasons are relatively simple. I do not believe the final solution reached and its cost is right at this time. (**A Member:** Hear, hear.) I challenge the assertion at paragraph 3.2 that this proposed system, and I quote, will meet the needs of States' Members. This is my issue. It cannot at this time, because it relies, and I quote ... the digital capacity and flexibility for the system to be assessed on the devices used to Members of the States. Madam, unfortunately, in my view, and following the questions to the P&R President yesterday, and reading the string of emails, the system is currently neither robust or stable to support such an application. I must qualify this, and Deputy Inder has set this out well. It is not the application I have a problem with and I agree entirely with what Deputy Inder said on the merits of using a local company. It is the platform that this will sit on, and I will explain, or try to explain, what my concerns are.

285 When Members come to this Assembly, they need to be entirely focused on the debates in front of them, in particular those presenting or seconding amendments or presenting or supporting policy letters. In the last States' Meeting, I had no connectivity. I was trying to communicate with officers over email and I could not, because of the system. Functionally, and I am sorry to say, when we come to vote the frailty of our network is not upper most in our minds, and issues are often not immediately apparent. Frankly, madam, I just do not have enough confidence in the States' network, that it is good enough to support such a time-critical application.

300 Madam, my fears are somewhat borne out, when you note section 5.12(1), which starts, 'In the event an electronic voting system is unavailable', and then goes to explain the procedure that will be followed. So there is already in-built a lack of confidence in the electronic voting system being available. Presumably, there are potentially several points of failure, including poor experience, which I have covered, of our IT by Members when the vote is taken. Madam, it will become a pressure that I do not believe we need. This might also be exacerbated by the lack of any procedural guidance contained in the letter on the time Members have to place their electronic vote, how much time will be States' Members be afforded to make their vote electronically. I have to say I also agree with Deputy Inder. In saying what I have just said, I am not trying to beat up SACC on this, I completely understand their rationale in the policy letter. My criticism is in no way intended to be laid at SACC's door. I also have to say, not only that, but the solution, although not mega-money, is still an expense that I find hard to justify at this time.

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So madam, in closing, I believe the President of SACC will have his work cut out to persuade me to support this on his summing up.

Thank you, madam.

315 **The Deputy Bailiff:** Deputy Falla.

Deputy Falla: Thank you, madam.

I am going to support this Proposition, and I think Deputy Prow and Deputy Inder have made a good point, that we do not have a terribly resilient Wi-Fi network, and that might be an issue in the short term. But that needs to be sorted out. We cannot not do things because we have got slightly flaky connectivity at the moment. We just need to make sure that that is put right. That is really the priority there.

I would also say, in terms of time and cost saving, again, I understand the points that have been made by speakers so far this morning, and we have got a small parliamentary team. I would like to think that if we can save some of their time doing what they are doing now to process votes, they can put that time to better use. I agree that Parkinson's Law will operate and the working day will always be full, but there are better things to do than recount votes, in my view.

I think it will make us more efficient, more democratic and more transparent; and as an Assembly, we need to do things properly. When the aux voix system was created, Stone de Croze was a boy. There was no functionality of the sort we are talking about today, but there is now. So we need to go for it. It is not cheap, but actually, this Assembly and this Parliament is run pretty lean. In talking to other jurisdictions, which I have had the privilege to do in recent times, the way that we operate is lean compared to others. And I do not think we should be cheap, because it is unbecoming for this Assembly to run on cheap systems.

It has been 20 years in the works, it has been voted for in a previous Assembly, and whilst I accept that Deputy Queripel will need to curb his reflex actions in the future if we go for this, I think it is time that we went for it. So I am going to support it.

Thank you.

340 **The Deputy Bailiff:** Deputy Soulsby.

Deputy Soulsby: Thank you, madam.

It will come as no surprise that as the one who actually put forward the successful amendment to bring in simultaneous electronic voting in the previous term, I clearly support the policy letter. It is long overdue, brings us into the 21st century – well, actually, 20th century, given how other jurisdictions have been using it for a while – and should make our Assembly more transparent, efficient and effective.

Just to respond to Deputy Prow, I totally understand, it has been completely unacceptable the – (**Deputy Inder:** Shambles.) Yes, well I agree. I totally agree with Deputy Inder, it has been a shambles, the system that we have had, and the problems with legacy software and infrastructure that now needs replacing. As Members will know, the Head of Digital has very much got that on his radar and it needs addressing. We are holding Agilisys to account on that very point and there will be more on that in due course. Of course, as Members will have seen from the various emails that have been sent, the current website has been on a legacy platform and that is being changed in the middle of that happening. But the voting system is on a new platform. Indeed, part of the extra money which Members will note, additional to what is in the Government Work Plan, was to make sure that we had a resilient and secure platform on which it would sit.

So whilst I totally understand Deputy Prow's frustration and concern on that front, that should not be, as Deputy Falla made very clear, something that supports what we are trying to do here. As Deputy Meerveld said, and I just alluded to, this simultaneous electronic voting is included in the Government Work Plan and costed, albeit for the security issues, but that additional cost is not

exactly material when looking at the £1½ billion we spend every year. I think it was something that Deputy Trott used to say very much in the last term: very much lost in the roundings, as it were.

I hear those who say we must not spend money on ourselves now – it is always never the right time to do that – although it is not for us, as much. It is for future Assemblies to benefit from as well. But let's think about that argument for a minute. Yesterday we spoke about the importance of supporting democracy, but we really have been pretty poor at that over many years. I was mindful of this when I was in the Isle of Man last week at the latest BIMR CPA conference. Not only has that jurisdiction, along with Jersey, had electronic voting for years, as Deputy de Lisle made very clear, but it also has its own parliamentary building with 22 parliamentary clerks, a members' room, and even a shop. That in a population of 83,000. But then they do get about £470-odd million from VAT every year, apparently! **(A Member: Hear, hear.)**

I am all for tradition, but not when we could work more transparently, effectively and efficiently. Our system is slow and it takes up an inordinate amount of staff time. Some excellent staff, as everybody will agree, who could instead be supporting Members in more productive ways, as well as reaching out to the community and raising awareness of the work of the States. But no, in the third decade of the 20th century, we are expecting highly qualified and experienced clerks to tick boxes on a piece of paper.

A lot of Members stated in their manifestos, and constantly state in this place, how the States should be more efficient, but voting against this policy letter will demonstrate the complete opposite. Deputy Brouard just spoke about how he was against this policy letter and had been for 17 years, and just in passing mentioned when he got his hard-copy Billet. Indeed, I have been advised that 63% of this Assembly still use paper Billets. That is despite the fact that it is all online, that we have laptops provided for the purpose and the order paper sent electronically is hyperlinked to every item. We hear Members complain about the cost of the IT contract and then do not even make use of it.

But that comes at a cost. The cost of printing Billets is £40,000 per annum. That is only likely to increase as we get towards the end of term and more items go through the system. So we are very likely to be talking £1¼ million spent just on paper, and that does not include the cost of printing amendments, order papers and future business papers. Neither does it include Committee papers that some Members have in paper form. That comes to at least another £6,000 a year. If we either stop doing that or have Members pay for that paper, it would more than cover the annual cost of a 21st century solution.

What Government does is really important. It sets a tone. It says whether we are open for business or not. This system has been developed by a small local business, just the sort of organisation we are saying we want more of to develop a more diverse economy and the digital field in particular.

No, I am sorry, I will not give way.

I would also expect that this is a system that can be exported to different jurisdictions. Indeed, Jersey and the Isle of Man may well be interested given the age of their systems now. So approving this system really could be a benefit to the economy, even if in a small way. Every little helps, as they say. Rejecting a system that costs a few thousand pounds a year to run is actually sending out all the wrong messages. Penny-wise, pound-foolish.

We are told those listening to the radio will not know the results. Well, aside from the fact they will not know if the vote is aux voix anyway, the numbers listening to medium wave, I would suggest, are tiny nowadays. Most people now listen through the website, where they will get the information instantly. Even if they are listening on the radio, there is nothing stopping the BBC reporters actually stating what the vote was. Certainly it is not a strong enough reason to keep the system we have, when we could have one that will provide so much more information about what we decide here to the vast majority of the population.

Madam, as I said at the beginning, it should be of no surprise that I am fully supportive of this policy letter, as I was the one who brought the amendment bringing it in. That was after decades of attempts. If ever there is a time to demonstrate we as a States are serious about openness and

transparency, and just will not kow-tow to populist rhetoric, it is now, and I ask Members to support this policy letter.

The Deputy Bailiff: Deputy Gabriel.

Deputy Gabriel: Thank you, madam Deputy Bailiff.

I am in danger of repeating what Deputy Soulsby said, because perhaps she has seen my notes, but I agree that I am minded to support this policy letter, unless I hear a resounding argument not to, because I can see the benefit in it, in the flexibility – and it would work with hybrid situations – but above all it will provide transparency. And that is what we need: we need to show the public that we are working for them. They can see our votes immediately, and also that, as Deputy Inder picked up on, there is transparency in historical votes.

Whilst I have been in the Isle of Man with my colleagues, I, too, was amazed to see that they had a wonderful building, full of clerks, and also electronic voting. I only thought that this was reserved for Jersey, and unfortunately they were not at the conference. I was hoping to enquire about their system, but I did enquire about the Isle of Man system, and found out, I was even amazed to see, that there was no option to abstain – you had to vote. But again, they showed me that there is a wonderful website called theyworkforyou, dot – unfortunately – je, which is a fantastically data-driven website using the data from electronic voting, going way back, and searchable, sortable, as Deputy de Lisle indicated. That is the way forward.

We are asking our public in the future to sign up to the MyGov app to communicate and register all their information, and communicate with Government. Should we not, as Government, be doing all that we can to do that electronically; talking the talk and walking the walk? We should be open for business. Yes, I agree that there is going to be a loss of tradition, but what is tradition? Christmas tradition: someone burns the turkey, quick, let's get the ham out the freezer – next year, you have got ham for Christmas. We all build on tradition like that. Yes, it is going to be a loss of tradition, but a historical tradition going way back. Is that right for the future? Does it show that we are open for business and transparent?

I was going to repeat what Deputy Soulsby said about the cost and the Billet cost, and also the postage as well. How much does it cost to post these tomes of Billets out every month, every three weeks? So I will leave you with my support for the policy letter. Also, I was lucky enough, if you call it that way, as a consequence of being bedridden with COVID, to have after that, and I was clear, a one-to-one testing session, briefing session, with one of the parliamentary team to show me the trial of the website, and this enabled me to ask some in-depth questions and also to learn. To publicise, record accurately with the correct and direct amount of scrutiny that it cost ... let's not call it a cost, it takes 15 minutes for each recorded vote. That is not one staff member, that is two staff members, out of the only three that we have working for us.

So Members, I would like you to remember that as well when voting, and I would urge you to support this policy letter.

Thank you.

The Deputy Bailiff: Deputy Roffey.

Deputy Roffey: Thank you.

In his opening, Deputy Meerveld said that there would be some people who were philosophically opposed to simultaneous electronic voting. I am not one of those. I do not have a philosophical objection to it, although I do admit that when it goes through today, as I am absolutely sure it will, a little bit of colour will be sucked out of this Assembly. I am actually a bit of an iconoclast when it comes to tradition, I do not like things that are there for no purpose, but I actually think, it is not one or two people, as Deputy Inder said, listening on the radio – which is surprising, how many sad people there are that actually follow the proceedings of this States as they happen. They are not all sitting by a computer or on a computer, and I think that will be one factor that will disappear, that

people will instantly be able to hear, at the end of a long, passionate vote, whether it is on assisted suicide that we had a year or two ago, or any of these big, set piece things, quite a lot of people are listening, they will not be able to just hear how people vote. Yes, they will be able to look it up, and that is the other side. I fully accept the other side. I quite like the idea of being able to research voting patterns and people being able to collate how people vote in different ways. I think that is one of the positives and I do not deny that at all.

I am a bit bemused by everybody liking all things Manx this morning, to be honest. (*Laughter*) I am assuming that when the final tax strategy comes forward from P&R that those people will be pushing for a 15% VAT. (*Laughter*) Because, of course, that will help pay for a dedicated parliamentary building and a whole army of clerks that they seem to want to see.

I disagree with Deputy Falla, I think cheap is good, if it works, and if it works efficiently. I do not believe in being penny-wise and pound-foolish, but if a system works and is cheap, (**A Member:** Hear, hear.) I think that is absolutely fine. I do not have a problem with that.

I am on record saying I intend to vote against this. I expect to lose; I will not lose any sleep over it, and I will like the fact that we will be able to research how people vote, but I will have to say, I think some of the arguments that have been put in favour just do not wash with me at all. The idea that people will vote differently if they have not heard how people vote. I have been in and out of this States for 40 years, I can tell Members, not on one occasion has my vote been, to any even to minutiae, influenced by how someone else has voted. (**A Member:** Hear, hear.) How pathetic would that be? I actually do not do the insult, I have a sufficient regard for my fellow Members, to believe that applies to them as well. If they have stood for election and gone through the heck of that process, which is not easy, and had the courage to do that, they must have a degree of opinion and robustness in their own views of things not to say, 'Oh, I was going to vote this way, but Charlie voted that way, so I better change my vote.' (**A Member:** Hear, hear.) Do we really believe that? If we do, then I give up. I really do give up.

The openness one also, it is two ways. I like part of what it will provide. I think we will lose a degree of instant openness for people who ... And there are still people in this Island – sorry, Deputy Soulsby – who still do not have that connectivity who were listening who will never be able to, or will have to ask a friend to, actually find out how Deputy Roffey voted, where they were just able to hear him say *Pour* or *Contre* before – almost never *je ne vote pas*, I have to say.

Then there is the time thing. I take the point about the parliamentary clerks, but I do not think it will save time in the States. We will have a recorded vote, or electronic, on everything. At the moment, if there is an uncontested election for the Priaulx Library Council, it goes through like that. We will have to take however long it takes to actually vote *Pour*, *Contre*, *je ne vote pas*, and wait for that to be announced. It will be swings and roundabouts. So I do not think it is that clear cut.

This debate was not supposed to be about whether we do everything online or whether we ever have anything printed up on our behalf, but as it has been brought up, I think I must fess up that I am one of those people who has the Billet in hard copy and has my Committee papers in hard copy. If I have to pay for it, I will pay for it. If it takes half my wages, it will take half my wages. I do not see why it should for me to be able to do my job properly. (**A Member:** Hear, hear.) Maybe it is generational or maybe it is congenital, I do not know. All I know is I can read the same paper five times on a screen and absorb less information from it than I can reading it once in hard copy. (**Two Members:** Hear, hear.) That is me, I want to do my job properly on behalf of the people of Guernsey, I want to absorb that information, so I will continue to ask for it in hard copy.

The Deputy Bailiff: Deputy Aldwell.

Deputy Aldwell: Madam, two weeks ago we were given training into electronic voting which did not actually run smoothly, and I was told by a fellow Deputy that I needed to move into the 21st century. Madam, in many ways I have. At home, I have had for the past 10 years an air source heat pump and I drive a fuel-efficient, small, hybrid car. But I am a traditionalist and I very much

appreciate this wonderful building we use as an Assembly. I like the tradition of prayers to open and close our Meetings, and what we are here to actually debate: our voting system.

520 I have listened to many States' debates on the radio over the years, and the highlight after listening to some feisty debates has always been the recorded vote. It is the reason many people listen to the debates: to hear the Pour or Contre which would disappear with electronic voting.

Over the past few months, we have all been looking into our Committee budgets to see what can be cut, and especially in Education, Sport & Culture, we have had a large amount of grants which we use to outsource parts of our mandate. They are used very efficiently to get what the
525 Americans would call an exceptional bang for our buck.

Obviously, we are asked, especially in these hard times, for a top up, extra to the grant, and of course we would dearly like to give more. But we have been told they can have no more. We have to look at tightening our belts; that we have to look at cutting budgets. And so the answer to the request has to be that there is no more money in the pot, so whose budget are we going to cut to
530 give you that uplift of your grant?

There have been suggestions that electronic voting will stop Members from following a trend of other Deputies' votes, but having a conversation with an ex-Member of 2000, before social media and Teams were in play, I was told Deputies then got together to discuss the Billet and decide on the amendments as they might like to bring with groups of like-minded Deputies – as they do now,
535 I am told – to sway a vote in their way. So I do not believe electronic voting would make a difference at all. I most certainly have never voted to sway a vote I did not believe in, and several times my conscience simply has not allowed me to vote with the majority – but it has allowed me to sleep at night.

I do not think that there is a Deputy in this Assembly who has not had connectivity problems with the IT system, and I have real doubt that paying £109,000-plus for an electronic voting system is going to guarantee us all issue-free connectivity at each States' sitting, even if we do get an extra £5,000 of equipment to use at States' Meetings.

We have a wonderful parliamentary team who assist us, and they have said that a new electronic voting system will save them time on States' Meeting days, and the time it saves them can be used
545 on other things, such as promoting the Youth Parliament, which I agree would be a very good thing. But we today are being asked to spend over £100,000 plus £5,000 for extra equipment by SACC when other Committees are tightening their belts, being asked to cut budgets for a system which gets rid of a tradition, is fraught with problems of connectivity and most certainly will not change how Deputies personally vote.

So my question is, if you are going to ask for an extra £18,000 a year plus, as this will undoubtedly go up after three years for the system, what are you going to cut elsewhere? I read in *The Guernsey Press* that Deputy Meerveld had suggested one Deputy less would solve this, and so I ask, is it the sitting Deputy with the least votes in the Election of 2020? (*Laughter*) Should they lose their seat? (**Several Members:** Pour!) (*Laughter*) I will not be voting for electronic voting. For me, it is, as I
555 stated in my manifesto, all about necessities over niceties, and I also most certainly want to hold on to the tradition in this Assembly and to continue to hear Pour and Contre. It will be a Contre from me.

Thank you, madam.

560 **The Deputy Bailiff:** Thank you.
Deputy Trott.

Deputy Trott: Thank you, madam.

I think Deputy Aldwell's views will be echoed across the Island in the bars, cafes and clubs, and
565 I will explain why in a moment.

It has been very interesting hearing some speeches this morning, particularly as others have already referred to the activities in the Isle of Man. Of course, the mother of all parliaments is the Parliament in London, and to my knowledge they do not have simultaneous electronic voting. Yet,

when Members have visited there recently, they enjoyed the parliamentary activities enormously. But no one in favour of simultaneous electronic voting has mentioned that.

Deputy Soulsby used an expression which for me absolutely epitomises why I shall vote *Contre*. She said, 'What Government does sets the tone.' Of course, she is absolutely right, and whether we like it or not, the majority of our community will see this proposal for what it is: an act of incredible self-indulgence. It is not essential. By any stretch of the imagination it is not essential. In fact I am amazed it is in the Government Work Plan, if I am honest, because how it could be considered a priority, God only knows.

I would like to end with an anecdote that happened to me quite recently. Deputy Roffey talked about the importance of at least some people having paper copies. I was at a board meeting, madam, which I was chairing, and we had an IT problem, admittedly a rare one. The only person in the room who had a copy of the agenda or any of the supporting papers was me. So we found ourselves in this extraordinary position where everyone was huddled around, staring at the same piece of paper. But we were able to complete the business of the day. So I make no apologies for taking a paper copy.

I also think Deputy Soulsby's reference to the £40,000 cost of printing the Billets was probably not entirely accurate, because of course many of these Billets are printed, I believe, for despatch to our community, those who wish to have a copy, and there is a price and therefore she did not make clear whether the £40,000 was a net figure or a gross figure. My belief is that that number would probably be less by the time the costs recovered from the community were taken into account.

But my main reason for objecting to this States' report – and I thank SACC for bringing it – is that what Government does sets the tone. Do not expect to go out and look this community in the eye and explain to them that we have to reach deeper into their pockets, for reasons which I believe are entirely justified, I hasten to add, and at the same time say that we were self-indulgent to the tune of a six-figure number. Quite ridiculous.

Thank you, madam.

The Deputy Bailiff: Deputy Murray.

Deputy Murray: Thank you, madam.

It is probably fortuitous that I follow Deputy Trott, because I do wholeheartedly agree with his position, and I do not always. However, my concern on this, and I would raise this as a clear and present danger in here, is bubble mentality. I think there is a tendency within here to assume that the outside world views what we do in here in the same way that we do. (**A Member:** Hear, hear.)

I completely understand Members' desire for transparency and probity – of course that is absolutely vital for us. But I think if you ask any man or woman in the street, their concern is how we spend taxpayer money, and we do have to set an example, more so than ever now, when, as Deputy de Lisle is always constantly reminding us, people are struggling with food, with energy bills, and we are talking about indulging ourselves in spending money to save ourselves time, but most particularly – and I do get this and I do have sympathy for it – our officers' time. If this is cost-neutral, if Deputy Meerveld was able to come back to me and say we can deploy officer time somewhere else that will actually be more beneficial or will actually conduct something that we do not do at the moment, I would be very inclined to support this, because I think all the benefits are there, I get that, and we do want to be part of the 21st century. That is absolutely obvious from all points of view. The benefits are clear. My concern is timing.

Yesterday, the President of P&R explained to us how dire the situation is in terms of we will not be able to deliver much of what we have in the GWP already. We have to prioritise. In fact, he was on the radio I think, or on the television, saying the three things are housing, education and health, and I completely agree with that. So we have to start to prioritise all our wish lists that we have and really understand the circumstances of the people of Guernsey. It is going to get very difficult, given the situation in Ukraine, which we discussed at length yesterday. The impact that that will have on the standard of living all over the place, and particularly in Guernsey, because we import everything

over here, is going to be substantial. This is not the time for this particular initiative. There will be a time, I hope, but it is not now.

I will not be supporting the Propositions.

625 **The Deputy Bailiff:** Deputy McKenna.

Deputy McKenna: Thank you.

Madam Bailiff, I sit on the SAC Committee with Deputy Fairclough, Deputy Gollop, Vice President Queripel, and a very able President, Deputy Meerveld. The electronic voting system is truly brilliant.
630 It is a fantastic piece of engineering and very innovative. And fortunately it can be utilised at any time. I just do not believe this is the time.

We have listened to what Policy & Resources have told us, where we have asked the Committees to cut their budgets, and it reminds me of what Patrick Cox, the economist, once said: turnover is vanity, net profit is sanity and cash is reality.

635 So today we have £109,000 sitting on the table, and I listened to what Deputy Murray was saying about prioritising our budget, and £109,000 is sitting on the table today. I asked Deputy Brouard, the President of Health, yesterday, what will that get you? And he said two community nurses. As most of you know, I work at the Hospital, and I was walking through the pathology department the other day and I bumped into one of the surgeons. I said £109,000, what would that get you? And
640 he said, 'Well, we have a waiting list of over 2,000 for orthopaedic surgeries, but for those with CPD, cardiopulmonary disorder, or emphysema who are oxygen dependent, we could send five people to the London Bridge and get stents, and prolong their life by maybe 20 to 30 years.' I am trying not to be dramatic. If this goes through, fantastic. I will enjoy using it. But £109,000, we could have five of our mums, dads, grandparents, and we could extend their lives today with that money.

645 So if we vote for it, I will enjoy using it, but I do not believe this is the time because we could prioritise this money better. I agree with what Deputy Roffey says, I am not going to die in a ditch over this if it goes through, that is fine, but this is what I would do – it does not make me right and it does not make you wrong – with the money is either approach Deputy Brouard and say would you like this for the community nurses, would you like to send five of our family away to prolong
650 their surgery with stents, would we even send the money then to Ukraine and say look what we have given all for that money. That is for you to decide. I will be voting *Contre*.

The Deputy Bailiff: Deputy Fairclough.

655 **Deputy Fairclough:** Thank you, madam.

What have the years 2002, 2006, 2011, 2012, 2014, 2018 and 2022 got in common? (*Interjections*) No, Deputy Trott, they are not years in which Aston Villa did the double over Spurs, (*Laughter*) but they are all years in which the States of Guernsey debated simultaneous electronic voting. Over the last 20 years, this is one of those issues that has highlighted yo-yo Government at its very best –
660 Government at its very worst. And now we are within touching distance of a solution which will make our Assembly more open, accountable and transparent. There are still those who want to shout *Contre*, yet that is if they have remembered to turn their microphones on! (*Laughter*)

Just after SACC released its policy letter on simultaneous electronic voting, Deputy Roffey, a self-confessed technophobe, stated publicly that he was not at all sure that money could not be better
665 spent elsewhere, a view echoed in this Assembly this morning. For me, that is completely missing the point. Of course it could be spent on, I don't know, new security screens at the Airport, even more investigations into a possible pool marina, setting up a development agency – the list goes on. A whole host of things. We could and would probably each come up with our own list, something we actually tried during the GWP debate. Or it could be used making this Assembly more
670 accessible and more modern.

My colleague on the Committee, Deputy McKenna, who we have just heard from, despite earlier putting his name to the proposals, announced at our last meeting that it was his intention not to

vote for them today, as is his right, and I respect the views of all Members on this or any subject. Now is not the time, we have heard. Well, when is the time? **(Two Members: Hear, hear.)** In another 20 years and another seven States' debates? The reason this issue keeps coming back before successive Assemblies is that it is something we actually need. It is not going to go away.

So when is the right time for Members to no longer be able to see how their colleague or fellow party member voted before voting themselves – perish the thought – or worse still, even trying to work out which Propositions we are voting on by seeing who is voting which way? When is the right time for the electorate to be able to access instant results of how every Member voted on each and every Proposition, if, indeed they voted or were present for the vote; or for the ability to analyse patterns of voting? When is the right time to introduce a system that will enable our already overworked parliamentary staff to be able to do their jobs efficiently?

Far be it from me to question the wisdom of our Presiding Officers down the years, but I have heard many a vote called as won or lost following a vote *aux voix*, only for a recorded vote to be called to reverse the announced vote. Not the Bailiff's or Deputy Bailiff's fault. It is often never actually clear whether Members vote the opposite way in a recorded vote to one on the shout.

Is it right that on occasions those who have shouted loudest have won the day, or that we do not know whether motions were carried unanimously or not without someone – usually my colleague Deputy Queripel – getting to their feet to ask for a recorded vote? In the 21st century, surely our parliament has to be a little more sophisticated? I am as sentimental and traditional as anyone, but we have to help those who would seek to engage with and take interest in this parliament, and that should extend to the ultimate litmus test of democracy: our elections. Why should journalists or only those interested enough in the States have to trawl through voting records to produce at-a-glance guides of how their elected representatives voted on key issues during the political term, as Deputy Inder said, when they could do so with a few clicks of a button?

Developing an online system of how, or indeed *if* your Deputy works for you, with details of key votes and voting patterns, is the kind of information and analysis many Islanders have the right to expect from a modern democracy. What are we so afraid of?

As for the idea that those listening on the radio will not be able to hear who has voted which way, that might be true if you could clearly hear every vote, which you often cannot – and I speak from experience. I hate to shatter any illusions that Members may have that there are thousands of Islanders hanging on our every word. There are a few hundred listening to the radio, perhaps, and that is on key debates. Of course, the reality now is that with the States being livestreamed, many more are listening using an online stream, embracing technology, where they can even rewind – although, sadly for them, not fast forward. *(Laughter)*

Just before and after the last Election, I had young people approach me to tell me the Assembly needs to do more to engage with them. They asked why our debates were not televised. I had to explain that it had taken 20 years, half a dozen States' Meetings, and an unaccountable number of hours of research, discussion and debate just to try to introduce electronic voting, never mind TV. I guess we will have to wait another few decades for that – for when the time is right, or there is enough money.

I give way to Deputy Roffey.

Deputy Roffey: Just to point out, particularly for all of those hundreds that are listening to this key debate, my understanding is that the States has approved the televising of these Meetings, none of the television providers were remotely interested in taking up that option. So I would not want people to think that we are preventing it because I do not believe that we are.

Deputy Fairclough: In the meantime, can we move forward with something? Something we all agreed to in the Government Work Plan. I do not recall amendments to strip this workstream out of the GWP – I stand to be corrected – and so since July the Committee and staff have spent even more hours bringing and demonstrating this solution to you today. To my mind, the only inappropriate use of public funds agreed here today would be a vote against the proposals, because

725 this issue will come back, Members. Let's be a little braver and allow those at the next Election to see which way we voted on this, and every other issue, by the click of a button.

And could I ask for a recorded vote, please, madam? (*Laughter and interjection*)

The Deputy Bailiff: Deputy Parkinson.

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Deputy Parkinson: Thank you, madam.

I associate my views entirely with those of Deputy Fairclough, whose speech I commend to the Assembly.

735 Several Members opposing the Propositions here have talked about 'not the right time', and I would simply ask them, well, when will be the right time? (**A Member:** Hear, hear.) When do we expect to come across these sunny uplands where the States' coffers are overflowing with so much money that we cannot think of anything else to spend them on? There will always be other priorities. If we rank priorities based on questions like does someone's life or health depend on it, we will do little more than health. There will never be any time to spend money on culture or any of those less
740 important things. But the reality is that some of these lesser projects have to be included in our Government Work Plan, as this one has been, because the Government has a very broad mandate and we have to make progress across a very wide stream of public issues, and this is just one. No, it is not the most important thing in the world and nobody's life does depend on it, but the reality is we have to do things for the right reasons. This is a project which deserves to be supported
745 because of all the arguments that have been already made well by others, transparency and so on.

To me, it is a simple no-brainer. We either go on round and round in circles, as Deputy Fairclough has said, and this will be re-debated in a few years' time, while we are still waiting for 'the right time', or we finally take a decision which is not, in terms of public finances, an enormously expensive one, and resolve this issue once and for all.

750 Thank you, madam.

The Deputy Bailiff: Deputy Gollop.

Deputy St Pier: Madam, may I raise a motion under Rule 26(1)?

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Two Members: Very wise.

The Deputy Bailiff: Deputy St Pier has put a motion to guillotine debate. Will those who still wish to speak stand in their place?

760 Do you still wish to maintain the vote?

Deputy St Pier: Please.

The Deputy Bailiff: This will be an *aux voix* vote. (*Laughter*)

765 Those who support the motion to guillotine debate say Pour; those against?

Some Members voted Pour, others voted Contre.

The Deputy Bailiff: I am afraid it is too close to call – we are going to have to have a recorded vote! (*Laughter*)

States' Greffier.

There was a recorded vote.

Not carried – Pour 16, Contre 19, Ne vote pas 1, Absent 3

POUR

Deputy Soulsby
Deputy St Pier
Deputy Taylor
Deputy Trott
Deputy Vermeulen
Deputy Aldwell
Deputy Cameron
Deputy Dyke
Deputy Helyar
Deputy Inder
Deputy Meerveld
Deputy Moakes
Deputy Le Tocq
Deputy Parkinson
Deputy Prow
Alderney Rep. Roberts

CONTRE

Deputy Blin
Deputy Brouard
Deputy Bury
Deputy de Lisle
Deputy de Sausmarez
Deputy Fairclough
Deputy Falla
Deputy Ferbrache
Deputy Gabriel
Deputy Gollop
Deputy Haskins
Deputy Mahoney
Deputy Matthews
Deputy McKenna
Deputy Murray
Deputy Oliver
Deputy Queripel
Deputy Roffey
Alderney Rep. Snowdon

NE VOTE PAS

Deputy Burford

ABSENT

Deputy Dudley-Owen
Deputy Leadbeater
Deputy Kazantseva-Miller

The Deputy Bailiff: There voted Pour 16, Contre 19, there was 1 abstention and 3 absentees.

770 The motion was not carried.

Deputy Gollop, who I called before.

Deputy Haskins: Deputy Bailiff, can I –?

775 **Deputy Gollop:** I was tempted to ask for one myself but – *(Interjection by the Deputy Bailiff)*

Deputy Haskins: Sorry. Can I do a point of order on Rule 26(9), please?

780 **Deputy Gollop:** I thought if I had been called to speak, I had the right to continue?

The Deputy Bailiff: Well, to be fair, I did hear Deputy Haskins trying to get my attention. He was trying to get my attention, so I am terribly sorry, Deputy Gollop.

So Rule 26(9):

On the announcement of the result of a division, any Member may challenge the accuracy thereof and thereupon a fresh division shall take place. Such further division cannot be challenged.

So that is what you are asking for, Deputy Haskins?

785 States' Greffier, we will take the vote again. It has been challenged.

There was a recorded vote.

Not carried – Pour 15, Contre 19, Ne vote pas 1, Absent 4

POUR

Deputy Soulsby
Deputy St Pier
Deputy Taylor
Deputy Trott
Deputy Vermeulen
Deputy Aldwell
Deputy Cameron
Deputy Dyke
Deputy Helyar

CONTRE

Deputy Blin
Deputy Brouard
Deputy Bury
Deputy de Lisle
Deputy de Sausmarez
Deputy Fairclough
Deputy Falla
Deputy Ferbrache
Deputy Gabriel

NE VOTE PAS

Deputy Burford

ABSENT

Deputy Dudley-Owen
Deputy Inder
Deputy Kazantseva-Miller
Deputy Leadbeater

Deputy Le Tocq
Deputy Meerveld
Deputy Moakes
Deputy Parkinson
Deputy Prow
Alderney Rep. Roberts

Deputy Gollop
Deputy Haskins
Deputy Mahoney
Deputy Matthews
Deputy McKenna
Deputy Murray
Deputy Oliver
Deputy Queripel
Deputy Roffey
Alderney Rep. Snowdon

The Deputy Bailiff: The motion to guillotine the debate – this is the second vote on this – there voted Pour 15, Contre 19, there was 1 abstention and 4 absentees. Therefore, the motion was not passed.

Deputy Gollop, will you continue the debate.

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Deputy Gollop: Apologies, madam, I was getting muddled myself then because I thought it was a different Rule.

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Actually, the last few minutes have probably demonstrated more than my speech ever could why we actually do need to change and move onto a modernised system. Because, in a way I was surprised Deputy McKenna, although he is passionate about healthcare, did change his mind, because he is an extremely hard-hitting speaker, but also quiet. I think if Deputy Meerveld had had a bet who on the Committee would be most likely to wobble, it probably would have been me, although I have been sitting in every one of the debates I think, Deputy Fairclough. Deputy Fairclough and Deputy Soulsby especially have made excellent speeches today, but Deputy Fairclough's numerous debates that he referred to back to 2002, I thought at first it was going to be who asked the most questions in the year, but all those years had in common that they were about this testy subject of electronic voting. It does indeed go back to the 20th century and the Harwood Report, and previous House Committees and SAC Committees have laboured on this point, and indeed certainly past Members, I remember Ivan Rihoy, Mrs Mary Lowe, for example, very much put across those views very powerfully. And here we are, we have a new set of people, and we are still having the same old debate.

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Actually, part of me quite likes the current system, because when we go through recorded votes, if I am one of the earlier ones to be called, I can pop out for a break in the three or four minutes it takes, if you are towards the end, you can adapt your vote to however Deputy St Pier or Deputy Trott have gone. And it might not necessarily be that you wish to follow their example – you might wish to vote against them for political reasons, or maybe to support the underdog. The new system will prevent that kind of thing from happening.

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Although Deputy Roffey found it hard to believe Members do follow each other in that kind of a way, I think Deputy Roffey is ... well, he is not unusual, but he has always been very much a leader in his own right and of an independent mindset. I have known States' Members in past Assemblies who came in with much more of an establishment perspective. Or maybe, if you will forgive me, they were representatives to a greater or lesser extent to parish Douzaines, they had already had perhaps a view from the Douzaine; or they felt that they would listen to how the senior, upper-bench Members would vote and they would then adapt themselves to that by following on the judgement of who were considered the sagacious, wise majority.

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So I think whether it is true or not it is widely believed that that has been an evil in the past, or an issue that we want greater transparency on. And of course, as so many votes, especially for legislation, have been taken just vocally, it is quite easy for me or anyone else to say, 'Well, I didn't *actually* support that legislation, it just went through in a "Pour!"' That will not be possible under the new system. It will clearly identify us all.

I think a point was well made, possibly by Deputy Gabriel or Deputy Falla or Deputy Soulsby, they all referred to the Isle of Man – different system, it has got three parliaments. Maybe we should have two more Chambers. That would be interesting for us – it will take a long time, perhaps. They

do have three Chambers there, but they have, what, 20 parliamentary clerks? I do not know. Jersey have about 10, and we have about three. In fact, it is not even that number because the parliamentary clerks have other duties to do. So Guernsey, again, punches above its weight in terms of what we expect.

I do not know the costs of all these things, but I was just doing some rough figures. If you waste our life on 39 Members, and that does not include officials who are here of one perspective or another, or of course our Presiding Officers, there is a cost per day of about £109 a person – that is including a weekend – and it is over £4,000 a day. So the longer I speak or ask questions, the more it costs. But that also applies to a situation when we have recorded votes and we call for them. There is a cost to everything we do. That is why perhaps when we get on other amendments later on the waterfront, I find it odd some of the new rules where you have to identify a cost, because even sending something to a policy committee to look at actually has a cost to it. There is an opportunity cost, there is a cost of staff time – there is all kinds of things. So everything we do has a cost.

If we are here, day after day, having 50 recorded votes, for the sake of argument, Jersey had a debate last fortnight where there were over 100 amendments. That beats our record for the Island Plan of 35 or whatever it was. Imagine 101 recorded votes? Not a happy prospect to listen through.

So what frustrates me, as one of the longer-term Members, is it is permanently *Groundhog Day*. You are constantly going round and around because some Members are resisting the inevitable modernisation and change that we need.

It is not just about making Government more efficient and more transparent, it is putting out a message that although some of us still need our papers, we are moving into the digital age – digitally driven Guernsey. It seems to take me 10 minutes to get all of them started and they go wrong, all these machines, but we are confident that the parliamentary team has put an enormous amount of effort into bringing as cost effective a scheme as possible, ahead of the competition, locally derived and sourced, and it can have a potential maybe outside this Island, something to boast about in both digital and Commonwealth parliamentary circles.

We have to have an effective States' Assembly. Our very basis, as we celebrated yesterday with the powerful Ukraine debate, is our democracy and our parliamentary system, and that can only be maintained through evolution, through modernisation, through people being independently minded and not being pressurised, and that is why I think it is essential now to grasp the nettle and actually introduce something.

Somebody said we have lost lots of money in other ways, we do not want to have waste, but we have wasted 20 years on this topic. It has gone round and around. Think of the cost of all those successive House Committees and SAC Committees and reports and debates that we have had. We have worked through the system, we have gone away from the boxes on the desks and the press buttons and all that kind of furniture. We are now moving into an era of digital apps. My only problem will be I am sure I will take up extra time at the parliamentary team because my phone might go wrong. But that is just me, the other 38 will be perfect, and the Presiding Officers, too.

The Deputy Bailiff: Deputy Mahoney.

Deputy Mahoney: Thank you, madam.

It has been an interesting debate so far – numerous rabbit holes explored already – but for me the key speech so far has been that of Deputy Fairclough. I thought it was an excellent speech.

Firstly, the misnomer that this is £109,000. It is £109,000 over the first three years. When we talk about other things we do not lump the cost over three years or five years or 10 years. It is the annual cost really we should be looking at. And of course there are some upfront costs, but they are just that: they are upfront costs, and we should not see them again. We can all pick an area and say the money should be spent there, and I think Deputy Parkinson nailed it by noting that if we only look at the genuine must-do areas, then we should just give £750 million to HSC – you're welcome (*Laughter*) – and then let the rest of the Committees fight it out for whatever is left. But clearly that is not really how the world works.

I will be brief, but I am not suggesting that £36,000, which is the £109,000 over the three years, which of course is actually £18,000 a year, as was highlighted by Deputy Soulsby, after the initial period, is a small amount of money. Clearly it is not a small amount of money. But I am heartened that this seemingly new interest in everyone talking about £18,000 a year, I look forward to the budget coming to P&R where everyone is taking such a massive interest in relatively small amounts of money when we look at the total budgets for everything.

It is interesting that on my left-hand side I have Deputy Murray suggesting that we move into the 21st century, but not now – the actual 21st century – and let's stick with paper, and on my right-hand side I have Deputy Aldwell speaking of tradition, which I accept, but then she came in in a hybrid car and did not travel in by horse and cart, which would have been lovely and traditional. *(Laughter)* So tradition has its place, but in my humble opinion, it is not for this.

In brief, we should just stop talking about this and get on with it.

Three Members: Hear, hear.

The Deputy Bailiff: Deputy Ferbrache.

Deputy Ferbrache: The reason I am speaking is to explain my vote, because I am going to vote in favour of these proposals, but to me, overwhelmingly, in all the speeches that have been given this morning, the best speeches have been made by those who are opposed to it, because I do not hold much track that this is going to make us more democratic – I think we are democratic enough already. I do not think people are going to look at the records, even the most keen States' observer, and see how we are going to vote on the Priaulx Library new member and it is going to influence their vote at the election. If it does, well, that must be a matter for them. Hopefully their lives will be more joyous in the future.

But in relation to those issues, the point is that we are talking about a sum of money and Deputy Trott is right. I am sure he will be absolutely distraught that he is not in the Chamber to hear it, but I thought that the best speech made today was by Deputy Trott. He made the point that we have got to be seen to lead by example. We are talking about £109,000, and I accept Deputy Mahoney's point that it is not a recurring cost, I accept that, but £109,000, we have been told by Deputy Helyar, we have been told by Deputy Trott, accurately, that the average taxpayer pays about £7,000 per annum in tax. So you do that, this will be 15 point something taxpayers' contribution on one small issue – 15 people's contribution towards the tax revenue of this Bailiwick, of this Island, over the next period. That is not an inconsequential sum.

Now, £109,000 to me, and I am not being facetious in any way, is not an inconsiderable sum, but when I hear that every recorded vote takes two members of our lean parliamentary staff to record, that is half an hour. Multiply that by the number of recorded votes that there are over the year – and I doubt that they will get less – then we are going to have a considerable cost in lost labour time, because those people have got to be paid. If they are not doing something that is pretty pointless, really, it is Dickensian almost, they can be doing other work, which I am sure they would do conscientiously. And if they are not available to do that, we will, no doubt, in due course get a request for another member of staff, which will cost significantly more than £36,000, £38,000 a year, or £18,000 a year.

Deputy Soulsby was almost drooling when she stood up and said, 'Well, in the Manx they have got this, that and the other.' I do not care what they have got, the Manx, we cannot afford it. This will have to be the last thing that we can do in relation to our own procedures in connection with cutting them down, because we cannot afford a brand-new spanking parliamentary building, we certainly cannot afford 22 parliamentary clerks, so we have to do what is reasonable.

I am not too bothered that this has been kicked around from the year 2002. Deputy Gollop and I will remember when Sunday trading was kicked around many times. I can remember as President of the Board of Industry bringing a policy letter whereby the Douzaine said they wanted to continue it, and I stood up and said I do not care what the Douzaine say, I want you to vote against it, which

the then Presiding Officer went apoplectic on. I was not too bothered about that, and I am sure he has recovered afterwards and he is still now enjoying his retirement. But in connection with all of that, this is a vote that we have got to take Pour, because I think it is something to slim our procedures, it is something for the 21st century, and it will stop, much as like my good friend, Deputy Queripel, him jumping up six or seven times during an Assembly Meeting saying, 'Can we have a recorded vote, please?', then we have a recorded vote and its 36 nil. I am not quite sure of the point of that, but of course it is part of the democratic process.

But I do not like those who are in favour of this Proposition saying it is more democratic, more accountable, more transparent. The number of people who are actually interested in what we do in the States, recording our votes, are *minimal*. I, like Deputy Trott, and I, like Deputy Roffey – I almost forgot his name, then, because he is not here – like to have paper copies of everything. I can assimilate it better, it is better for me, (*Interjection by Deputy Soulsby*) and I hope that never stops, because that is part of the democratic process and that costs money too because it costs money to provide documents. I think I am the only Member of P&R who sits there with my papers in written form, I am one of the few Deputies who has Billets in written form – long may that continue. (**Two Members:** Hear, hear.) But this is a tiny step forward, it is a step we ought to take. If it was a boxing contest then I would say a clear points winner are those against, but this is not a boxing contest, it is a matter that we should grasp to move forward into the 21st century.

The Deputy Bailiff: Deputy Queripel.

Deputy Queripel: Madam, thank you.

Madam, no one has yet spoken on Proposition 4, so I am going to begin by focusing on it, which as we all know asks us to agree to rescind States' Resolutions 2 and 3 of Article 6 of the Billet d'État 20th August 2010, which is all about recording Members' attendance at Meetings of the States. We are told at paragraph 7.2 that attending States' debates and Committee meetings is just a small part of the job we all do. Being registered as present proves we were there, but there is no reference to the amount of work we all need to do preparing for those meetings.

Paragraph 7.2 goes on to say, quite rightly, that recording of attendance of States' debates and Meetings does not register attending meetings of subcommittees or presentations, neither does it indicate the amount of work we have to do when we undertake one-to-one cases on behalf of fellow Islanders. In my experience of working on almost 300 one-to-one cases in the 10 years I have been a Deputy, I can honestly say that that has taken half of my time. I always keep a record of the time I spend working on one-to-one cases, which is why I know I spent about five years out of the 10 years as a Deputy, working on one-to-one cases, and there is no record of that anywhere, in any States' register.

The only way the public could possibly know how many hours we work is if we all submitted timesheets, which of course would result in even more paperwork having to be considered by civil servants. And bearing in mind that the total amount of hours put on that timesheet would all need to be based on trust, because it would be impossible to prove how many hours we all work, it would be a pretty futile exercise anyway. I focus on the issue of timesheets because two members of the public stopped me in the supermarket recently and said they thought every Deputy should submit a timesheet every week, but they understood the futility of a Deputy having to do that when I explained what that would entail.

Paragraph 7.2 also points out there is no record of the time a Deputy needs to spend responding to 30 or 40 emails a day, seven days a week, or even a lot more than that on some days, or the amount of time we spend on the phone every day dealing with States' work. There is no record taken of the amount of work we need to do when we compile amendments or requêtes or any other motion that is laid in front of the States. There is no record taken of the amount of work needed when compiling Rule 11, Rule 12 or Rule 14 questions.

There is no record taken of all the work a Deputy has to do studying the procedures and policies of the States. If a Deputy wanted to change a policy, they would have to do a lot of research, but

985 there is no record of that. For example, as we all know, the IDP is awash with policies and it is 372 pages long. I assume, madam, that my colleagues have all read it. If they have not, then I suggest they do, because we will be having a debate on the AMR soon.

Neither is there a record of the fact that a Deputy has to be a counsellor, a psychiatrist, a psychologist and a mediator all at the same time. So surely just recording our attendance at States' debates and Committee meetings is a complete waste of resources, and if we dispense with that practice then it will free up our parliamentary team to get on with far more meaningful work. I do realise, of course, that some members of our community do like to know who was missing from a debate or a Meeting, but that is usually so they can have a dig at the Deputy involved. That is the reality. Most of the public do not really know what a Deputy does, which is why SACC are working on a much-needed job description for Deputies. That deals with Proposition 4.

As we all know, the debate about simultaneous electronic voting has been going on for 20 years, it has been debated seven times, as reiterated by Deputy Fairclough in his excellent speech, so it has already cost the taxpayer a lot more for the States to talk about introducing it than it is going to cost to introduce it if it gets passed today.

1000 Just staying with time and cost for a moment, I want to put on record my appreciation, along with some of my colleagues who have already done this, for the hard work done by our parliamentary team, and also by the SACC policy officer, because they have worked extremely hard on this – as well as doing all the other work involved in their day job at the same time, of course. As we know, every time a recorded vote is taken, it has to be processed by the team. The actual vote in the Chamber takes about two minutes, but then it takes about 15 minutes to process it. Of course, electronic voting would mean there is no longer a need to do so much work behind the scenes and the team could focus on the other areas that they need to do when they support us during States' debates.

As Vice-President of SACC in these last 15 months or so, I have seen how much work our policy officer and the team have to do. They never cease to amaze me, how they get through it all. The reality is we could do with another member on the team, but of course that would cost a lot more than the cost for electronic voting over a three-year period.

I want to focus on the cost specifically, because £109,000 breaks down to just over £36,000 a year, which in turn breaks down to just under £100 a day. I believe I am right in saying it costs 1015 £1½ million to run the Island. I am sure Deputy Helyar or one of my colleagues will correct me if I am wrong, madam, but I will say that again: it costs £1½ million a day to run the Island. We all have our own idea of where savings can be made to reduce that figure, but surely it is worth less than £100 a day to attain the level of openness and transparency we all attest to aspire to.

I would just remind colleagues, through the Chair, madam, at this stage that the reshaping of Government initiative is well under way, and one thing we could do to save money is not just reduce the amount of Deputies by one, as Deputy Meerveld would prefer, but I would say by three. That would save approximately £120,000 a year. So madam, with the possibility of future savings in mind, I urge colleagues to think holistically when they come to vote. Surely it is worth paying less than £100 a day over the next three years and attaining the openness and transparency the public are not only crying out for, but they deserve?

1020 In relation to what Deputy Ferbrache said when he spoke, I am often asked which way Deputies voted on various issues by members of the public when recorded votes are not taken. I have to explain there is no way of knowing which way any of my colleagues have voted when it is a vote on the shout. That is when they always say, 'Well, why don't you bring in electronic voting on every issue? Then we'll know who's voted for what and how they voted.' I appreciate that is anecdotal, madam, but I do not tell lies. Almost every member of the public that I have spoken to about electronic voting over the last 10 years wants to see it introduced.

Some Members of the Assembly have said they cannot support it on the grounds of cost. Well, if they are so concerned about how much things cost, they will be voting against spending 1035 £1 million on establishing a development agency for the seafront when it comes to that debate,

and I will be paying close attention to which way they vote on that. But I have already identified ways in which we can mitigate against the cost anyway.

I want to focus on the issue of hiding behind the shout. As we all know, a vote is taken on the shout unless there has been a request for a recorded vote, so what that means is any Member who has not spoken in debate and indicated which way they are going to vote can hide behind the shout, safe in the knowledge that no one will know which way they voted. Deputy Roffey said in his time in the States he has never known anyone to hide behind the shout. I have – I have done it. I did it early on when I was elected in 2012, but my conscience soon got the better of me and I started asking for recorded votes. But it does become really obvious, and it cannot be denied, actually, that some Members do rely on hiding behind the shout, because when they ever vote on the shout and there is a request for a recorded vote, the result of that recorded vote is often the total opposite of the vote that was taken on the shout. *(Interjection and laughter)*

Gosh, I did not realise my speech was having such an effect on Deputy Meerveld, madam. He has fallen out of his chair. *(Laughter and interjections)*

So the fact of the matter is Deputies do decide to hide behind the shout when it suits. *(Interjections)* But of course, with electronic voting, there will be no hiding place. I am wondering if that is what some of the Deputies who vote against this Proposition are really wanting to retain, the opportunity to hide behind the shout. As former Vale Deputy, the late Graham Guille often said in his speeches, it is not always about what it is supposed to be about.

Madam, I think it is true to say that not only am I the Deputy who has asked for more recorded votes than any other Deputy in this Assembly, **(A Member: Hear, hear.)** but I am also the Deputy who has asked for more recorded votes in the previous two Assemblies. There is no one who has asked for as many recorded votes as me, and I do not like doing it. *(Interjections and laughter)* Contrary to popular opinion, I do it because I want to attain openness and transparency for the public. I do not like having to keep getting up and asking for recorded votes, so that is one of the many reasons – it is the main reason, actually – for the openness and transparency for the public.

But I really am wondering what I will do. I am thinking aloud here. If this does not go through today, I will have to up my game. *(Laughter and interjection)* I will have to ask for even more recorded votes on even more issues than I have done in the past. That is not a threat, madam, that is a fact. I will have to up my game. And I would hope others would up their game, because very few of my colleagues have asked for recorded votes in this term. I will up my game because I do not think it is acceptable in this day and age the public do not know who votes for what half the time. As we are told in paragraph 3.12, transparency in how Members currently vote is only achieved when a Member requests a recorded vote. So Members of the public are totally dependent on Members asking for recorded votes. Well, if we bring in SEV, they do not need to be dependent. Every single vote will be out there in the public domain, they will be over the much-revered social media, and every member of the public will be able to see how every Member of the Assembly voted on every issue. There will be no hiding place.

When Deputy Aldwell spoke, she said she wants to stay with the tradition of taking recorded votes, and I appreciate her desire to hold on to that tradition, but the reality is it is a time-consuming tradition, which is why we need to streamline the operation, because our parliamentary team are under a lot of pressure during States' debates. I realise some people do not like change, but this will be a change for the better in every respect. The reality is, the time for that particular tradition has passed. I am sure I am not going to change Deputy Aldwell's view, madam, but I ask colleagues who want to retain the tradition to please understand we need to streamline the operation.

There was talk on, I am sure somebody said it – if they did not, I am going to say it – retaining the tradition for the sake of *drama* and theatre. Well, I like a bit of drama and theatre and showmanship myself, but surely we get plenty of that during the actual debates themselves. And anyway, it is not about what I like or what anyone in this Assembly likes, it is about adopting procedures that are far more effective, far more efficient, far more suited to the modern day, and much to the benefit of the community.

There is no one in this Assembly who loathes being dictated to by technology as much as me. There is no one in this Assembly who loathes being dictated to by technology as much as me! I am a paper person. I will resist the temptation to say I tear easily. I am a paper person. I have got a disability – I cannot look at a screen for too long without getting a major headache. Two or three hours is long enough. And I certainly cannot focus on the reports we get, the policy letters we get, by looking at a screen. I need to have paper in front of me. This desk, and most of Deputy Taylor's desk, is taken up by my paperwork. I need paper to function effectively and efficiently and scribble all over. I cannot scribble on a screen. Having said all that, I fully accept I am going to have to have my laptop on my desk and access it come the time to vote. I fully accept that; in the name of progress and the name of openness and the name of transparency.

Deputy Trott, who is not in the Chamber at the moment, unfortunately – I hope he might be listening on the radio, perhaps in the Members' room – said he thought this was extreme self-indulgence. Well, if attempting to attain openness and transparency on behalf of the community is self-indulgent, then I am guilty as charged. Some of my colleagues have said they cannot vote in favour of it on the grounds of cost and also it is not the right time. Deputy Parkinson made an excellent speech and he focused on that issue: when is going to be the right time, then? I think Deputy Fairclough also said the same thing. It already costs around £1½ million a day to run the Island, so surely adding less than £100 a day to that sum is worth it in pursuit of the openness and transparency the public deserve?

When will it be the right time? When we have more money perhaps coming in and we have money to spare? But the reality is we never have money to spare. There is never money to spare. I hope we have more money coming in in the future, as do all my colleagues, madam, but there will never be money to spare. The money we have has to be allocated effectively and responsibly. Members of the Assembly who intend on voting against electronic voting on the grounds of costs, madam, know that. What they are really saying is electronic voting does not mean enough to them. That is what they are really saying. Well, I ask those Members to think about the public, because openness and transparency means an awful lot to them.

Thank you, madam.

The Deputy Bailiff: Deputy Matthews.

Deputy Matthews: Thank you, madam.

I would like to say that I am somewhat torn on this policy paper, especially on the electronic voting. I in general favour open and transparent Government and I am a software developer by profession, so I would find myself normally supporting improvements in technology. I do find also that the nature of electronic voting will lose something from the traditional approach to voting where each name is called out individually. There is a loss of some of the drama and some of the ability to be able to pick out individual names. I guess, to some extent, it is a little bit like a penalty shootout, where each individual comes up one by one and you can identify the result more individually like that. I think that the electronic solution that is there will lose that, and that will be something of a loss.

And actually, on the subject of football, I do know that when a collection of football results is broadcast on TV, when they moved away from teleprinters, that people missed the sound so much that they add the sound back in again, long after the technology is gone. I think that in some cases in technology, you can lose something that was there previously.

So I am torn on this. I did wonder if perhaps the approach that I might take might be to just wait and see how everybody else votes, (*Laughter*) and follow the crowd.

Thank you.

The Deputy Bailiff: Deputy Leadbeater, do you wish to be relevéd?

Deputy Leadbeater: Yes, please, madam.

The Deputy Bailiff: Thank you.
Deputy Blin.

Deputy Blin: Thank you, madam.

I am just going to speak quite shortly on this, as we have listened to everyone with all the detail, so a lot of the parts I wanted to cover are now irrelevant. But I am going to start a different direction.

When I was voted in as a Deputy, one of my ambitions and aims was to always make sure that we see things move forward, there is action, there is change. Sometimes uncomfortable – Education – but things just have to be done. This is one of those things. This has been kicking around for two decades and it is something which is fairly clear. It has got its efficiencies and its use. I was extremely impressed by the way that SACC brought us together, organised the meetings with the company, organised the meetings with the parliamentary team, who then took – and I hope most of the Members here took – the opportunity to attend one of these presentations, because that was a good way of seeing how the system would work.

I also, as other Deputies have mentioned, had the opportunity to speak with various delegates in the Isle of Man and Jersey, and actually, in various conversations, they were surprised that we still have not embraced electronic voting as they have. And actually, the work that has been done that we have described to them, they think it is even better, because even when the other jurisdictions have electronic voting, I am not saying it is not as efficient, it still has other processes to take place before it is given out to the public, so it is not direct – this one will be.

I also think of Henry T Ford. Yes, because we are used to the tradition and the approach of working in the way we do, the parliamentary team have to convert all the files, convert the documents etc. Yes, that can continue going. If people do not vote for this and the status quo remains – although Deputy Queripel has clarified that there will be an upping of the game on recorded votes – it just means that we are supporting that our parliamentary team, who are already under a lot more pressure than any of the other jurisdictions are going to have to continue this mechanical process of updating and uploading all this information to get there. So just in that, there is a merit in that in itself to actually move forward.

There were some arguments I heard, which also bring me to my feet. It is when I hear that the technology we have here, having our devices, and it may fail and we may not be able to conduct all the security. Well, on that one, we do not have a dedicated Chamber, as Deputy Soulsby spoke about in the Isle of Man, so we have what we have and we should be ensuring that through our Agilisys or our service providers we make sure we do get the best service possible.

Then tradition, this is another one. I am like Deputy Aldwell. As much as I believe in maintaining the tradition and the prayers and the elements there, we also have progress. I will be surprised to see that if this does not win and take us through to the 21st century properly, actually really engage with all of us to make sure we can vote properly, to stop these decisions being made, I appreciate Deputy Roffey's comment saying that this does not happen, but we have heard from various Deputies today in their speeches that this does happen. This electronic voting system will change that.

Then, apart from that, I think it is fair for the public. The public want that opportunity to have that transparency. I hear all the sides of people who listen on the radio, people who listen by their computers, and I think a lot of people would agree – and I know this from experience – people will stand by their laptops listening or their phones listening if it is a subject relevant to them, if it is something relevant to them. So that number will vary from maybe 50 to 300-400. Just see during COVID how many people were on Facebook watching the presentations.

I cannot quite recall the exact time, but I think when we are talking about we are never going to be able to recruit more resources or parliamentary resources, we have to have the money, this is an indirect way of doing that. People who talk about the amount of money, well, there is a cost to everything, and I think a couple of Deputies did point out it is not just a £109,000 one-off fee. This is divided over. And by the way, the reason it was divided over a number of years was part of the process of our procurement system. So that was in itself another element. The added costs that are

going to be incurred from the Azure, the software, this is also because we have to have a higher level of security and safety to maintain the system. So yes, it is a little bit more expensive, but it is something that is required to ensure we give ourselves the maximum potential to make sure the system runs well, gives us benefits and works for us as an Assembly, but works for the public for transparency, recorded votes and efficiency.

Thank you.

The Deputy Bailiff: Thank you.

Deputy Haskins.

Deputy Haskins: Thank you, madam.

I think I have to say I particularly support the views of Deputy Ferbrache, but you would have to go back to *Hansard*. This system is not doing that bit, it cannot show you what I am actually supporting in it, and that has been mentioned by some Members as aiding to that or changing how we might do Billets and should we print them out. It is not going to change that, but it is going to make one bit very much quicker.

Before I was elected, I sat in the back and was flabbergasted that we were still doing this – that you were still doing this. Why can you not just have the electronic vote? It would be so much simpler. And why is it taking so long? So I thought, from listening to this, you know what, I should try something different, and that is why I did the Rule 26(9). I think it made a bit of a point. Some Members were visibly frustrated having to sit through another one, and apologies to our parliamentary team – we often make their life harder! So when understanding how much time and effort this will save them, I understood I have to vote for this.

I am surprised that Rule 26(9) is in the policy letter and will be maintained, because I had assumed that this would get rid of some inaccuracy, but I maintain that I will be supporting this, and thank you for bringing it.

The Deputy Bailiff: Deputy Oliver.

Deputy Oliver: Thank you, madam.

I have just got one quick question, and it is not on the simultaneous voting. It is to do with the proxy voting. I am really pleased to see that it will be in the Rules with childbirth and also adopted, but one thing that I was quite surprised not to see, and I know it has been talked about before, is when the Alderney Representatives cannot actually make it due to fog and bad weather, if they could actually be able to proxy vote, because that would make a lot of sense. It is not actually their fault they cannot get over, it is purely the bad weather.

My second question is to do with the electronic voting. If, as we have seen in the last few months, the internet goes down or something happens, will it just return back to the traditional way or do we actually have to stop proceedings until the internet can be reconnected.

Thank you.

The Deputy Bailiff: Deputy Leadbeater.

Deputy Leadbeater: Thank you, madam Deputy Bailiff.

I feel like Deputy Matthews on this one really, torn in the middle. I was thinking I was going to do Deputy Matthews' trick and wait until he votes and follow him, (*Laughter*) but unfortunately I vote before him today.

We are talking about cost. I do not know if it has been mentioned, I do not know if it is in the policy letter, but the cost of printing Billets I found out recently is about 40 grand a year. That is absolutely incredible. I remember the business support officer from Home Affairs last term telling me that it costs about £12 for each board pack for each person. So we spend a significant amount

of money as it is, just on those things, on printing and stuff, not just for our parliament but for our committee system as well. A little bit of extra cost.

The traditional side as well, I like the aux voix. I do not want that to be taken away. I know it will still be involved for procedural motions, but the openness and transparency that Deputy Queripel talked about and the public having access to all of our votes, they already do, because all of the controversial ones, or certainly the emotive debates that we have, are screenshot and shared on social media straightaway. Before you have left the Chamber people know how you voted. So I think there is already openness and transparency and I am still not sure how I am going to vote.

Thanks, madam.

The Deputy Bailiff: If nobody else wishes to contribute to general debate, I will turn to Deputy Meerveld to reply.

Deputy Meerveld: Thank you, madam.

I have been making copious notes on everybody's comments and I thank everybody for joining in the debate. I think most people will be grateful to hear that I will ... I think most things have been covered or issues that have been raised have been rebutted by other Members, so I will just restrict myself to addressing what I consider to be the key points.

Just to answer Deputy Oliver's two questions posed first, proxy voting, that would be a debate for another day, if proxy voting is going to be expanded for something like the Alderney Members, but obviously the system can handle proxy voting. It is one of the requirements there and somebody who is nominated as the proxy will have a vote appear under their name and also on behalf of the other person. It is also clear to the people in the Assembly and at home that a proxy vote has been registered and utilised.

As far as the system is concerned, I think somebody, I cannot remember which Deputy it was, mentioned that, 'Oh, they're planning for failure' or something along those lines, of the fact that if the system goes down, if the internet fails, if any number of events stop us from using the electronic medium, we simply fall back where we are now. That is just sensible contingency planning. We have procedures that do work, but just every vote would then be an *appel nominal*. So we record the vote and then we would fill and populate the system after the event when the electronics are working again. We all sincerely hope that will not happen, but it is part of the contingency plan if it does.

Going on to the more general debate, the only thing I really take issue with ... Actually, no, let me go back to Deputy Gollop first. Deputy Gollop: he always comes up with some gems in his debate, madam. (*Interjection*) Gems, yes. You took the words out of my mouth when he opened his speech and said the previous vote on the guillotine motion had illustrated perfectly why we need simultaneous electronic voting, because it would have made life an awful lot easier.

He also said in his speech there is a cost to everything we do, and this is very true. There is a cost to us sitting in this room today, debating this issue. We have been debating it now for a number of hours, coming on too many, and there is a cost of the salaries of every Deputy sitting here. There is also the cost of the ushers and support staff working here, the Comptroller, the Greffier, Deputy Bailiff. If you add up the hourly cost of running this building as well, if you add up all of that, it comes to a considerable cost. As Deputy Fairclough pointed out to us in his speech, this has been debated, simultaneous electronic voting has come to this Assembly six or seven times in the last 20 years. You start adding up the time, not just the time and the cost of debating it, but the cost of preparing those policy letters, the cost of officers' time, the cost of all the processes behind bringing something to this Assembly, and I think that Deputy Queripel's observation that we have probably cost more to debate this over the years than it will actually cost to implement it.

That brings me on to the issue of cost. As has been rightly pointed out, this is £36,000 a year for the first three years, and then £18,000. We have an option to renew in three years' time. So if this Assembly decides they do not like electronic voting and it has not delivered what they want then we do not have to carry it forward, we can cancel it before the next election. But then it would come

down to £18,000 a year. As Deputy Leadbeater pointed out, we spend £40,000 a year printing Billets.
1295 There are many costs associated with what we do that are very significant.

Some Members have taken that a step further and called this self-indulgent, that this is money
that is not needed to be spent. Unfortunately, I think that is virtue-signalling for the sake of the
public, rather than the reality. The fact is this is one of the lowest-cost policy letters I have seen
presented to the States. This amount of money would actually normally be probably absorbed in a
1300 Committee's budget. The reason it has to come to the States is because we are looking at changing
the procedures of the Assembly, but as far as a cost of a project or a deliverable, it really is quite
nominal in the grand scheme of Government. If you take it down to the individual household
expenses, it is a lot of money, but in the cost of what we run, as Deputy Queripel also pointed out,
£1½ million a day to maintain our States, this is not a lot of money. I think it is self-indulgent and
1305 virtue-signalling when people say, 'I'm going to object to this policy letter on the basis of cost.' If
people are going to follow that through, then are they going to vote against all policy letters that
are not, for instance, relating to Health, that cost more than £36,000 a year? I am very happy to take
Deputy Ferbrache's vote on this matter, but I find it hard to see how he can then turn around and
justify spending £1 million over the next three years setting up a development group, a thinktank
1310 to come up with ideas for what to do with the east coast with no clear deliverables.

So we have to put this into context. The fact is this is not self-indulgence. This is a system that
brings this Assembly into the 21st century. It creates a clear record of every substantive vote in this
Assembly which, after all, is from the public perspective – or not even public perspective, in reality
is probably the most important thing we do. We are here to represent the people and we are here
1315 to vote on substantive issues that will affect everybody in this Island's lives. I believe that every one
of those substantive votes should be recorded.

Deputy Ferbrache questions whether the anoraks will want to look at every vote. No, they will
not, most people will not. They will have specific issues dear to their heart, though, they will want
to know the details of who voted, and the media will pick up on this information and it will make it
1320 easier for them to report. I was down in the media room yesterday and a tweet had gone out from
one of the members of the press using the image from the Oscars of Will Smith and Chris Rock,
saying, 'Members, turn on your microphones', because often the people at home on the radio
cannot actually hear the vote because the Member did not turn their microphone on. The members
of the press in the press room have to compare notes to work out, 'Which way do you think that
1325 person voted? Because I couldn't hear it.' No. This system will have a permanent record of every
vote we make, people who are interested go back and trawl through it, other people will develop
websites, as has happened in Jersey, that will analyse the data and start looking at correlations
between blocs of Deputies and how they vote, individuals, look back on the consistency of a
Deputy's position on different issues – there is a tremendous amount of information that can be
1330 gleaned from this. It will help engage with the new generation of voters who want this information
instantly, they expect it instantly on their devices. They expect to have websites and things that they
can refer to that do this analysis, and I believe it will impact on the next election and will help add
another element of statistical information to help people determine which Members they are going
to select.

Carrying on on cost, Deputy Murray kindly offered to give us his vote if we could find a saving,
and as Deputy Aldwell pointed out, I was quoted from a SACC meeting saying that I would be happy
to propose, as part of the Machinery of Government working group, that we reduce the number of
Deputies from 40 to 39. That would save £40,000 a year – there you are, there is your saving. And
yes, I realise that I was 38th on the list, but I can assure Deputy Aldwell that I have set my aspirations
1340 higher and I am looking to improve my standing and aim for position 37 at the next election, so I
will be safe! (*Interjection and laughter*)

The fact is this system is needed. There are too many gaps and it is too difficult in the process
now for holding Deputies accountable and increasing transparency. It is needed for those reasons
alone, it brings us into the next century, it brings us up to date, it brings us in line with other similar
1345 jurisdictions in the way that they are doing things, and I encourage all Members to vote for this. It

is an important step forward, it is another thing ticked off our Government Work Plan list of things to do, it achieves the objective of the States, and I think it takes us forward in every way.

Thank you, madam.

1350 **The Deputy Bailiff:** Thank you.

States' Greffier, there was a request for a recorded vote, please.

Deputy Queripel: Madam, could I have a separate recorded vote on Proposition 4, please?

1355 **The Deputy Bailiff:** So in relation to the Propositions, it will be Propositions 1, 2 and 3, and we will vote for Proposition 4 separately, as requested by Deputy Queripel.

States' Greffier, in relation to Propositions 1 through to 3, would you kindly start the recorded vote record.

There was a recorded vote.

Carried – Pour 28, Contre 9, Ne vote pas 0, Absent 2

POUR

Deputy Soulsby
Deputy St Pier
Deputy Taylor
Deputy Vermeulen
Deputy Blin
Deputy Burford
Deputy Bury
Deputy Cameron
Deputy de Lisle
Deputy de Sausmarez
Deputy Dyke
Deputy Fairclough
Deputy Falla
Deputy Ferbrache
Deputy Gabriel
Deputy Gollop
Deputy Haskins
Deputy Helyar
Deputy Inder
Deputy Le Tocq
Deputy Leadbeater
Deputy Mahoney
Deputy Meerveld
Deputy Moakes
Deputy Oliver
Deputy Parkinson
Deputy Queripel
Alderney Rep. Snowdon

CONTRE

Deputy Trott
Deputy Aldwell
Deputy Brouard
Deputy Matthews
Deputy McKenna
Deputy Murray
Deputy Prow
Alderney Rep. Roberts
Deputy Roffey

NE VOTE PAS

None

ABSENT

Deputy Dudley-Owen
Deputy Kazantseva-Miller

1360 **The Deputy Bailiff:** In relation to Propositions 1 to 3, relating to the simultaneous electronic voting Proposition, there voted Pour 28, Contre 9, there were 2 absentees. I confirm the Propositions were carried.

States' Greffier, in relation to the fourth Proposition.

There was a recorded vote.

Carried – Pour 27, Contre 10, Ne vote pas 0, Absent 2

POUR	CONTRE	NE VOTE PAS	ABSENT
Deputy Soulsby	Deputy Trott	None	Deputy Dudley-Owen
Deputy St Pier	Deputy Aldwell		Deputy Kazantseva-Miller
Deputy Taylor	Deputy Brouard		
Deputy Vermeulen	Deputy Gabriel		
Deputy Blin	Deputy Matthews		
Deputy Burford	Deputy McKenna		
Deputy Bury	Deputy Murray		
Deputy Cameron	Deputy Oliver		
Deputy de Lisle	Deputy Prow		
Deputy de Sausmarez	Alderney Rep. Roberts		
Deputy Dyke			
Deputy Fairclough			
Deputy Falla			
Deputy Ferbrache			
Deputy Gollop			
Deputy Haskins			
Deputy Helyar			
Deputy Inder			
Deputy Le Tocq			
Deputy Leadbeater			
Deputy Mahoney			
Deputy Meerveld			
Deputy Moakes			
Deputy Parkinson			
Deputy Queripel			
Deputy Roffey			
Alderney Rep. Snowdon			

The Deputy Bailiff: In relation to the fourth Proposition, there voted Pour 27, Contre 10, there were 2 absentees. I declare the Proposition passed.

POLICY & RESOURCES COMMITTEE

6. Establishment of a Development Agency – Debate commenced

Article 6.

The States are asked to decide:-

Whether, after consideration of the policy letter entitled 'Establishment of a Development Agency' dated 31st January 2022, they are of the opinion:-

- 1. To direct the Policy & Resources Committee to establish a development agency as a company limited by guarantee, wholly owned by the States of Guernsey, that will be tasked with (a) the production of a long-term development plan setting out the options for the provision of infrastructure along Guernsey's east coast working within the strategic direction set out in this policy letter; and (b) the delivery of the development associated with such options, working to the operating principles set out in this policy letter;*
- 2. To agree to establish the political oversight group (set out in paragraph 5.9.2.7);*
- 3. To direct the Policy & Resources Committee to invest seed funding of £1 million in total for the first two years of the establishment of the development agency (see section 7);*
- 4. To direct the Policy & Resources Committee to (a) establish a clear land management transfer policy; and (b) consult with the States' Trading Supervisory Board on the areas of land to be transferred from the States to the development agency; and (c) to effect that transfer once the development agency is established; and*

5. To direct the Development & Planning Authority to complete the Local Planning Briefs for the St Peter Port and St Sampson Harbour Action Areas by December 2022.

1365 **The States' Greffier:** Article 6, Policy & Resources Committee – Establishment of a Development Agency.

The Deputy Bailiff: Deputy Ferbrache.

1370 **Deputy Ferbrache:** Thank you very much, madam.

Often hyperbole is said in this Assembly. Often people make statements: this is the worst policy letter they have seen or lots of superlative adjectives are used. But I think we can safely say, in relation to this particular policy letter, that this is a watershed moment, because this will give the States of Guernsey, this Assembly, the opportunity to say whether it wants to move forward and do something perhaps a little different to the way that it has operated in the past, or whether it wants to continue to operate in a way that, sadly, has been ineffective in the past. So it is a matter for the States of Guernsey. This is an opportunity that, in my view, will be innovative and will be expansive, unless it is unduly interfered with or restricted, in which case, it will be a pointless damp squib and let's kill it before its born.

1380 I will refer shortly to certain of its priorities, but I just want to repeat something I said in my general update, and that is this. I have a tendency to speak quickly, so I will speak slowly, because I want to emphasise these words. To achieve our goals, do we really work in collaboration with other partners outside of the States, as is the norm in many other similar jurisdictions, or do we continue with the view that in Guernsey only the States can deliver? I would suggest, with confidence, and it is a very sad truism, that our recent track record shows that the latter is not true. But that has not worked and the former is a commitment we must now come good on.

1385 This is a democratic process. If at the end of the day the States decides it wants to carry on and it wants to scrutinise every decision, that will be the democratic decision of the States. It will also be a decision that will remind me of an archaic, luddite-type attitude. When it comes to very different and difficult economic and social times a long time ago, our forefathers grasped the nettle. With a minimum of fuss, and exercising lots of initiative and enterprise on behalf of the community, they built, at a time when our economy was in a desperate situation – I remember Deputy Le Tocq giving statistics in a previous debate about just how parlous Guernsey's financial circumstances were in the early 19th century – and they incurred then what was then a vast debt. But by the initiative and the enterprise that was shown in the 19th century, by the time we came to the First World War, or the early part of the 20th century, that debt had been paid off, because of enterprise and initiative, not bureaucracy.

1390 Regulation is not beautiful. Deputy Trott and I work in the finance centre in different ways. I was at a trust meeting of a trust company that I am a non-executive director on recently, we had 400 pages of documents, 320 of those related to diligence, data protection, looking at whether we had dotted this 'i', crossed that 't'. Only 80 pages, so a fifth of the documentation, which was already voluminous, related to business opportunities and going out and doing this, that and the other. Do we really want to continue with that? We have got to do that because we have got to have compliance. Do not get me wrong, I am not saying that in relation to the finance centre we can move back from that too much, but in other ways that we can, and we can be enterprising.

1405 **(A Member:** Hear, hear.)

1410 We are in the 21st century, and some in this 21st century seem to fear or be suspicious or even jealous of those who have more knowledge than us. As a humble litigation lawyer, I have on occasions too often to name, and because of my vast age which Deputy Trott referred to yesterday, dealt with experts of many different jurisdictions, many different abilities, many different competencies, and I have learnt from all of them. They have greater knowledge than I do in relation to that particular matter. They funnel it through me and I had to then present arguments in court. But it was their ability, their knowledge that I benefited from.

I have had drawn to my attention this morning something on behalf of the Institute of Directors and Chamber of Commerce, and they say that in relation to what we are talking about, and the issue has been raised of political oversight and that will no doubt come out in the course of this particular debate, it said that their view is that we have to now move forward and the political oversight of the development agency as proposed in the Billet is proportionate and robust. They say anything more than that would detract and would be disproportionate, and would be too weighty to move forward in any meaningful way with the development agency. That is their view, but they are business people, they represent business interests. I think we ought to be listening to them, rather than those that have, I would say Luddite, unrealistic and archaic views of how the States should proceed. But again, we are a democratic process and that is a matter that can be debated and will be debated no doubt over the next day or so.

Things can be complicated or they could be simple. The establishment of a development agency is very straightforward. The rationale for it is ever so simple. We are a Government that has slipways and seawalls crumbling while politicians and civil servants scratch their chins and work out what the next piece of evidence should be to get to the next stage of the process in order to consider how to get work done. And guess what? When we have got to that process, we need another report, we need another due consideration, we need another Committee meeting, we need to ponder and reflect even more.

Deputy Fairclough mentioned in the last debate how in the best part of 20 years we have had six or seven debates on something as simple as electronic voting. With considerable respect to that particular debate, this is far more important than that. This is Guernsey's future. But guess what? Nobody has to guess, because we, much more often than not, do not even start the work. We talk about it, we have policies, we have debates, we make decisions, which never, ever get implemented. Or we shy away from making a decision. That is not the way the commercial and the real world works, and Guernsey is facing severe financial constraints and severe financial difficulties.

Our infrastructure – and it has been said in other debates as well – is crumbling. It has been left unattended to, it feels unloved. Somebody said in a previous debate, because we were talking about our tourist product, that it is now a bit tatty. And it is a bit tatty. We have got the natural beauty of this Island, it is a magnificent place to live, to work, and to just visit. But it is not as pristine, and I do not mean in one of these anaemic ways that we can see in relation to certain other jurisdictions, but it does not enhance and make 100% benefit of its great qualities. It just does not.

The east coast of this magnificent Island has been underdeveloped and underloved for a long period of time, far too long. In relation to our infrastructure generally, we have spent *far* too little in replacing things that have worn out or developing things. We have had no inspiration, we have had no foresight, we have done so very little to improve the lives of the community that we are representing. We can continue to do that, we can continue to be mediocre, we can continue to be second rate, and if so we will fall more and more and more behind our competitors, because our competitors are not that far away.

I went recently to an excellent presentation from the retail sector at the Performing Arts Centre. One of the presenters was Chris Brock. He gave a very detailed and informative report on the history of the last 20 years or so of retail. He referred to report after report on the retail strategy. What was the end result? Lots of words, lots of rumination, but zero action. He was asked towards the end of his presentation what was the difference between the latest report and its predecessors. His answer was not much. But there were lots of reports, lots of things for people to read. People beat their chests, they thought they were doing something really good, because they had read a report. They had done more research, we just must do more research – but they have done absolutely nothing. They have not advanced the cause of retail at all.

So what has been a consistent theme of the States of Guernsey going back many years? Inactivity. We have seen it so many times. Business case after business case. Reams and reams of paper. Tender and tender. Committee papers in meetings. The process is followed, we get 10 out of 10 for process, but zero out of 10 for action. Nothing happens. I am not exempt from this next comment, and the comment could apply to so many previous Assemblies: this is a Government

which has singularly failed to facilitate any meaningful development or regeneration for so long. As someone said to me, when things get done in this Island they get done despite the States, not because of it. Our approach to development and regeneration is a lesson, and it almost could be the subject of a thesis, of abject failure.

In the previous term, there was a cross-Committee working group put together to drive delivery of the regeneration of our seafront. It was said, and I am sure with absolute good intentions, that there would be quick wins and spades in the ground, where there have been no wins and no spades in the ground. Instead, politicians argued about who should be in the group and whose mandates trump –

Deputy Taylor: Point of correction.

Deputy Ferbrache: I am not ... Point of correction did you say? Sorry.

The Deputy Bailiff: Yes, Deputy Taylor, what is your point of correction?

Deputy Taylor: Apologies, I may be incorrect here, but I believe there are spades in grounds at La Vallette bathing pools. (*Interjection*)

The Deputy Bailiff: Continue, Deputy Ferbrache.

Deputy Ferbrache: Thank you very much, madam.

Anyway, I continue where I was. Instead, we had theory after theory, good intention after good intention and nothing happened in relation to the eastern seafront of any particularity at all – absolutely nothing happened.

My predecessor as President of P&R saw the writing on the wall and tried to bring forward a proposal for a development agency during the previous term. I note that his view may have changed, but then I am putting it forward now. The previous States of course said, 'No, it's our job. Only we can deliver development and regeneration.' So what was the result? Zero progress. We have already had a future harbour requirements debate that led to nothing getting agreed, and in fact led some States' Members to get out their crayons and start drawing all over the work that was submitted. The States knew best. So no decision was made, and a chaotic second-rate debate that showed the States at its worst was the result. However, thanks to an amendment, the States directed P&R to come back with a proposal for the establishment of a development agency, and that is what we are doing today.

Is the policy letter perfect? Probably not. I have never seen one that is. They rarely are. But Deputies St Pier and Helyar have listened to colleagues and brought four amendments to strengthen the Propositions; and in relation to those four amendments, P&R support all of them. But our community will watch the States carefully. The silent majority, which have their view anyway that the States are pretty hopeless and never does anything, it just talks about things, this is the opportunity to show that they are wrong and we can disabuse them of that view, that we can actually do something.

The States have talked the talk in the Government Work Plan and in the media, on Twitter, about working with external partners and expertise, encouraging external investment in our infrastructure and making Government smaller, a topic I know is close to Deputy Meerveld's heart: stepping aside, making Government smaller. I know he thinks about that so much and he has talked to me about it so much, we will hear how he proposes that when he puts forward amendment 8 and how that is consistent with that general ethos. At the moment, just as a humble, small-town Guernsey lawyer, I am not able to see that, but no doubt he will enlighten me when he gives his address to the States later on.

Did the States direct P&R to bring this policy letter because it truly wanted things to be done differently, effectively and efficiently, and facilitate investment and delivery? If it did not, what was

the point of it all anyway? Or was it just kicking, as we do so often, things into the long grass and reverting to type, and hoping that the problem will go away? Well, the decay on the eastern seaboard will not go away, the lack of investment in the eastern seaboard will not go away, the lack of having initiative and enterprise will not go away, unless we do something about it.

At the end of this debate, whenever it concludes, our community will find out whether we are just more of the rest, just more of what went on before, or whether we are going to try and do something different – just more words or inactivity, or, let's hope, a chance at last to get something done. To that end, the Committee has asked, and the Presiding Officer has agreed, that the Assembly consider amendment 8, Deputy Meerveld's amendment, first. It really is a stark choice between two philosophies. The first is a practical one: trust people, give them certain parameters but then trust them to get on with the job. Then there is a chance to get something worthwhile done. Or adopt the second. It reminds me so much of the Britain of the late 1970s that I lived in: dull, dismal, despondent. The phrase that was put round then was let all hope be abandoned, because it was. You went to Heathrow Airport and if you got your suitcase back, half the goods were removed, people were dying and left to die, they were left to be buried because the workers had gone on strike, tax was at 90%, incentive was at an end. That is what Deputy Meerveld's amendment reminds me of. It resounds with me so clearly. If the States believe there is merit in that amendment, vote for it, go back to the 1970s.

I have quoted before from the update that I saw today from the IoD and the Chamber. It continues:

As previously stated, the IoD and Chamber [of Commerce] believe that, by devolving a level of responsibility to the development agency, projects will be able to move forward more efficiently and utilise the expertise available from the private sector and social enterprises, whilst following ... operational principles set out by the States of Guernsey.

So theirs are people who are used to dealing with business, that we trust to deal with business, that can read documents, and they believe that the current document, i.e. the less than perfect but better than most policy letters brought forward sets out the parameters.

Nobody is saying that the States should just give everything to a third party and have no control at all. That is not the proposal in the policy letter, if it is closely read, which I am sure that it is. What is clear is that if amendment 8 succeeds, the whole proposal is pointless. Draw a line under it then. Keep it all in the hands of the States. My prediction is in 10 years' time, in 20 years' time, nothing will be done. **(Two Members: Hear, hear.)** The development agency model put forward in the policy letter is very much a watered-down version compared with other successful models elsewhere. Amendment 8 drowns the idea at birth – in fact, even before conception – and P&R would not want to spend public money or waste the time of good people in something that was pointless. We would seek, if amendment 8 is successful, to bring a motion to discontinue and withdraw the policy letter. **(Two Members: Hear, hear.)**

Let me set out, for absolute clarity, what will be established if the Propositions in the policy letter as amended in line with the Deputies St Pier and Helyar amendments are supported. The development agency will be owned by the States of Guernsey and will be responsible for implementing the States of Guernsey strategic direction. It will manage, not own, not sell, land assets on behalf of the States. It will do this by facilitating development from private sector developers and social enterprises, and where necessary or appropriate by partnering with other parties in delivery.

Let me just say this: there are tradesmen who will not deal with the States of Guernsey. There are lots of people who will not enter this Assembly – because if they did, half of us would not be here – because they just cannot abide the bureaucracy, they cannot abide the lack of inspiration, they cannot abide the taking forever to make even the simplest decisions. So we can continue with that if we really want to. The development agency is intended to be a delivery vehicle. It will manage assets in the seafront enhancement area, it will establish commercial partnerships and work with developers in the community. Its aim will be to maximise the value of States' assets to the community, including, but not solely, from a commercial perspective.

There are some in this Assembly who do not like commerciality; they do not like it at all. We had a presentation recently at P&R where I asked – there was a Member who first entered the States 40 years ago, another senior Member – because it was to do with housing, had they actually spoken to the developers? Not from them, but from somebody else, the reply was no, because they have got a commercial interest, they have got a vested interest. So we do not want to ask people who might actually know about something because they might have a vested interest. How has this Island prospered? It has prospered through its history by commerciality, by doing things in a commercial way, by being innovative. It is less innovative, less enterprising, less purposeful than it has ever been. That makes me sad.

Deputy St Pier and I, and Deputy Bury, were at the Grammar School and Sixth Form Centre last week. To feel the energy coming from those young people was inspirational. But Deputy St Pier made a comment which resonated with me. He said social mobility has moved backwards in recent years. Yes it has. It has moved backwards. This is a chance to do something enterprising. It is not going to change the world in relation to social mobility, but it may actually give us a chance. We have become almost like this *horrible*, bureaucratic UK that it was from 1974 to 1979.

Anyway, more to say of Deputy Meerveld's amendment, if he actually presents it – he may actually see the wisdom of [*inaudible*] and decide not to present it and move into the 21st century.

Establishing the development agency will enable development and regeneration projects to be delivered – I emphasise 'delivery' – with certainty and stability that is required for the long term. Because a lot of the projects will be long-term projects. Deputy Roffey will be seeking to lay amendment 9, or if he fails with amendment 9, amendment 11, which are for long-term projects. Those will take the proverbial donkey's years if they are implemented, and there will be others Deputy de Sausmarez's tunnel, that is a long-term project. But those are the kind of innovative ... Well, I will have more to say about those amendments if they are laid in due course. At least they are thought provoking, and there will be other projects that will take ... Some will be easy, some will be more difficult, but most of them will be lengthy.

The development agency will enable the delivery of other priorities, including delivery of Guernsey's future harbour requirements in consultation with Guernsey Ports, the STSB, the DPA and the Principal Committees of the States as well as, most importantly, the wider community. It will support the development of economic and environmental opportunities in the blue economy and the green economy. It will enhance, at last, the visitor economy through investing in Guernsey's tourism, our product and heritage. It will support the development of a Bridge strategy. Again, how long has the Bridge been ignored? It will make the centres of St Peter Port and St Sampson more attractive places to live and work whilst meeting housing needs through new homes and regeneration projects. It will support decarbonisation of the Island by taking into account long-term energy objectives in regeneration projects. It will provide increased momentum to complete essential infrastructural maintenance in coastal defence projects and harbour maintenance whilst building resilience to climate change. It will do all of those things, all of those things that need to be done. It will bring forward development opportunities through implementation of the Development Framework for the Regeneration Areas adjacent to the harbours, and it will bring forward development opportunities through the implementation of the local planning briefs for St Peter Port harbour action area and St Sampson's harbour action area.

The P&R Committee is proposing the establishment of a business limited by guarantee, wholly owned by the States of Guernsey with an independent board appointed and ultimately accountable to the States. This will lead to the establishment of a development agency that is able to operate independently in corporate form but is accountable through transparency and trust. We have had a lot of that today, particularly in the able and lengthy speech of Deputy Queripel in relation to the previous topic.

The structure must provide the development agency with sufficient powers to achieve its goals, and to provide it with a framework to facilitate development outcomes and co-ordinate multi-agency and Government initiatives to encourage economic development. The development agency will be fully accountable to the States on an annual basis, beginning at the end of the first year of

its establishment. It will have States' oversight as its only shareholder, have its own legal persona, have non-executive directors providing strategic oversight and relevant expertise. And just pausing there, if Deputy Meerveld or anybody else in this Assembly thinks that anyone worth their salt is going to put their name forward as a non-executive director if this is to be subject to States' scrutiny, then they are whistling in the wind. They are not living in the 21st century. (**A Member:** Hear, hear.) Promote accountability and transparency through publishing annual reports against which its performance will be measured by the political oversight group. Have independently audited accounts and publish information on its activity and strategy outside of its normal annual reporting process.

It will also, if amendment 2, which is supported by P&R, be subject to the States of Guernsey's freedom of information code. This will make it unique as an arm's-length body. That will be supported completely by P&R.

Amendment 4 – again supported by P&R – will establish the political oversight group. I am not going to read that amendment, but I commend everybody to consider it, because it sets out in detail how the political oversight ... Because it is a well-thought-through amendment, P&R unequivocally and unreservedly support it.

The P&R nominee, it depends who that is, it could be me, could be somebody else, and I anticipate the other Committees will also ensure that their nominee is sufficiently engaged at all times. The political oversight group will, I am sure, ensure that States' processes do not unduly inhibit the ability of the agency to discharge either its responsibilities or meet its objectives and will seek to ensure any barriers to progress will be removed.

So I end up with this set of truisms. The States will set the strategic direction for the development agency to work in. It will set the operational principles to which the agency will work. It will approve the appointments of the chair and board members. It will agree its funding. It will hold it to account. It will own it and it will retain ownership of the assets it administers. If that is not enough, why not?

In respect of the transfer of the management of land assets to the agency, the P&R Committee would work with the development agency in consultation with the STSB to establish a land transfer policy and the land assets that the agency will manage on behalf of the States. The agreed land will be transferred in tranches, rather than as a whole, prioritised in order of potential use. The long-term leasing arrangements will enable a formal basis to prevent any assets being sold without the express consent of the States.

An initial budget of £1 million in total for the first two years of the agency is to be provided as seed funding to support the establishment. Thereafter, the agency will provide a plan for its funding for years three to six before the end of year two, with the aim of moving it to a model which is cost neutral. The local planning briefs at St Peter Port and St Sampson's harbour action areas will be completed by the DPA and, if amendment 1 is successful, the timeframe will be 18 months from this debate. Again, that is supported by P&R. The St Peter Port local planning brief has already been funded. The St Sampson's harbour action area has already had funding allocated to it on the Government Work Plan and will be provided to the DPA at their formal request in order to begin this work.

The amendments from Deputies St Pier and Helyar provide further checks and balances but do not render the development agency, or proposed development agency, ineffective or toothless. What they do is ensure that during the initial period the States have an opportunity to set clear strategic direction. So if the amendments are passed, we will have a development agency that the States appoints its board, the board report to the States annually, is subject to the scrutiny of a political oversight group, manages some of the States' land assets but does not own them, cannot sell them without being authorised by the States, will have its specific direction set by the States, will work within the existing planning framework and legislation. To me, that is a really good basis to progress. What, and I come back again, is quite simply to make the development agency part of the Civil Service, reporting back to a board or 38 to 40 people at every significant step, is a waste of time. If that is the view of the Assembly after hearing Deputy Meerveld's, no doubt ably put amendment 8, (*Interjection*) forget it. Just forget it. Just move on and let's talk about something

1670 else, or let's go home. Oh, no, we have got the review of the ID Plan to talk about, so perhaps we
should carry on talking for a bit. No, no, no. (*Laughter*) But in relation to that, we should clearly and
soundly say, in the 22nd year of the 21st century, that this is a time to move forward and be more
innovative and more entrepreneurial. (**A Member:** Hear, hear.) As I said, there is no point setting
up something that does what we already do. That will be subject to the same constraints as it is
1675 today, and we will fail to deliver, just as we and our predecessors have failed to deliver.

This period of history is not dissimilar to the establishment of the Guernsey Housing Association.
The States had talked and talked, but had not built a house in a generation. So the GSA was
established to take on that role. It was far from universally supported at the time, indeed, many of
the objections now being raised were thrown at the same proposals for the GHA as some of those
1680 that are going to be thrown at today. But the States actually held its nerve and made what turned
out to be, comprehensively, the correct decision. It thought in the long term. Could we now imagine
a life, in relation to social housing etc., without the Guernsey Housing Association?

So amendment 8 puts down a choice between the two alternatives, between action on the one
hand and inertia on the other hand. Between trust on the one hand and between absolute state
1685 control on the other hand. (**Deputy Inder:** Hear, hear.) Between realism and between theory. That
is why amendment 8 should be consigned to the historical junk bin. If it is successful, the whole
ethos of a development agency will be lost. If successful, as indicated, P&R will seek to move a
motion to withdraw the policy letter and that will be a matter for the States to decide.

Let's hope that the message can be a clear one, and not a sad one. If the proposals put forward
1690 by Deputy Meerveld are successful, it almost brings me to despair. P&R do not agree with such a
negative and unrealistic, inward-looking view. As I said at the beginning, this, in my view, is a
watershed moment. Do we want to become a modern, strategic Government that works in
collaboration, or do we want to maintain our outdated culture of command and control that tends
to get so little done? It is up to the States.

1695 So vote for amendments 1 to 6, if laid, vote against amendment 8, vote for the amendment put
forward by Deputy de Sausmarez, amendment 10. It cannot really express a view, P&R, on
amendments 9 and 11 –

Deputy Queripel: Point of order, madam.

1700

The Deputy Bailiff: Yes, Deputy Queripel.

Deputy Queripel: Madam, Deputy Ferbrache is referring to amendments that have not been
laid. Rule 17(6) clearly states debate must be relevant to the matter before a Meeting. The matter
1705 before the Meeting is the policy letter, not the amendments.

The Deputy Bailiff: It is true. Thank you, Deputy Queripel.

Deputy Ferbrache: I am quite happy to accept that, madam, and sit down.

1710

The Deputy Bailiff: Yes, thank you.

Well, with that, let's now adjourn for lunch and we look forward to hearing from
Deputy Meerveld when we return at 2.30.

*The Assembly adjourned at 12.30 p.m.
and resumed its sitting at 2.30 p.m.*

**Establishment of a Development Agency –
Debate continued**

The Deputy Bailiff: Good afternoon, everybody.

1715 Can I invite Deputy Meerveld, in relation to amendment 8.

[Amendment 8](#)

1. Insert the following proposition immediately after Proposition 1:-

"1A. To agree that each development that the development agency proposes to deliver must be approved by the States and to direct the Policy & Resources Committee to prepare and submit to the States a Policy Letter with suitable Propositions in relation to each such proposed development, in order that the States may signify their approval or otherwise."

2. In Proposition 4, for paragraphs (b) and (c), substitute:-

"(b) consult with the States' Trading Supervisory Board on the areas of land which could be transferred from the States to the development agency in conformity with that policy; and (c) once the development agency is established, to limit the transfer to it of those areas of land, in order that only those areas which are needed to deliver a development which has been approved by the States are transferred"

Deputy Meerveld: Thank you, madam.

1720 Well, I was a little bemused by Deputy Ferbrache's opening statement on his policy letter. Normally, it is normal practice to sell your proposal, to promote it, to explain the benefits and how good it is. But Deputy Ferbrache seemed to forego that, instead trying to attack critics. I think he might be using the old adage of the best defence is a good offence – if you cannot defend your position, go on the attack instead.

1725 I thought it was interesting that he started quoting from the 1970s, and if he would like to learn about the 1973 Oil Crisis and the economic depression between 1974 and 1979, the stagflation etc., some of which we are seeing awful close parallels today, then I would be happy to sit down for a few hours and explain it. But the reason why I thought it was interesting and a bit ironic that he mentioned the 1970s is because when I get round to my proper speech I will be mentioning the word 'quango' quite a lot. The word quango is a quasi-non-government organisation, abbreviated to 'quango' subsequently. That was a concept introduced by the Carnegie Foundation in 1967 and adopted and promoted in the UK by the Conservative MP David Howell. Quangos became particularly popular in the late 1970s and early 1980s.

1730 It is described as an organisation for which a government has devolved power but which is still partly controlled and/or financed by government bodies. What are we being asked here? To set up a development agency where we devolve responsibility for decision-making and implementing those decisions, but it is still partly controlled by the Government through the oversight group and it is financed by the Government. So yes, it ticks all the quango boxes. But why is the word quango sometimes viewed as a pejorative phrase? Well, as I said, it was very popular in the 1980s, but by 1735 the 1990s there was a public outcry to get rid of quangos. Why? Because invariably they failed to deliver or spent huge amounts of money, or just did not work. So you will understand, when I am using 'quango', why (a) it is an applicable phrase and (b) why I have some reservations about this proposed structure.

1740 Picking up on some other things Deputy Ferbrache mentioned, and I wrote it down word for word, I thought it was an absolute classic, regarding the people who might stand to be on the board of directors of this development agency, nobody will put their names forward if it is subject to States' scrutiny. So let me see, people will only stand for this board if they are given a guarantee that they will not be scrutinised by the Assembly on behalf of the people of Guernsey. Well, I think 1745 that is a nonsense, because we have people from the business community volunteering every day to assist in Members' individual Committees or groups in their endeavours and give advice, so I think there would be people coming forward, but also, in my book, if somebody has imposed that

condition, I would say that automatically would preclude them from being included in a board, because I would never want anybody holding a gun to my head in that way, 'I will only do work for you if you guarantee me I can do it without you looking over my shoulder.'

Deputy Ferbrache mentioned the word Luddite. I do not know if he was referring to me specifically or amendment 8, but an interesting use of word. Luddite: somebody who resists the introduction of new technology. I think the last debate proves I am not that.

He also referred to me in some context as a socialist leader or a Labour Party representative of the 1970s. What could be further from the truth! The fact is people might say – well, I am sure it will be said in debate – why is Deputy Meerveld, as a businessman, opposing this business-like structure? Why would he want it to be scrutinised by the States when it is, in itself, in many ways, an inefficient process? Well, I came into the States in 2016 believing that the States operate in a more business-like fashion, and whilst the desire still is there, I came to a realisation very quickly that Government is unlike any business. Businesses are driven by very few objectives, principally making money for their shareholders. Government is everything to everybody, *literally*. We have to be able to balance every decision we make with the considerations of all different sections of our community and how it effects them. Not only that, when we have individual members of the community petitioning us with what is concerning them, what they want from Government, the fact is, what they want today will not be what they want tomorrow and what they will want next week. As people go through their stages of life, their expectations of Government change. When they are young, they want a better environment and they want job opportunities. When they start a family, they want good education and sound rule of law. As they get older, they want healthcare and other support mechanisms. So even the individual's own demands of the Government change over time. Therefore, you cannot treat the operations of Government like a business, which is one of the issues I will be discussing later.

Deputy Ferbrache gave me a challenge of I have argued for smaller Government, and yes I do. He challenged me to say how bringing this amendment would create smaller Government. This amendment puts aside a million pounds over a three year period, and I think £250,000 of that per year is allocated to hiring three staff and paying their salaries. So this proposal sure is not making Government smaller. What it is doing is hiring three more people to work for the States, albeit through a quango, and effectively doing something that some would argue the Committees themselves should be doing.

Before I go on to my main speech proper, I will just issue Deputy Ferbrache with a challenge, because he has made statements yesterday and again today about how Government is failing to deliver. I would not say, and I know he is a great proponent of action now, but I fear that in this policy letter, without any details, I am a great believer in getting on with things, but it has got to be the right things. There is no point in going out there and just getting something done for the sake of it, and then finding out you have made a very expensive, bad mistake. But the challenge I am going to put to Deputy Ferbrache is this. Rather than trying to take things out of the hands of this Assembly and put it into a private group and reduce the ability of the Assembly to participate in the process, I would like to see him show some leadership. Bring proposals forward to this Assembly, persuade this Assembly to back them and bring the public with him.

If I have got a complaint, my greatest complaint about Government when I first joined, and one that still stands today, is in fact, the States of Guernsey is pretty good at making decisions. We get there in the end. It may be a slow process but we get there. What we are not good at doing is bringing the people with us, explaining why we have made a decision – better still, selling the reason we are making a decision to them, persuading them that it is a good idea, having their support behind it. So again, if we want to do major development, we have to bring the public with us.

On to my speech proper, after I have responded to the debate that was an opening speech which was ... I am not sure. Anyway, this development agency proposal would establish a company owned by the States but with an independent board of directors and a subsequent transfer of significant amounts of property from the ownership of the States to the quango without any plans approved in advance regarding how these assets will be utilised. I would like to thank Deputy Burford for

seconding this amendment. We both have grave concerns about this Assembly abrogating its collective responsibilities as custodians of public assets by delegating away authority for reviewing and approving major, far-reaching developments to an independent board of directors with an oversight group of three Deputies plus the Committee *for* Policy & Resources.

1805 Under the proposed structure, a majority of four out of just seven Deputies would be able to approve projects to proceed, leaving over 80% of the States being denied any involvement in the processes and decisions. I support the concept of independent entrepreneurs presenting new ideas for developing the east coast of our Island and I also support the concept of independent
1810 businesspeople overseeing the construction of projects in a more commercial manner. However, I have serious concerns about delegating responsibility for a significant amount of public assets and potentially very controversial development decisions to a quango managed by people not elected by or accountable to our community.

Many people in our community are likely to be fiercely opposed to some of the quango's plans, but would have very limited ways to influence those decisions, as will the vast majority of the
1815 Members of this Assembly. When controversial plans to reclaim Belle Grève Bay were presented in 2006, an estimated 3,000 residents marched down the coast in protest on a chilly November day, and that may happen again. Deputies might join such protests, but the majority will have voted away their ability to directly influence the decisions.

In 2016, as a new Deputy, at just my sixth Meeting voting on policy letters, I made a decision
1820 which I have lived to regret. I voted, along with all the other Deputies present, to adopt the Island Development Plan. The reason I regret that decision is not because it was not a good plan in general, but because of the unforeseen circumstances. What I did not appreciate was that Deputies were writing themselves out of the planning process almost entirely and limiting their ability to influence the process on behalf of our community.

I am sure that most Deputies have or will be approached by members of our community regarding planning issues. I participated in the protest march organised by the Delancey
1825 Conservation Committee, supporting their very valid concerns about the Pointues Rocques development. I was contacted with concerns regarding development of the infamous Cobo Alice house and, most recently, regarding the conversion of a popular Jerbourg restaurant into a house.
1830 In each of the situations, I was in the invidious position of having to tell members of our community that due to the Island Development Plan Law, I had no more ability to intervene in a planning process than they did, even though I was a Deputy elected to represent their interests.

The Island Development Plan was enshrined in Law and placed at arm's length from the Assembly, something that I know many Deputies have lived to regret, and I believe the current
1835 Committee *for* Development & Planning will shortly come to the Assembly with proposals to address some of the issues. We are in danger of doing the same thing again if the Assembly agrees to constitute this development agency quango as proposed in this policy letter, and, like the Island Development Plan, the development agency quango may fail to address important issues, although expectations are very obscure, considering the lack of details in the policy letter.

1840 This proposal is lacking in essential details. The policy letter approves the transfer of ownership of as yet undefined land assets. It delegates decisions regarding their development to the quango, plus a number of Deputies, and directs them to develop cost-neutral finance options which potentially could include borrowing using the land assets as collateral, in effect mortgaging them. I believe the policy letter should be rejected because of this lack of critical details, unless Members
1845 support this amendment, which restricts land transfers to only those required for projects which have been approved by the Assembly, which would also include financing options. The amendment allows the best aspects of the policy letter, entrepreneurial proposals being formulated and more commercial-style management of developments once plans are approved, but requires that development agency proposals to be reviewed and approved by the whole Assembly as custodians
1850 of public assets. It enables our community to be fully engaged in the process, giving them the opportunity to express their views to Deputies and giving all Deputies the opportunity to express those views in debate. Our job is to represent the people. The proposal set out in the P&R policy

letter denies our electorate and community at large the opportunity for us to carry out the job we were elected to do.

1855 I believe it would be a derogation of our responsibilities as custodian of public assets to support this policy letter as proposed and encourage all Members to support this amendment, so this Assembly can retain ultimate control on behalf of our community.

Thank you.

1860 **The Deputy Bailiff:** Deputy Burford, do you formally second this?

Deputy Burford: I do.

The Deputy Bailiff: Thank you.

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Deputy Haskins: Deputy Bailiff?

The Deputy Bailiff: Yes, Deputy.

1870 **Deputy Haskins:** Please may I invoke Rule 24(4)?

The Deputy Bailiff: Rule 24(4), which means that after an amendment has been proposed or formally seconded, any Member – which Deputy Haskins has done – may invite Members who support the debate to stand in their places and we see whether there is at least seven. So those who support the debate on this amendment, please stand in their places.

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Deputy Haskins, I think you have lost your vote.

Deputy Inder. Yes. (**Deputy Inder:** Yes.) Oh, Deputy Oliver –

Deputy Inder: Oh, Deputy Oliver first.

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The Deputy Bailiff: – you are not making a technical ... (*Interjection by Deputy Oliver*) No, I understood there was going to be another technical request, but Deputy Oliver, carry on.

Deputy Oliver: Thank you.

1885

I was not actually going to speak on this, but the proposer of this amendment has actually got me to my feet. This amendment is actually *exactly* why we need a development agency. It is because of the pure lack of understanding of the process that somebody has to go through in order to get something done in the States, especially to do with our property and our assets.

I am just going to read the first bit out. It says:

[To] Insert the following Proposition ...

"1A. To agree that *each* development that the development agency proposes to deliver *must* be approved by the States ...

1890

I think you have completely lost sight of actually what the process is. So the development agency comes up with ideas and the DPA will work alongside them on a local planning brief (LPB). The local planning brief has to go out to many stakeholders, it goes out to the public for consultation and the other necessary statutory processes that need to be done. It then comes *to the States* where everybody in here will agree what is to be developed, what is not to be developed, what should be in the LPB, what should not be in the LPB – yes, don't you shake your head at me, it does.

1895

The Deputy Bailiff: Deputy Oliver, remember Rule –

Deputy Oliver: Sorry. (*Interjections and laughter*) I am ever so sorry, madam.

1900 And then it has to go through the normal planning process which will be set out for each
different development. It probably will not be one, it will be lots of smaller ones which will be phased
in different things. So then you get your say *again* at the planning process. So all this is doing is
adding a *further* bureaucracy of approval. The States are not slow. I can just imagine that they have
1905 said, let's do, I do not know, something, we as the States will be arguing what colour the door
should be, how high the development should be, if it should have a garden, no, if the park should
be slightly over to the left, no, the carpark needs to be further back – it will be a nightmare. That is
why I cannot support this and I really hope everybody else will not support it as well.

The Deputy Bailiff: Deputy Inder.

1910 **Deputy Inder:** Thank you, madam.
I am glad I actually for once did not get up too quickly, or at least had the decency to give way
to Deputy Oliver, because I think she has got it spot on – entirely spot on.

I am genuinely surprised at this amendment, and I am only going to speak to this, because either
1915 by intent or by accident this is a wrecking amendment. Its whole intention is to bring back every
single project, does not matter what it is, to the States for us to sit and decide. There will be a box
somewhere, someone wants it to be a restaurant. Deputy Gollop popped up yesterday and said,
'We need more community centres!' We have built more community centres in this Island than we
have built *houses* over the past four years, and I cannot think of a worse position for us to be in,
1920 where every single proposal comes back to the States. It looks fairly simple, because it just says
what we are doing to, 'suitable Propositions' will come back to the States and we will just have a
debate and say yes or no. That will not happen. Look at our Rule Book: sursis, amendments, all the
other nonsense that goes on with it. Seriously, it is absolutely barking.

What really surprises me, I am going to test the Assembly with a few quotes, and this is from
1925 Deputy Meerveld – well, I have already given it away actually: 'I am supporting the Islanders
Association because it represents a real opportunity to improve efficiency and effectiveness.'
Efficiency and effectiveness. Yet he wants every single decision, every lamppost, every railing, every
festoon, every minor development to come back to the States – we all love festoons, madam,
(*Laughter*) especially if they have got Aston Martin written on them, Deputy Trott – for us to pore
1930 over.

Often is the case, and I cannot disprove it, but I am going to make an accusation, it is not
necessarily the case if someone wants a blue lamppost, it is just the wrong person saying that blue
lamppost should be blue. If someone else was holding it, it is absolutely fine. We get this weird
world where this Assembly, and I am not 'unguilty' of it entirely – hopefully, I think, less than others –
1935 we would argue black is white even if it was actually green just for the sake of being the last person
to touch it. This is what Deputy Meerveld wants, through you, madam. Deputy Meerveld wants the
States of Guernsey, all 40 of us, all of us architects, all of us quantity surveyors, all of us tourism
experts, all of us designers, architects, town planners, to have the actual last word on absolutely
everything, because that is what it says. That is what this Proposition – I am not giving way. I gave
1940 way last time and it was a waste of time, I am not doing it again, Deputy Taylor. I am getting quite
bored of this.

This is what is says:

To agree that *each* development ... proposes to deliver must be approved by the States ...

Every single development must be approved by the States. Who on Earth, with a modicum of
commercial nous or commercial experience is going to put all of their heart and soul into developing
1945 any area of the east front and hope Neil Inder likes the right colour? I do not even do it to myself, I
leave the colour choices to someone else in the family. It is nonsense. We have got serious people
out there who actually know what they are doing. They really are quite interested in getting and
moving the conversation on to the betterment of the whole of the Island.

Personally, my interest, and Deputy Parkinson is here, our particular interest as a board is St Peter Port as a destination port. Lots of interesting stuff to be done there, the 2017 PwC report I have referenced in the past, and I want to move that on. If it helps Members, you will get an opportunity to decide what goes in what extra box, because via Deputy Roffey as President of STSB, we have had conversations about the Castle Emplacement area, so very quickly, by June or July this year, there will be Propositions to be wrapped up in the tourism product review, where we will make recommendations that we believe that the Castle Emplacement can move in a certain direction and we will be asking you, as States' Members, to make that decision. It is as simple as that. So that is one project you will be able to touch it last, because we have already made that commitment before the development agency.

Do you know what? I have been in part of Deputy Meerveld's great plans before. One lost me my job and the other one got me in front of a Scrutiny review. *(Laughter)* So once bitten ... Well, I say once bitten, twice shy, actually, twice bitten and never going into that room again! I have been there, thanks very much. I have done all the Sun Tzu bit, I have heard all the speeches, I have heard all the Hong Kong stuff, and it is interesting, everything starts with 'When I was'. In the Isle of Man, they have actually got a name for these people. I had never heard of them before. I was meeting someone from the Isle of Man back 10 or 15 years ago, and I was moaning about English experts in Guernsey, because that is one of my things, and she said to me, 'We call them "When I's" in the Isle of Man', and I thought it was some kind of weird Manx Gaelic, but it is not. What it means is 'when I was': 'when I did this, when I did that, when I was ...', and that is all I hear. When I, when I, when I; Hong Kong this, Hong Kong that, Hong Kong phooey. *(Laughter)*

But I will cut him some slack – no, I am not going to, actually – because in the last item, what Deputy Meerveld actually said, in simultaneous voting, if it does not work, the States can choose not to carry on the project. That was his payoff line on the simultaneous electronic voting. We have a million pounds for a three-year period. That is all we have: one million pounds for a three-year period. At the end of that –

Deputy Queripel: Point of correction, madam.

The Deputy Bailiff: Yes, Deputy Queripel.

Deputy Queripel: It is a million pounds for a two-year period, not a three-year period.

Deputy Inder: Yes. Okay, I beg your pardon, my mistake.

The Deputy Bailiff: Thank you, Deputy Queripel.

Deputy Inder: But the point does remain that you are not setting on a path forever, here. I would expect as part of, hopefully, that appointment committee, I will be looking at the whites of the eyes and I want real people who can do real things very quickly. We have got, as I understand it, 70 or 80 projects, some big, some small, achievable projects over that period of time. My expectancy is there will be a period of time when that group will get itself together, it will employ some staff, they have already got a rough indication of what the projects are likely to be, and very quickly, as part of their communication process, they almost certainly will not be hiding under a bush anywhere. The projects will become very public and I think it was Deputy Matthews, actually, who asked me what the States could actually do. Well, actually what you could do is you could bring a requête. Seven of you could bring a requête. If this board does anything entirely stupid, like, I don't know, a Baikonur in Torteval or something like that, we still have a final push over here. Seven people can get in a room, make the argument and close it tomorrow. Roughly at the end, as we head towards another election, it will need some form refunding. We will not be in our seats exactly as we are today, a new Assembly will make another decision.

So I think, in short, sir – madam, sorry. I keep doing it!

The Deputy Bailiff: Yes, you do. (*Laughter*)

Deputy Inder: I am sorry, I really am going to get into trouble soon, more than usual.

2005 In short, madam, Deputy Bailiff, I just think this is an utter nonsense. It is entirely a wrecking
amendment and it is entirely the reason why Government should not be anywhere near it, because
of 40 years of knowing the harbour as much as most people have – probably along with
Deputy Helyar and Deputy Vermeulen who have been hanging around it for years – nothing has
happened when the States have got involved. The Castle Emplacement alone has actually got worse.
2010 In fact, Deputy Aldwell reminds us of a time when she worked at the Co-Op, the place was buzzing.
Now there is nothing there. The whole thing is a wreck. You have got hobie cats in the corner, the
thing has not been touched for years, the lifeboat slip is entirely knackered, the Havelet slip broke
its back in the first year, the Fish Quay has got restrictions on it, and so has the Bridge over the
Castle Cornet. So please, Deputy Meerveld, when you sum up, do not tell me that the States can do
it better, because they have done nothing in 40 years.

2015 So give them a chance. You are not signing the whole of your life over to this new group, you
are just giving them a two-year burn – point of correction taken – to see if they can actually get
their act together and if they can do ... Well, what they cannot do is anything worse than the States
have done. Nothing has happened in St Peter Port at all, our harbour is falling apart, and
Deputy Meerveld is trying to convince you, as the voting Members, that you can do it better. We
2020 have done nothing in 40 years, nothing at all, with the exception of the North Beach Marina, the
only, single thing that has made any money, and actually making real ... Nothing else. This
amendment is a nonsense, utter nonsense and it should not have been brought.

Deputy Meerveld, I am genuinely surprised in you, as the –

2025 **Deputy de Sausmarez:** Point of order.

The Deputy Bailiff: Deputy – (**Deputy Inder:** Through you.) Sorry, can I speak first?
Deputy Inder, yes, it is through me.

2030 **Deputy Inder:** Yes, madam. Through you, madam, I am very surprised that Deputy –

The Deputy Bailiff: Deputy de Sausmarez.

Deputy Inder: There's another point of order, okay.

2035

Deputy de Sausmarez: No, it was going to be that, sorry, Rule 17(1) it was –

Deputy Inder: Anyway, as I have said, through you, madam, I am very surprised Deputy
Meerveld, and Deputy Burford, actually, have gone anywhere near this at all, because it is a wrecking
2040 amendment, wrecking amendment, wrecking amendment. That is what it is, and shame on him.

The Deputy Bailiff: Deputy Roffey.

Deputy Roffey: Thank you, madam Deputy Bailiff.

2045 I am beginning to feel sorry for Deputy Meerveld, and that does not happen very often, because
although I cannot support this amendment and I think it is the wrong solution to the problem, I
understand the problem that he has identified. The problem he has identified is that we cannot just
outsource Government. (**A Member:** Hear, hear.) We cannot just abrogate our responsibility for
large swathes of the public realm and say it is all too difficult for us, somebody else ought to get
2050 on with it.

He has mentioned Belle Grève Bay, I could mention the Model Yacht Pond. I deliberately mention
the Model Yacht Pond because I want to see how *Hansard* deals with that, (*Laughter*) but it could

be Castle Cornet. What if Castle Cornet is to become a boutique hotel and the public only have access to the battlements? There are all sorts of areas where I think, if Mrs Le Page phoned us up and said what is going on, and say, lovey, do not expect us a bit like the IDP frustration, 'Nothing to do with us, we can't say anything, it's just been handed over', then I think we would feel, I would feel, that I had abrogated my responsibility.

However, I do not think his solution is the correct one. The correct solution is to approve the right framework under which the development agency has to operate in the beginning, to get the cart before the horse, so that they cannot do things that are so outré that we feel we have allowed something to happen that the public of the Island would not want. Deputy Ferbrache mentioned the GHA. Well, the late Deputy Jones and I did not always get on with everything, but he was always gracious enough to credit me with the reason for the formation of the GHA, but they are not; they are not free to do whatever they want. They are under the strategic direction from the Estates as the exerciser of ESS, or, if it needs grant funding, that has to come to P&R as well. You put the controls in early on.

So the difficulty I see is what are the controls going to be, and I have to say I was almost tempted to vote for this amendment when Deputy Ferbrache said they would withdraw their policy letter if it went through, because I did not think the original policy letter really delivered at all. I know the civil servants were probably struggling with unclear messages about what the States actually wanted, however, I do not want it withdrawn. I wanted to work through the amendments and see if we can put in place the sort of structure that will put the strategic guidance in up front. The trouble, though, for me, is that the main way of doing that, and it will come to the States, as I am reminded by Deputy de Sausmarez, will be when we debate the local development briefs for the harbour action areas, because we will either approve those or not, and we presumably will be able to amend them through that mechanism when the DPA bring that to the States. That is when we can give guidance about what is on and what is out of order and cannot even be thought about. The problem is, and I do not want to talk about amendments that have yet to be laid, but the DPA are flagging up in amendment 1, and they have flagged up consistently, that they cannot really work up those local planning briefs for the harbour action areas until this Assembly has taken a decision about what it wants to do with commercial port provision. So my worry is not that they are going to go off and do all sorts of things like drilling in the Model Yacht Pond and Belle Grève Bay and turning Castle Cornet into a boutique hotel with locals not allowed. My worry is that, actually, this development agency will be able to do very little because they will not have the local planning briefs for the harbour action area.

Deputy Inder was just talking about, 'Oh look at all these things that aren't happening around the Harbour', I can tell him there are people who want to invest around the harbour, in places like the Vivier Bunker, in places like the Boathouse, in places like the Slaughterhouse – I do not mean the restaurant, the rest of it – they would bring money to it. But we cannot offer them any kind of length of lease at all because we are told we have to keep the length of leases short because we cannot frustrate what might be coming out of the local planning briefs. I think that that all will not change so the development agency, when you set it up as a delivery arm, will not be able to deliver because we will not have put the rules in place for which they can deliver against. I am going to come on to that more obviously when I come on to the amendments in myself and Deputy Parkinson's name later.

But I think what I say about this amendment is I actually think it is well intended and the President of P&R went slightly over the top, was slightly guilty of hyperbole, when he suggested that it would mean the dead would not be able to be buried like they were not able to in the end of the 1970s, the Winter of Discontent and, 'Crisis? What crisis?' But then I thought he was making a resignation speech yesterday when he said we have failed you all, so I am not sure what he has been drinking at the moment, but there we go! He is a little bit OTT I think. But I do understand where Deputy ... I do not agree with his solution and I do not think there will probably be more than two votes for this amendment, but I do understand the issue that he raises and I think it is absolutely correct.

2105 I think in retrospect what we would have been better doing, if we have failed for 15 years, and it is 15 years that we have been talking about doing things to improve the eastern seaboard, is actually almost having two groups outside the States helping us. One drawing up the masterplan and the ideas for approval in this States, then we approve it, then we set up a development agency which is actually a 'getting things done' delivery agency that can take that away and do it. But is almost like we are saying, when we are us, 'We are bereft of ideas, please, Mr Businessman, come on in and tell us what we want to do.' I do not think that the public of the Island want us to abrogate our responsibility to govern to that extent.

2110 Yes, I want efficiency, yes, I want to get things done, but there needs to be oversight. To me the oversight will come through the development briefs for the harbour action areas and what we need to focus on today, and probably tomorrow, is finding a route where that work actually ... It is going to take 18 months from when the work starts and it is going to be expensive and it is going to take probably planning inquiries and then it is going to come back to this States. We need to find a way that that work can at least start, because if we do not, we are going to end up setting something up that is going to cost a million over two years, we are going to have great expectations of, and they are going to be hamstrung. They will have their hands tied behind their backs and they will do no better than we are doing under the present system.

2120 I am starting to get into general debate; what I am trying to say is thank you, Deputy Meerveld, for raising the issues, I think your solution is wrong, I am sorry I have to vote against, but I am not as harsh on you as some of the other people in this Assembly – sorry, on *him* as some of the other people in this Assembly.

2125 **The Deputy Bailiff:** Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, madam.

2130 I am speaking on exactly the same theme, and probably from a very similar perspective in fact. My frustration, actually, about this amendment, is its timing in the debate, because I have stood up before and explained my philosophy that one should always judge an amendment on the basis of whether or not it is better than the original, because you can only lay amendments to the unamended policy letter – that is one of the problems – and I think that Deputy Roffey is quite right that Deputy Meerveld has identified a potential issue.

2135 But just building on what Deputy Roffey was saying, for me, the issue with the original policy letter is a lack of distinction in terms of its approach between the strategic decisions, which absolutely should be made by this Assembly, and the delivery. And actually, Deputy Ferbrache referenced a presentation given by Chris Brock – I am not sure if we are allowed to name people, but anyway, he did it, so I am repeating it – and there was a long list of visions and stuff. I do not think it has ever been a problem, doing the vision bit. The problem has been quite specifically in the delivery, and that is where I think the strength of a development agency is and I always make the subconscious slip of calling it a delivery agency in my head. But I think it is quite right that the strategic decisions are made in this Chamber. So I think some of the later amendments will help us to put that definition, put greater, stronger frameworks, more appropriate frameworks, the requisite checks and balances in place.

2140 It is very frustrating. I can understand why P&R asked for this to go first, given that they see it as a make-or-break decision – hellfire and brimstone and all the rest of it – but it is frustrating because I think actually some of the later amendments go quite some way towards addressing the problems that Deputy Meerveld is attempting to address with this specific amendment. I think particularly ... Is it amendment 4? I cannot really remember. But there was just one question. I was glad Deputy Oliver spoke about the local planning briefs (LPBs) coming back. I think that is a really good point and I would not want to duplicate any processes that are going to take place. I am quite happy to give way to her, if she sees fit to get to her feet, but obviously the local planning briefs will be done for the harbour action areas. So one in St Peter Port and one in St Sampson's. This policy letter is more wide-ranging, so there will be bits, potentially, that fall outside of those harbour

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action areas. I am just wondering whether there is any kind of definition, I am sorry if I have missed it, about what will require, for example, a development framework, or any other kind of similar process of consultation. I do not know where the dividing line is, whether it is just an individual development at a random bit of the coast in between ...

2160 I give way to Deputy Oliver.

Deputy Oliver: Sorry, I was trying to think about what the scenario is.

2165 So you will have the two ... well, it is just going to be one, because it will be cheaper and it will be more streamlined, like we did with the regeneration areas. So there will just be one LPB, and then if there is a section ... You can do a development framework prior to the LPB as long as it does not interfere and self-determine what the LPB might say. If it is outside of the harbour action areas, some of it will be covered off by the LPB. There is quite a weird shape, like, for instance, quayside. You cannot do anything with quayside until the LPB is done because that is within that. But outside a development framework it will be down to the committee if it is needed or if it is not.

2170 I hope that answers.

Deputy de Sausmarez: That does. I found that a really helpful answer and it does sound as though that is quite a broad and expansive framework within which any developments will require that consultation exercise and at least committee sign-off certainly, yes. So I think that will help. But 2175 I think I am in the same place as Deputy Roffey, in that I understand the motivation for this amendment. I do not think it is the right solution to the problem but I do appreciate that the problems that have been raised exist. I am hoping that they will be addressed through some of the later amendments, but I think this is a useful debate to have.

Thanks.

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The Deputy Bailiff: Deputy Gollop.

Deputy Gollop: Longstanding Members will know that I am in support of someday developing more of a semi-executive, ministerial structure, and I have also long been in favour of some kind of 2185 a development agency for the waterfront. I looked with a degree of envy at what the Isle of Man and particularly Jersey have done. I say envy, because they have produced a lot of quality social housing in Jersey, waterfront apartments, a town centre cinema that we lack, and various other facilities. They have even got an underpass and tunnel, though I am not too sure about that one, and a new bus station – too small for their double-deckers, but never mind. That said, the St Helier development has not been an aesthetic triumph by any stretch of the imagination. It has been 2190 resisted and the Reform Party, led by Senator Mézec, frequently criticises development there, the lack of social housing and it has been a political football.

This before us is certainly challenging because, as I have said, we need a development agency, we need a greater degree of activity. I remember the late, and in many ways great States' Member, 2195 Deputy Jan Kuttelwascher. He used to say that Guernsey, actually, contrary to popular belief, did not have problems developing policy and strategy, it had problems making decisions and implementing them. The issue that Deputy Ferbrache and others have alluded to is we have had an implementation crisis. I have been to so many of these lunches with sandwiches you would not believe! All these putting little stickers on doors and Beau Séjour presentations, and I was even 2200 representing Social Security a long time ago on one of these groups. Why Social Security were interested in the harbour I do not know particularly, but every Committee had to send a representative so that was the way it was. It was before Deputy Ferbrache returned to the Chamber. But we did not go anywhere, and there is a problem.

2205 Even today, I am not 100% sure. We get the old arguments about people saying you want colours, States' Members will interfere. There is a paradox even in what has been said, because I think Deputy Oliver assured us, and Deputy Ferbrache, that the crucial strategic decisions would return to the Assembly, including transfers, including projects, on the other hand the Development

2210 & Planning Authority has always had an ambivalent relationship to development. In the last Chamber we wrestled with how far the DPA should be represented. I wanted to be on the board myself, but I do not think Deputy St Pier would have had the patience for me or some other Members, but Deputy Oliver went, in an individual capacity, she happened to be on Home and DPA, but her expertise in building, developing, and as a professional surveyor, was a boon in that respect. But even with the assets of the last States, things did not go anywhere. We were given a history lesson as to the failure of the last iteration of the last States on the development, but it was even
2215 more of a confused debate than usual, because Policy & Resources had submitted a policy letter and then decided to amend it themselves with a completely different set of systems. So it was a difficult situation.

The other paradox that we have heard today though, is that Development & Planning, by its very nature, has got half a foot in forward development, which is why the DPA needs to be involved with
2220 the projects – that is to say designing and getting ahead with the development briefs, informed by opinion – and it has got half a foot still in the actual implementation of planning decisions. I think it was Deputy Inder yesterday who wondered whether we had not got to the point when politicians should walk away from planning decisions. We have not got to that point, there is a public appetite, rightly or wrongly – I do not think there is a professional appetite; I know architects and surveyors
2225 and others are extremely –

Deputy Mahoney: Point of order, please.

The Deputy Bailiff: Yes, Deputy Mahoney.

2230 **Deputy Mahoney:** Thank you, madam Deputy Bailiff, but I just wonder, we are not in general debate, are we? We are still talking about the –

The Deputy Bailiff: No, we are still just talking about amendment 8.

2235 **Deputy Mahoney:** But I just wonder if we are talking about amendment 8 here or whether we are straying way away from amendment 8.

The Deputy Bailiff: I am giving Deputy Gollop the benefit of the doubt on the basis that
2240 amendment 8 is a very large potential amendment, but I think he will have noted your concern.

Deputy Gollop: Yes.

Well, my point is Deputy Oliver – I will come to the point Deputy Mahoney has raised – has given a passionate and committed speech in favour of the States' Members collectively surrendering a
2245 significant amount of control to a committee that has still got operational executive roles in opening planning meetings, and turns down houses at Pointues Rocques, for example. I cannot see how ...
I will give way to Deputy Oliver.

Deputy Oliver: We do not just look at something and go, 'I don't like that, I'm going to give that away.' We have to stick within policy to make sure that what we are actually approving is either
2250 within policy or out of policy, and as Deputy Gollop should know – through you, sir – sometimes it is a judgement call ... (*Interjection*) Madam. I was looking over ... It is a judgement call because buildings can be considered as art and art is subjective. So that is why some will go through and some will not, and the difficult ones will always come to the committee. We do not tend to get the
2255 ones that there is no complaint over. We will not look at ones ...

The other thing that you said was –

The Deputy Bailiff: Rule 17, Deputy ... No, carry on, all I am saying is you need to address through me, not directly to Deputy Gollop.

2260 **Deputy Oliver:** I forgot what I was saying! *(Laughter)*

The Deputy Bailiff: Oh, I am sorry!

Deputy Gollop: I think I will continue –

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Deputy Oliver: I lost my train of thought!

Deputy Gollop: – because I want to get back on my train of thought as well.

2270 Deputy Ferbrache, at the beginning of the debate, said that many good people, who might even replace or oust us, are prevented, or discouraged, is a better word, from standing for the States or leave the States prematurely, because they are bored of tedious debates with people like me going into what colour to paint the flowers. But they forget one point: there are many people who are put off Deputies, or becoming Deputies, or voting or standing for election – Deputy Meerveld knows this more than anyone with the referendum – because they feel that Members are useless. If a
2275 person is standing for the States because they want a voice on the environment, on ecology, on transport planning, on how the seafront works, on seafront traffic systems, and then, as Deputy Meerveld very clearly put it, you have to say to the constituents, ‘Oh, I have no voice there, we handed it all over to a small number of politicians and an even smaller group of people. *They’re* running the Island, not us.’ Then the public will rightly say, ‘What are we paying you for?’ And if we
2280 have not got the capabilities to make these decisions then we should not be in the Chamber, but that is a different conversation. (**A Member:** Hear, hear.)

We have to ensure that the system is correct, because Deputy Meerveld, one of the strongest arguments that he has made is that if this does not have enough political buy-in now, it will become an election issue. It will become a green ribbon marching issue. It will become another huge public
2285 problem, and we need somehow to balance the entrepreneurial need to get things done with public acceptance. I am confident that if we went out and had a referendum, like Deputy Meerveld and other Members did for Island-wide voting, you would get a surprise result again – well, it would not be a surprise to me. Just as I suspect people voted for Island-wide elections because they were dissatisfied with elements of the present system, I suspect – well, I know, from talking to the people
2290 I have met – that most people, especially outside the business and commercial community, are very weary.

Deputy Ferbrache of course made a good point that delay has frequently been an aspect of these cumbersome procedures, but actually, there are an awful lot of people who probably welcome that delay because they do not really want anything to happen.

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A Member: That’s the point.

Deputy Gollop: And I think the first thing we have to do, which is balancing the needs of the Island with the needs of a political representative, is to sell to the public the vision. This amendment does not completely sursum or abolish it, it adds to it, because the development agency will go ahead, the political oversight group will go ahead, if I understand the purpose, but it just means that fundamental decisions on landownership transfer and each development the development agency proposes must be approved by the States.

We have got to be sensible about this. I hope they do not bring back, ‘To develop an ice cream kiosk’, or ‘Develop one parking space’, or ‘Develop a bus stop here, there and everywhere.’ Those
2305 are not the kind of things we do, although curiously enough Deputy de Sausmarez made a very good speech, but her Committee is very much down in the detail with traffic signs and bus stops and things, and taxi plates and all that. So there is a role for it in the Chamber.

I hope that they would be more like Deputy Inder, and say that he has, and I entirely agree with
2310 him actually, in broad terms, that the Castle Emplacement needs a new route, less of the commuter parking, more opportunity for Castle Cornet and the yacht and the boat industry and that whole

sector to flourish. So I cannot see what the problem is in getting the development agency started, attracting talent, and then bringing it back to the Assembly for ratification, because if that does not happen, you will end up seeing Deputy Inder's nightmare of requêtes appearing suddenly. I am afraid to say States' Members do not always agree with long-term transfers. Look, twice we agreed a contract with leading waste disposal plants and twice they were taken over.

I will give way.

Deputy Inder: I thank Deputy Gollop for giving way.

[Inaudible] ... something he said earlier, if he could probably reconfirm, possibly Deputy Meerveld could do later on, there is no pick and choose here. He seemed to suggest that Policy & Resources will have some kind of derogation to decide what projects could come to the States. So if it is lampposts, we will not bother with doing that, if it is traffic signs we will not do that, if it is bus shelters we will not do that. But that is not what it says. It says:

... to prepare and submit to the States a Policy Letter with suitable Propositions in relation to *each* such proposed development ...

There is no get-out, here. It is not a very well-worded amendment. Every single Proposition that has been put in front of east coast development will end up in this Assembly. Those are the facts, that is the direction, that is what we do. We give direction and Committees take direction. There are no options there – everything. Through you, madam, to Deputy Gollop.

The Deputy Bailiff: Thank you.

Deputy Gollop: Yes, I am aware that this is a difficult decision because as various Members know, from Economic Development, I agree, actually, with Deputy Ferbrache, that for 20 or 30 years we have – I do not know if we have failed all the people on the Island like *The Press* says – actually failed to move forward with the harbour development and St Sampson's development and many other areas. And yes, I will stand by the community centre, but I was talking more about the Leale's Yard area, perhaps.

We do need a new delivery vehicle, and I am weary of some of the amendments, but I think this amendment gives us an opportunity to reflect and really, actually, it is a 'doing' amendment, because it effectively demands Policy & Resources, the DPA and the body is formed as quickly as possible and comes back to this Chamber with a coherent vision that not only will Members support, but the public as a whole. If we do not support Deputy Meerveld today and do not support perhaps some of the amendments, we run the risk of creating another public disquiet situation where we will end up with marches along Belle Grève. We have seen two of those, we have seen the eastern seaboard ideas completely squashed in that area, I think we need to box much more cleverly now.

The Deputy Bailiff: Deputy Burford.

Deputy Burford: Thank you, madam.

I think my speech rather builds on what Deputy Gollop has been saying; and I have never done it on the computer before, so let's hope this works! 'Auto-rotate on' – right, okay. (Laughter)

There are indeed many opportunities to improve the east coast, for the environment, for the people of this Island and for the economy, and a separate development agency tasked purely with delivery is a reasonable way forward in order to achieve these opportunities. But as currently envisioned, I do not believe it will deliver anything like what its ardent proponents claim that it will. I searched in the policy letter for details of how the people of this community will be able to influence these potentially major changes to their Island. By means of questions to the Policy & Resources Committee, I established that the only ways in which a member of the public will be able to comment on a proposed development would be by means of a high-level development brief or framework, something that will fail to reach the majority of the public and will not provide people

with the detail that they want, and the standard three-week public consultation on planning applications. And, of course, the only objections that would have validity at that very late point will be those which demonstrate non-compliance with planning law and policy.

2365 So the real, useful opportunity for the ordinary people of this Island to get properly involved with what could be the biggest changes to this Island in generations is essentially non-existent. It will not end well. I recall the original Proposition for a 70,000-tonne incinerator. There was next to no consultation. The policy was effectively modelled on what is known as the 'decide, announce, defend' approach. We all know how well that fared and I see parallels here.

2370 By the time planning applications start appearing, the next election will be on the horizon. It does not stretch the imagination to see decisions about leasing out parts of the public realm for a century, or repurposing much loved parts of it, such as the Model Yacht Pond, Castle Cornet or the bathing pools turning into major election issues. Nobody really believes that this is all about choosing paint colours. That argument is as ridiculous as it is facile.

2375 When Deputy Meerveld asked me to second this amendment, I explained that while I was not sure about the exact approach he was proposing, at least it would have the effect of giving the public a voice. My enthusiasm for the amendment increased, however, when Deputy Ferbrache stated that if it is successful he will move a motion to withdraw the policy letter. The reason is that in its current form I think it is set up to fail.

2380 I will reiterate I absolutely want to see sympathetic development on the east coast. It is a glorified car park in many places. I do not object to delivery being done by a development agency, but the starting point has to be a decision on the harbours, which could have been taken last year, and then a cohesive vision and wide-ranging public consultation on what and how the remaining opportunities will be realised. Without that, this concept simply will not deliver.

2385 **The Deputy Bailiff:** Deputy Brouard.

Deputy Brouard: Thank you, madam.

2390 I totally agree with Deputy Burford. If you want to see how not to do it, we do not have to look very far across the water at the Jersey waterfront and the buildings they have there. It may be commercially very attractive, but I think it will be a detriment to our coast if we had a similar type of situation here. We need to be very cognisant of what we have in front of our seas between St Peter Port and Herm, and between St Sampson's and Herm.

2395 I do understand Deputy Ferbrache's frustration, but the resources were not put into this particular issue, or they have not been for many years. I have been on harbour action projects and the like. We then got caught with COVID, but we have never been able to put aside three top civil servants and a million pounds to sort the issue out. So I would like to make sure that before we go to an agency to do it, that we look to see what we can do for ourselves.

2400 I am nervous of handing over before I decide what I want, and I think we need to, as a society and as a States, articulate what it is that we want. It may have come as a surprise to some of us, or at least some of our families that we were elected, but representing the people is one of those things that we do, and I think we have a duty to make sure we represent them with regard to the important part of the east coast.

2405 Sometimes arm's-length bodies work well, but in my years I have discovered that quite a lot of the time we then spend most of the time then after we have set them up trying to reign them back in again. I agree totally with what Deputy Burford was saying, we need to articulate exactly what it is that we want this agency to do. If we want it to increase our tourism industry by building hotels, where are we going to put them, what sort of size, are we going to make a better public area, are we going to use Belle Grève as a lagoon to make electricity – all these things. We need to have an articulated position of what we want to do.

2410 I will try and keep my thread, but I will give way to Deputy Ferbrache. Thank you.

Deputy Ferbrache: I am very grateful to Deputy Brouard.

2415 Deputy Brouard said he has been in the States – I accept that – 17 years and a conscientious Member. Can he say what visions he has articulated in relation to the eastern development over the last 17 years and how many of those have come to fruition?

2420 **Deputy Brouard:** The last bit of that question is very easy to answer, madam, to Deputy Ferbrache, is none; but articulated, many of them I have, and for me in particular on the different Committees that we have been on in that journey. I particularly quite like the hydroport one, which brought together quite a few different issues. But it brought the idea of using the Castle area for leisure, moving most of the freight to the White Rock area and out to sea with increasing the harbour, much as myself and I think Deputy Prow put forward at the last States' debate on this particular one. That is my vision for there. Perhaps a lagoon with a sailing area etc. in Belle Grève Bay, and perhaps moving the road to the outside of that and use the lagoon there to generate a
2425 third of our Island's electricity. Those are the sort of things that would be my vision, I have articulated them, I have not had the £1 million and the three staff to get it to the next stage, and that has been the challenge for every Committee that has passed with it.

2430 Where I probably get more nervous, I suppose, and maybe Deputy Ferbrache, when he sums up on this, can give us or give me the reassurance that the States will approve what will be built or sold or long-leased. I think that would give me some reassurance, but at the moment I am very much looking to support Deputy Meerveld.

2435 I think we are also confusing two issues, here. We get the harbour neglect thrown up at the same time as the opportunities for the east coast, and for me the two things are separate. The harbour should be maintained (**A Member:** Hear, hear.) by the people who are looking after the harbour, and unfortunately, if they need to put up harbour dues to pay for the people who use the harbour or the freight that we bring in through the harbour, then so be it. But the harbour should be used, and the money coming in for the harbour, should be used to maintain the harbour. The slipways need to be maintained by the harbour, the walls need to be maintained by the harbour –

2440 **Deputy Haskins:** Point of order.

Deputy Brouard: – or at least apply even for funding from general revenue. So –

2445 **Deputy Haskins:** Sorry, a point of order.

The Deputy Bailiff: Point of order, did you say? (**Deputy Haskins:** Yes, madam.) What is your point of order, Deputy Haskins?

2450 **Deputy Haskins:** I think we might be straying from talking about the amendment, so it is Rule 17(6), madam.

2455 **The Deputy Bailiff:** Well, as I said with regard to Deputy Gollop, the amendment is such a very wide amendment that I think Deputy Brouard is still within the vague parameters of that amendment. Nevertheless, as I said in relation to Deputy Gollop, I am sure Deputy Brouard has noted your reference to that particular Rule and will take it into account with the remainder of his speech.

Deputy Brouard: Thank you very much, yes.

2460 But the main point is that we tend to confuse the two: the harbour maintenance needs to continue, and the £30 million that we need to spend on that, that needs to happen anyway. If, by chance, are we saying that we only can do that, the normal maintenance, if we can sell off bits and pieces of the harbour with regard to some sort of generation? That is the bit that I am not understanding. Perhaps some information will come through in this debate on that.

I also am very nervous of private finance initiatives which have happened in the UK and I just want to make sure that we, as Islanders, end up protecting the public realm as well as our commercial realm. The commercial realm is extremely important but we also have to make sure that we do not spoil the very thing that makes people come here and visitors come here and have that, the frontage.

Thank you very much.

The Deputy Bailiff: Thank you.
Deputy Leadbeater.

Deputy Leadbeater: Thank you, madam Deputy Bailiff.

I am going to ask a question I want, if a Member of P&R ... I can give way to them. It is just this amendment is about oversight and the policy letter, 9.12, tells us:

The role of the States of Guernsey in this process will be to:

- Approve a broad overarching strategic direction ...
- Develop and approve the ... HAA LPBs ...
- Periodically review the strategic direction ...

Then 9.13 tells us:

A comprehensive review of the strategic direction will be undertaken every four years ...

It goes on, at 9.14:

Notwithstanding the five-year review, the outcomes of the strategic direction will be regularly monitored ...

So is it four years or five years? Those two conflict. Anybody tell me?

Deputy Ferbrache: Quite happy to deal with that. It is a very good question.

A bit difficult to speak, because if the debate proceeds, P&R will be supporting amendment 4, which is put forward by Deputy St Pier and Deputy Helyar, but it is not lodged yet. But I am just making the theoretical assumption that it might be lodged to answer Deputy Leadbeater's question, if that helps.

Deputy Leadbeater: That helps, thank you.

Deputy Ferbrache: I think it gives the answer in that. That is the point I am making.

The Deputy Bailiff: Deputy Moakes.

Deputy Moakes: Thank you, madam.

It is a really interesting discussion this afternoon. One of the key things that has come out of this to me I think is the fact that for 20 years little or nothing has happened along the east coast. Very many people, it appears, have talked about developing and putting in place a development agency to address that, and here we are, it is being proposed. We now have an amendment that has been put forward, which it has been said, if it is approved, will kill the entire policy letter. So are we therefore saying that what we want is to spend another 20 years watching our ports and everything collapse around us, because –

Deputy Taylor: Point of correction.

The Deputy Bailiff: What is your point of correction, Deputy Taylor?

2505 **Deputy Taylor:** I apologise to Deputy Moakes for this, but I think the suggestion was, from Deputy Ferbrache, if amendment 8 was successful, then P&R would lodge a motion to pull the whole policy letter, but if Members did not vote in support of that motion to withdraw the whole policy letter then it would not all fall on its head.

2510 **The Deputy Bailiff:** That is a fair point, Deputy Taylor.
Carry on, Deputy Moakes.

Deputy Moakes: Fair enough. But the point I am making is we have had 20 years where we have had very little going on anywhere.

2515 I am going to vote for the creation of a development agency, and I will vote for some of the amendments. I will vote for those amendments that are supportive or add something to the creation of the development agency. However, I am not going to vote for amendments that try to tie it into any specific commitments at this stage, and I think this particular amendment is ill-informed, ill-conceived, and probably misses the point as well, as we have heard from a number of people.

2520 Added to that, we have seen today and yesterday the Guernsey Institute of Directors and the Chamber of Commerce have both urged us to progress plans for the development agency, but also to reject any attempt to allow Deputies to interfere, and they specifically refer to Deputy Meerveld's amendment, which I will be voting against.

2525 I think we have some really opportunities here to review the progress of the development agency moving forward, it is not being completely left to its own devices, we can then make informed decisions as to whether it is delivering on the States' strategic direction. So I say give it a chance – do not wait another 20 years.

Thank you.

2530 **The Deputy Bailiff:** Deputy Parkinson.

Deputy Parkinson: Thank you, madam.

2535 I think the proposer and seconder of this amendment are motivated by a desire to ensure more democratic control over the process of development on the eastern seaboard and to an extent I share that laudable ambition with them. I think where we differ is that, in my opinion, the democratic control needs to be exercised at the front end of the process, over the big strategic decisions about what we are going to do with our ports and with the areas around them and the rest of the eastern seaboard, and not at the backend of the process, or at least not so much, over each individual development.

2540 So I cannot support the amendment as drafted, because I do not think – beyond the normal controls over development which Deputy Oliver has already articulated and where the States retains a measure of control throughout the process – that is where the focus should be. This is a point I shall probably be making several times during the course of these debates on several amendments, and so I apologise in advance for the repetition that is inevitable.

2545 The States basically missed an opportunity, when STSB brought a policy letter to the States on the future commercial ports issue, to actually make some progress and to instigate, or to set off, some action this day. In fact, the States decided on prevarication or inaction this day and that is why we are where we are today, because the issue was fudged and bungled.

2550 But the reality is it is quite simple. There is a logical order: until you make a decision about whether Guernsey needs new commercial port facilities and, if so, where those facilities should be, you cannot give any effective direction to the Development & Planning Authority to create harbour action area plans. Because until they know what the port is going to be used for, what is going in the port, they cannot make decisions about what should happen with Ro-Ro ramps, what should happen with cranes, what should happen with fuelling berths or any other of the big pieces of the puzzle. Until you have made those decisions, the process cannot continue, because without the

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harbour action area plans, we, as STSB, and therefore responsible for the ports, are completely stymied, as Deputy Roffey has explained.

All we can do at the moment is renew leases, short-term leases, of up to three years on properties that are let out commercially around the port. I wanted to take the opportunity of the lease expiring at the boathouse to consider what other options there would be around there for marina facilities or a harbour office or anything else that might have been developed on that site, and I was told, in no uncertain terms, 'You can't do anything that might frustrate a future harbour action area plan', because that would just be the wrong way of going about it. So we were told all we could do was renew the lease, for no more than three years. Of course, no outside private investor is going to invest in new facilities around St Peter Port or St Sampson's if they are only given a three-year lease. We would be basically saying to them, come along, spend £5 million, or whatever it costs to build new marina facilities, a new harbour office, whatever else we would like to see on that site, and all we are going to give you is a three-year lease. It is simply not going to happen.

So this logjam starts right at the beginning with do we need new commercial port facilities, and if so, where should they be. That was the decision that the States were invited to make last year, and which they basically fluffed, decided not to take a decision. Decided to set up a development agency to look at it. Well, you cannot delegate those big political, strategic decisions to an outside body, however brilliant the non-executive directors and so on may be. At the end of the day, the only people who can make those decisions are sat right here in this room. (**A Member:** Hear, hear.)

I think in the debate on the future harbour requirements, Members got very confused, and it seems to me that confusion remains today. A lot of people who talk about a development agency ... well, to me, a development agency is a body you set up to deliver projects you have decided to do, whether that be HS2 or Crossrail or something like that, you decide you want a railway line between X and Y and you give the job to a bunch of people who know more about civil engineering than you do, and you say, 'Come up with a plan to deliver this project.' It is all about the execution.

What I think a lot of Members were actually asking for when they said let's set up a development agency was some kind of Royal Commission to investigate the whole thing again. STSB had already investigated it, consulting with everyone who you could reasonably consult with at a cost of £¾ million, and over a period of 18 months or something, and we had produced a policy letter which said it appears to us that this is the right decision. Some people did not like the recommendation we were making, and it would have been open to them, of course, to move an amendment saying, 'No, that's not the right place to put a new commercial port', or even, 'We don't need new commercial port facilities, but if we do need them we want to put them somewhere else.' At least that would have been a decision. I might not have agreed with it, but at least we would have taken that fundamental strategic decision about what we are trying to achieve.

You could set up a Royal Commission to advise you on it, if you do not think STSB has not done the job well enough, that is perfectly permissible, and you could consult the great and the good and ask them to redo all the work and come back and advise the States on what the right answer is. But you cannot delegate the decision. The Royal Commission, or whatever it is called, would come back to the States and say, 'We think Guernsey needs or does not need new commercial port facilities, and if we think Guernsey does then we think those facilities should be here.' Fine; that is advice to the Members of this Assembly, but the decision about what is actually going to be done rests with us, the Members of the Assembly, and it cannot be delegated to any other group. It does not really matter what they are called.

So I think there has been an enormous confusion about what a development agency is. I think a lot of people just did not want to make a decision or did not like the decision that STSB was recommending and just thought, 'Well, let's give it to a bunch of other people and ask them to recommend something else, and we'll call them a development agency.' But that is absolutely not what a development agency is. It is a project delivery body.

In several of the amendments we will be discussing, hopefully before the end of tomorrow, we will be faced with this same issue: are the States actually, finally, going to take some of those big strategic decisions about what we are trying to achieve with our ports and then set in train the

motion to start the development? Without those big decisions, nothing else can happen. The land planning people are completely stymied, some of the amendments say, I think it is amendment 12 says, the development agency, the DPA, can proceed with harbour action area plans on an assumption that the States will prefer what we called options 5 and 6 in the original policy letter. I do not see how they can possibly proceed on that assumption. To produce the harbour action area plans is I think going to involve public inquiries, so we are talking about 18 months' worth of work, we are talking about a million pounds' worth of cost, to produce action area plans on the basis of a presumption that the States might eventually have the gumption to make a decision.

We have to put the horse back in front of the cart, and the development agency is the *trailer* to the cart; it is the last piece of the puzzle. It is when you have decided what you are going to do, give the job to a bunch of experts to go and do it. I am completely supportive of that. I do believe we need a delivery agency which has a life which extends beyond the parliamentary term.

So I think this whole policy letter is just befuddled and I will not talk about other amendments in any detail. Deputy Roffey and I will be inviting the States to reconsider the decision that it made last year to actually try and get the horse back at the front of the queue, (**A Member:** Hear, hear.) but in the meantime, in terms of this amendment, amendment 8, I sympathise to some extent with Deputy Meerveld and Deputy Burford. I recognise that there has to be democratic accountability over the process, it is that you do not want that much accountability over the execution stage, you want the sort of level of accountability that the States already has.

So I am not going to be able to support their amendment but I do understand where they come from.

Thank you.

The Deputy Bailiff: Deputy Queripel.

Deputy Queripel: Thank you, madam.

When Deputy Inder spoke – he is not in the Chamber at the moment, unfortunately – he said he is all in favour of outsourcing Government. I would respectfully remind him and my colleagues the States outsourced Aurigny and Aurigny lost almost £100 million in the last 10 years. I realise we now have a new management team in Aurigny, they are not directly responsible for that debt, but the fact of the matter is Aurigny was outsourced and it has lost almost £100 million in the last 10 years. My colleagues really do need to consider that when they come to vote on this amendment.

I am not a fan of glorious delegation in general, but in this case it appeals to me. I can see the need for it. But I cannot vote in favour of the Propositions in the policy letter for reasons I will explain in a moment. But I am going to support this amendment and I applaud Deputy Meerveld and Deputy Burford for laying it.

The reason I cannot support the Propositions in the policy letter is because they stand to undermine the democratic process and side-line the very individuals that the public have elected to be involved in decision-making, and also actively involved in scrutiny and oversight, especially, of course, when it comes to large projects with big price tags.

The ability for Deputies to hold to account and to challenge and apply checks and balances at the same time as working in the public interest needs to be upheld, because they are all cornerstones of our very democracy. It is us, the politicians, who are elected by the people of Guernsey, and it is us who need to take responsibility and make decisions. This Chamber is where the ultimate decision should be made. I do not think it is going to be an onerous task, I do not see why spanners will be thrown into the works, I do not see why projects would be delayed or even rejected as long as they have solid business cases attached to them.

I think the whole of this Assembly needs to have the final say when it comes to the sort of projects and initiatives that are envisaged here, and I say that because when things go wrong, and something does not go to plan, the public look to their Deputies for explanations. That is known as accountability. We will not be able to say, 'Oh no, it's got nothing to do with me, I had no say in the matter, it was the development agency that made that decision.' If the agency get the authority that

2660 is being proposed in the policy letter, then members of the public could quite rightly say to Members in the Assembly who voted in favour of that delegation, 'You *are* ultimately responsible. You voted to give delegated authority to the agency, which is why I am asking *you* for an explanation and an assurance that you will pursue accountability and find out exactly what went wrong. So what are you going to do to appease my wrath? I voted for *you* to govern.'

2665 To focus for a moment on the sort of things that might happen to incur the wrath of the public, I know that Deputy Meerveld has cited the possibility of Belle Grève Bay being filled in, but I am thinking of instances that might occur where members of the public may be denied access to areas where they have always had access up to that point, because the areas would be acquired by the group, who decide, for whatever reason, the public will no longer be allowed to access the area.

2670 Having the political oversight group in place as set out in paragraph 5.9.2.7 does not cut it for me. It does not cut it because only three Deputies will make up that group, when what is really required is for all of us to be involved and take responsibility, and have our say in what happens on the eastern seafront, which I am sure I do not need to remind colleagues, madam, is the jewel in the crown of St Peter Port.

2675 So members of the public who have paid to create and maintain and access the areas I am referring to will no longer be allowed to access them. Areas of land and amenities could be lost to members of the public forever, when it is their money that has been used to create and maintain them. I really do not think that is acceptable, when the whole Assembly have been elected to represent the people, not just three Deputies. We are all custodians of the public purse and we should take responsibility for taking decisions as to how and where taxpayers' money will be spent. We have not been elected to delegate total responsibility to a non-elected body. Yes, let the development agency do the work that needs to be done to identify all the opportunities and possibilities, but the ultimate decision really does need to be made by the whole of this Assembly.

2680 I was somewhat perplexed when the Confederation of Guernsey Industry said recently that the agency will be able to deliver social, environment and aesthetic objectives much quicker than the States can, with private sector involvement and innovation, thereby minimising the cost to the taxpayer. I am perplexed by that, because they will encounter the same obstacles, surely, that the States encounter. So I am wondering how they think the agency will be able to deliver objectives quicker than the States.

2690 I am all in favour of the agency doing the work, being in place to do the work, but I want us to work as a partnership with them. They do the work, they lay the ideas in front of us, and we decide whether we pursue them or not.

I am sure it will come as no surprise, madam, to anyone, I ask for a recorded vote, please, when we go to the vote.

2695 Thank you.

The Deputy Bailiff: Thank you, Deputy Queripel.
Deputy Trott.

2700 **Deputy Trott:** Thank you, madam.

I want to make three points. The first is this assertion that little or nothing has happened along the east coast over the last 20 years or so. I have been fortunate enough to be sat in this Assembly during that time, and literally on the back of a fag packet I have scribbled down the numerous major projects that have been undertaken. The customs shed. The new jetty has been refurbished. The Royal Hotel site of course has been turned into a mixture of office and residential. The Savoy site has been converted to modern offices; the Salerie Corner site into housing. The Admiral Park site is unrecognisable. It used to be a garage and a gas works, and look at it now. It is a massive site, by Guernsey standards, of office and residential. The Guernsey brewery site has been converted, of course, into residential. The Halfway garage site was a dump, a quarry, and look at it now. It is now a garage. The Longue Hougue reclamation site was started during this time. It now houses a

significant recycling centre, and of course the St Sampson's Marina has been done during the last 20 years as well.

So this idea that nothing has happened of course is a complete nonsense. However, many of those projects are clearly projects that were initiated by the private sector and I think that it is true that things do happen faster where commercial interests are involved – not always, but often.

(A Member: Hear, hear.)

It is likely to get quite cold under foot, madam, because somebody once said to me that Hell would freeze over before I defended Deputy Meerveld, (*Laughter*) but there is a first time for everything. I think Deputy Meerveld and Deputy Burford were right to bring this amendment for a number of reasons, because it is important early on in this debate to hear contributions like we have heard from Deputy Parkinson. Of course, he is absolutely right in terms of the process and cart before horse and this, that and the other. But it is also important that we discuss at this stage the degrees of control and the direction.

The assertion that any sort of mechanism that involved States' oversight beyond what is proposed in this report would be anathema to the commercial world is in itself absolute nonsense, and the reason I say that is very often in a commercial business, a company of this type that is proposed, an LBG, the shareholders will have certain reserve matters. So these will be matters that cannot be decided exclusively by the board of directors but need to be taken to the shareholders. Typically they would cover things such as leases, particularly the duration of the leases, the remuneration packages for the executive, any material acquisitions above a certain threshold, and of course any material governance changes. So whilst it is in my view entirely legitimate to debate this matter in an assertive manner, I think it is unfair to suggest that this would look unrecognisable to the commercial world, because it absolutely would not. In fact, I chair a number of boards where there are material reserve matters and these boards control assets *far* in excess of anything that this seafront enhancement board will ever concern itself with.

So I shall not be supporting this amendment, and there are a variety of reasons which I shall articulate later as to why, but I do entirely recognise the legitimacy of this amendment and the importance that it be debated early in this debate, so that certain thresholds can be established. But it must be done in a fair and appropriate way.

Thank you.

The Deputy Bailiff: Deputy Bury.

Deputy Bury: Thank you, madam.

I will be very brief. I was not inclined to support this amendment for the reasons aired by many in terms of bringing too many things to the States, it taking too long, etc. I do not think that the minutiae argument is valid, but we all know that things can take longer and get derailed when they come into this Chamber. However, Deputy Burford's speech may have persuaded me, so I am thinking on that quickly, but before that happened I wanted to seek some information, or echo the sentiments made by Deputy Roffey. I agree with the motivations behind the amendment, but I am not sure it is the right solution, as many other people have said.

But also, to touch on what Deputy de Sausmarez mentioned, the order in which we are debating these amendments – and it is tricky, because then we start to stray into areas that I may not be able to speak on and I am sure I will be called up on them if that is not okay – as I see the policy letter in its original form, I do not want it going through like that. So this amendment is better than nothing, but because of the order that we are debating in, I find myself in a difficult situation. However, we have just had on record from ...

I will give way to Deputy Meerveld.

Deputy Meerveld: Thank you for giving way.

I just wanted to remind Members that if this amendment succeeds, P&R have stated they will put a motion to withdraw the policy letter. I will not be supporting that motion, I would suggest

Members do not either, and that way the rest of the amendments can be heard and debate will continue.

2765 Thank you.

Deputy Bury: Thank you to Deputy Meerveld.

On record, we have heard from Deputy Ferbrache in the debate that P&R would be supporting amendment 4 and in a presentation to States' Members, Deputy Ferbrache indicated that P&R will be supporting amendments 1 to 6, which is probably indicated by the majority of those being supported by Deputy Helyar. So I think it would be useful in Deputy Ferbrache's response to debate if he could confirm that, but we do not know, as far as I am aware, where P&R stand on amendments 9 and 11. I think that pertains to the point that Deputy Parkinson was making and other people, other Members have made clear too. I think that would be quite important to know and may help me decide which way to vote on this amendment.

2775

Thank you, madam.

The Deputy Bailiff: Deputy Matthews.

2780 **Deputy Matthews:** Thank you, madam.

I understand the desire amongst some to remove politicians from the political process, to speed things up and to get things done, and to get rid of the messy, long-winded democratic process, to take out of the loop interfering politicians. But we are democrats. That is our role here, to make decisions. I think really that any measures that attempt to take us out only end up making the process messier. As Deputy Inder pointed out, there are routes that interfering politicians could still make changes. You could bring a requête if there was something that you did not like. It would make sense to me to support this amendment so that you would actually define a mechanism by which approvals could take place.

I do accept the arguments that I think have been made by a number of previous speakers – Deputy Parkinson, Deputy Roffey and Deputy Oliver – about how the decisions about what should be done in these areas could be made up front in a strategic development brief or a local planning brief. I have to say there is not an enormous amount of faith in those processes amongst the general public. I think that there is a general view that if you look at how processes around development of the IDP, the Island Development Plan, have happened, people feel that the strategy or the facts on the ground have not really matched what they might have expected from the beginning. It looked like we were going to have development on brownfield sites, and it ended up with overdevelopment in the north and not enough development happening in other areas, and it was not really, I do not think, what people might have expected things to be. And that process of translating a wish about what you might want to happen somewhere into a strategy, into a real development, is quite a difficult process to happen. I do not think that it is something that people have an enormous amount of faith in, and would like to have that final say, to say, 'Okay, that's fine, I think that I'm happy that this has turned out roughly along the lines that I would have expected it to.' I do not see that there is an issue with doing that. I think it makes perfect sense to do that.

It disappointments a little bit, and I do appreciate that Deputy Ferbrache is very keen to get things done, but I do think that this idea that if this amendment passes, that we are going to throw our toys out of the pram and P&R will take their ball home and not allow anything else to be played is wrong. If anything, it inspires in me, and I am sure amongst many other people, a little bit of scepticism that something unpopular might be proposed. It might be a case of building luxury flats on the Model Yacht Pond or putting a golf course on Belle Grève Bay, and that, if anything, that means that we would want to support the amendment to make sure that those sorts of things have some level of control about what can happen.

2805 So for that reason, I will be supporting the amendment.

2810 Thank you.

2815 **The Deputy Bailiff:** Thank you.
Deputy de Lisle.

2820 **Deputy de Lisle:** Yes, I think the public are concerned with regard to the sweeping area that we are talking about of the east coast, right from St Sampson's harbour there, through to the area of St Peter Port where the bus station is and further over. That is a huge area and the concern is what exactly are they going to come up with with regard to that, and what sort of responsibility are our politicians going to take if it is to be handed over to a development agency? I think that is the fundamental concern.

2825 The people have voted in a Government and they expect that Government to take responsibility (**A Member:** Hear, hear.) and not to be delegating everything to others. We have seen a lot of this in the past. We have seen statutory bodies of civil servants taking some of the responsibility of politicians, we have seen the third sector taking responsibility, now development agencies, with limited control from elected politicians, with a high degree of independence from the States, to be overseen by, well, a few Deputies. Again, not the States as a whole, as a body. So this leaves the public in disarray and with mixed feelings about what is going on with their elected representatives and why they cannot actually take responsibility. That makes me nervous, too, because I am not convinced of what can be achieved to drive investment along the Island's east coast, managing land assets on behalf of the States in the seafront enhancement area, establishing commercial partnerships with developers. It is all, to me, the cart before the horse. You have got to know first
2830 what it is that you want to do and then you give it to developers to carry on.
2835

I was just thinking of the harbour building, for example. Many people feel that it has passed its life, it needs refurbishment, renewal. That is a project in itself; it would cost a lot of money to do that. But if that was brought to the States and the States had some planning first with regard to the requirements there, then we could, as a body, decide on going ahead and getting the private sector involved in that development.
2840

In terms of the amendment, I agree that each development that the development agency proposes to deliver must be approved by the States and therefore I fully support the amendment that is before us. Otherwise, we are going to see a backlash from the public, as we did with Belle Grève Bay, in terms of other developments that might come in front of us from a development corporation without first undertaking the responsibility that should be that of the Government, as responsible to the public of Guernsey.
2845

Thank you, madam.

The Deputy Bailiff: Nobody else appears to wish to speak on the amendment, so I will ask Deputy Ferbrache, as President, to reply.
2850

Deputy Ferbrache: Thank you, and I am extremely grateful to all the contributions that have been made by everybody, whether they support or are against the amendment, they have been very well put and I am very grateful.

2855 I think I should start by saying something that I did not realise I would need to say. It is in relation to the very clear point you gave this morning. The Boathouse has been mentioned on a couple of occasions, entirely appropriately, but of course it is known that I have an interest in a 10th of the Boathouse. I declare that. That is not influencing anything I am saying, but it is a fact and I should record that.

2860 I am also going to start somewhere where I did not intend to start. Deputy Trott said, 'Look at all these things that have happened over the last 20 years', but he qualified that by saying most of them have been by commercial people, commercial developments, and what they have had to look at is the IDP or the relevant plan, that is all they have had to concern themselves with. They have not had to concern themselves with a States' body. Admittedly the States' body made the IDP etc.
2865 initially, but that is all they have to concern ... He talked about, as he has done before, his chairmanship of various companies. But we are talking about *here*, a big, important part of our

Island: the east coast. The whole of the east coast. We are a triangular shaped Island, basically, so it is a third at least of the Island's land mass, perhaps more. It is a *big* area, and nothing has happened of any real consequence. Deputy Inder listed a whole litany of things that have not happened in the last x, whether it is 15 years, 20 years, 40 years, it is a long time.

I know from my presidency of the STSB, I am sure Deputy Roffey knows and his Vice-President, Deputy Parkinson, knows that the harbour could do with a very big cheque now, just to get things done, just to do basic maintenance that has not been done, and the STSB has been well run, over all of its life and all of its Presidents, but we cannot make money. There is not a money tree out of there. It can only operate in certain circumstances. Somebody, one Deputy said, 'Well, just put the charges up.' How unrealistic is that? Charges do go up when they can go up, but I know during my term we could not put them up for a time because it just was not commercially viable. It did not make any sense, it could not happen.

This really is an awful amendment, and I know quite a few people are going to vote for it. If they do and if it is passed, as I said, that is democracy, but it really is. And we have really only concentrated on one part of it to any major degree, all of us, whoever spoke, whether for or against the amendment, and that is the first part of it. So I am going to read that. This is what would happen and, as Deputy Parkinson ... It is the wrong end of the spectrum anyway, it is the end, when everything else has been done. So everything else has been done, all the planning procedures would have been through, which were very eloquently and articulately set out by Deputy Oliver, and we come at the very end, all the work had been done, and we would have to agree:

that each development that the development agency proposes to deliver must be approved by the States and to direct the Policy & Resources Committee to prepare and submit to the States a Policy Letter with suitable Propositions in relation to *each* such proposed development, in order that the States may signify their approval or otherwise.

It is like writing an essay and at the very end saying, 'Well, we don't want to read this essay, even though you put all this work into it, it's completely unnecessary, we're not going to look at it, it's a pointless waste of time.'

Deputy Meerveld put, as I would expect him to put, a very bad case very well. He is an intelligent person, he is articulate, and he put it very well. Deputy Meerveld is a man of many hats – we have seen him wear many. I may be in a minority, I know not in relation to this Assembly, but generally the hat that he wears best is common sense. But here we get mental images in our mind, don't we, when we speak? The mental image I have got is going back to the days of despondency, as I call them, the late 1970s in the UK, there was a union leader called Jack Jones. He was a very famous union leader and he had this type of hat. He had the hat on. Deputy Meerveld I think when he has been presenting this amendment, figuratively, has been wearing that kind of hat. It is the hat of hopelessness, it is the hat of doing nothing, it is the hat of lacking any kind of ...

I just remember, I was with Deputy Roffey and Deputy de Sausmarez on a panel last week, last Friday, when we were presenting – well, we were not, the civil servants were, but we were there – to States' Members what HAG had done so far. I remember Deputy Meerveld coming on screen, it is always a pleasure to see his image and the shed in the background, but I remember him coming on screen and saying, in relation to housing and development, keep the States out of it! (**A Member:** Hear, hear.) You do not want the States involved! They should not be involved; leave it to the builders, leave it to the developers! They know what they are doing! (*Interjection*) And I know he is a great advocate of getting rid of policy GP11, state control – he is a great advocate of that. So step out of the States, leave it alone in these circumstances, but yet look at every single development and vote on every development at the very end of the process.

I did not do logic at O-Level, I do not know if there is a logic O-Level – in fact, there are not O-Levels now – but if I did I would be unable to explain that logic to the examiner, because there is not any logic in that regard.

While it is in my mind, Deputy Bury said could I confirm, because I did actually say in opening, P&R will support amendments 1 to 6. I confirm that. Obviously it is still up to the States whether they vote for them or not, and I cannot guarantee that, but we will.

2915 As regards amendments 9 and 11, I am not hedging. We have not debated that in detail. I will say what I think, but that is only me. I am not committing the other four Members of P&R, they will make their own decisions in relation to that. I cannot vote for number 9, because – I do not want to go into too much detail, because of course I will be quite properly restricted because it has not been laid yet – it is a ... Sorry? *(Interjection by Deputy Roffey and laughter)* Well, I have never heard
2920 Deputy Roffey change his mind, so why should he expect me? On occasions I have, but I doubt that I will in this particular instance, because it is too directive.

As regards amendment 11, I will wait until the argument has been more fully put by Deputy Roffey, if that amendment is laid in due course. So that is the best answer I can give Deputy Bury in that regard.

2925 Can I remind Members, respectfully, what I said in opening about the views of the people who are significant members of our business community, the IoD and the Chamber of Commerce? I quoted from something they published just yesterday about the protections are sufficiently robust, the procedures are sufficiently robust, there is sufficient scrutiny. Of course, it is their view, but they are people who are in the commercial world.

2930 I think Deputy Gollop was, with respect, on this occasion, naïve when he said, 'Well, you'll get good people, they'll come along' – they will not. Unless people feel they can make a real contribution without ... They expect scrutiny, but they do not expect every decision to be chewed over by 38 or 39 people at the very end.

I am disappointed with Deputy Queripel, because I am as democratic as he is, every bone in my
2935 body is democratic, just as I am sure he is. He has got no more right to say that he is more democratic than me because he takes a different view. The view I take in relation to this is that sometimes we have got to trust a group. You have got to trust a group, I will call it a subcommittee – it is not, but I just use that phrase for the purpose of this discussion, this debate – you entrust people to have political oversight. The policy letter says this in relation to that particular topic, the priorities
2940 that the development agency will deliver, at paragraph 1.4:

The establishment of a development agency will enable the delivery of –

– we have talked about something else up to then –

– other priorities including:

- Setting out a clear plan for Guernsey's future harbour requirements, in consultation with Guernsey Ports, the Harbourmaster, the States' Trading Supervisory Board, the Development & Planning Authority and the Principal Committees of the States

Then it goes on about:

- Supporting the development of economic and environmental opportunities in the blue economy and the green economy –

– enhancing etc.

- Supporting the development of a Bridge Strategy

Nine bullet points. That is what it will be looking at, amongst other things.

2945 Also, again, it talks about, at paragraph 1.7, that may be amended – as I said, P&R are going to accept the amendment if it is laid by Deputies St Pier and Helyar about political oversight – about what the political oversight body will comprise. Again, looking through the policy letter, it talks about scrutiny, it talks about what will happen, it talks about needing a fast-paced direction. It says, at paragraph 5.8:

The need to have direct oversight of an agency from a minister in the context of Guernsey and its machinery of government, in the absence of ministerial government, will provide particular challenges. The provision of oversight through a decision-making process by Committee or the Assembly may frustrate the need for the clear fast-paced direction needed for the development agency to operate effectively with the confidence of commercial investors. That

is why the recommendation includes a political oversight group to ensure clear dialogue between the development agency and the wider States.

2950 So every States' Member will be able to speak to whoever comprises the political oversight group with their views and speak to him and her and say, 'We think this, we think that, we think the other.' I do not think it is a nuclear option, I do not think it would ever need to be used, but it could be, there is a requête facility which Deputy Inder referred to in answer to a question previously posed by Deputy Matthews.

2955 So the tools are already in the box, and again, going through the policy letter, because the policy letter is what has been proposed, and at paragraph 5.9.2.7 – admittedly this could be amended – it says, second sentence:

... it is proposed that an oversight group of three political members is established to ensure good governance in line with the principles set out in paragraphs 4.5 and 4.6.

If you look back to paragraphs 4.5 and 4.6 of the policy letter, paragraph 4.5 talks about the subcommittee that was set up, and it said, I will start with reading paragraph 4.5:

It is the view of the sub-Committee that the principles under which the agency should operate will be just as important as the high-level backdrop of the Government Work Plan. The sub-Committee resolved that the development agency, once established, should be able to deliver the following:

- [Again] Guernsey's future harbour requirements, in consultation and *collaboration* with the States' Trading Supervisory Board and other Principal Committees ...

2960 And then:

- Set out the issues and opportunities for identified areas of the Eastern Seaboard and give practical guidance to developers, investors and others as to how the area [of land] can be developed beneficially in accordance with established land use[s] ...

And another one, two, three, four, five, six, seven, eight, nine, 10, 11 bullet points of things it will do and can do. Then it goes on at 4.6:

Subject to approval by the States ... the development agency –

– I read those words too quickly, I should emphasise them –

Subject to approval by the States ... the development agency will be tasked with the production of a long-term development plan ...

2965 So it is more than a delivery vehicle, it is also a thinking vehicle. It is a thinking, breathing, living organism, and that will set out:

the options for the provision *and* delivery of infrastructure along ... [the] east coast, which will incorporate the work undertaken on Guernsey's future harbour requirements [etc.]

I could carry on. Every word in this policy letter is germane and is contrary to the amendment put forward by Deputies Meerveld and Burford. It sets out in sufficient detail – the two words are separate – where we are in relation to that.

2970 We can talk and we can talk, but what we cannot do is persuade sensible, intelligent people, if we decide to accept this amendment, and if we decide then, if the motion to withdraw is not successful, we can go on and we can debate this for another day or so and pass whatever amendments or reject whatever amendments we want, but the reality of the situation is that we will get nowhere. Nothing will happen. We will have another 15, 20, 30 years, whatever it may be, of neglect and no action.

2975 What I would like to see developed, I do not want to see ... The way you do it, you do it in chunks, but it is not piecemeal. What I could see, if the States were left with the task of developing the eastern seaboard, if it ever did anything, and I have my reservations that it would, it would be

piecemeal – a bit here, a bit there, there would not be any overall plan. Because in the time that Deputy Brouard has been in this States, the last 17 years, there has not been a developed plan. He said, 'If I had three civil servants and a million pounds, I could do these things', in answer to the challenge that I put to him. The question he did have to answer is that nothing had happened over the last 17 years, in his thing, so if he had three civil servants and a million pounds, there are 37 others of you, as Deputies, they would have to have, what, three 37s, that is 111 civil servants and £37 million? Everybody would have to have the same rights to make the same representations. I am being slightly facetious in relation to that, but I think Deputy Brouard understands the point I am trying to make.

The point is that we have got to govern democratically, efficiently, fairly and representatively, but we have also got to get things done. We have got to adapt our Government and our principles and the way we do things to the 21st century. So with considerable respect to Deputy Meerveld, who I do have great respect for, this time, as I said, take off his Jack Jones hat and put on his common-sense hat.

The Deputy Bailiff: Deputy Meerveld.

Deputy Meerveld: Thank you, madam.

I had a bit of *déjà vu* with that speech. We had an opening speech on the proposal, which seems to spend most of its time trying to debate amendments that had not yet been laid, but very little time actually explaining the true merit of the policy letter, and now we have had the first half of Deputy Ferbrache's speech, and probably the last quarter as well, applying a strategy they use in PR: if you cannot argue against the message, discredit the messenger.

Again, there was very little explanation of exactly why this independent body will be so much better, and addressing the issues of the scrutiny and the involvement of the public in this process, and the involvement of this Assembly, and very much more a case of smoke and mirrors, to some extent, I am afraid. That strategy of discrediting the messenger is not a particularly attractive strategy at any time, but particularly unbecoming for a Chief Minister. *(Interjection and laughter)*

As far as other statements he made, 'We have got to trust a group' dot, dot, dot, dot, dot. Yes, we do not know who the group is, the policy letter defines very little ways that really ... P&R is now accepting amendments from other people to impose greater controls and scrutiny and oversight, but they were never in the original policy letter. It was never thought through properly in the first place. One of the reasons Deputy Burford and my amendment is, as Deputy Roffey put it, a blunt tool, is because it is a pretty blunt policy letter. It lacks the detail and the structure and the forethought and the planning that is required for something as big as this.

We have got to trust a group. Deputy Queripel referred to the east coast as the crown jewels. Yes, and we have got to trust a group with it. So this Assembly has to decide whether it is ready, on the basis of this very thin policy letter, to hand over, delegate its responsibilities on behalf of the public, and then later on down the line justify that when people get potentially upset about it. I think Deputy de Lisle said we can expect a backlash from the public, and that is what I think we will have. If this amendment is not approved today and this is not headed off at the pass, then I think you are going to end up in that position in the not-too-far-distant future.

Other things have been held over our heads. 'Oh, the harbour's falling down, it hasn't been maintained properly!' Well, sorry, I did not see anything in the paper about setting up a maintenance agency. That is maintenance we should have done and should be doing right now. **(A Member: Hear, hear.)** 'Ah, well where's the money coming from?' – well, I do not know. We seem to put £20-odd million into Aurigny to preserve our air links, why are we not putting some money into the harbour, if necessary as a loss leader, to preserve our basic infrastructure? **(A Member: Pour.)** But certainly that is not part of the development agency. Do not tell me you are going to have to get an independent group to do maintenance on the harbour. So I am afraid there was a bit of smoke and mirrors going around. **(A Member: Hear, hear.)**

Ironically, I think touching on the feedback process, Deputy Haskins was right on point. In fact the public have very little confidence in the processes of the Island Development Plan and the processes we go through. Anybody who has been through the appeals and open hearings knows that effectively the IDP has taken the planning process into very much a tick-box exercise with very little flexibility, or some flexibility for interpretation, but not a lot. And consequently –

Deputy Haskins: Point of correction.

The Deputy Bailiff: Yes, Deputy Haskins.

Deputy Haskins: I do not believe I have spoken in debate.

The Deputy Bailiff: No, you have not, Deputy Haskins.

Deputy Meerveld: Right, sorry. No, you are right, my apologies. Okay. But anyway, it was expressed there was very little confidence in the IDP process. It is true. When the Jerbourg restaurant was turned into a house, there was some consternation that there was not an open planning hearing for it. The President of the DPA made a public statement saying they were not going to hold a ... I give way to Deputy Oliver.

Deputy Oliver: I am just really disappointed that actually you are trying to deflect on this –

The Deputy Bailiff: Sorry, Deputy Oliver, I am going to remind you again, you do have to address your comments through me, not directly to the Deputy.

Deputy Oliver: Through madam Deputy Bailiff, but you are trying to deflect this – *(Laughter)*

The Deputy Bailiff: I am really not trying to do anything, Deputy Oliver, other than to encourage you to speak to Rule 17(1).

Deputy Oliver: Through you, **(The Deputy Bailiff: Thank you.)** but just ... You keep saying about – *(Laughter)* Whatever, no, just let me get this out.

The Deputy Bailiff: No, Deputy Oliver. Where you use the word 'you', put in the words 'Deputy Meerveld' **(Deputy Oliver: Right.)** and then you will get around it.

Deputy Oliver: Deputy Meerveld *is* trying to deflect from this **(A Member: Hear, hear.)** by putting it to the Auberge saying that just because there was not an open planning meeting, when I do not think you know the *full* facts – *(Interjections)* Deputy Meerveld does not know the full facts to the reason why there was not an open planning meeting, that it just shows that actually he, Deputy Meerveld, is just trying to get traction because this is a poor amendment.

Two Members: Hear, hear.

Deputy Ferbrache: Madam, also, could I make a point of order?

The Deputy Bailiff: Yes, you may.

Deputy Ferbrache: My point of order: I appreciate it is a wide amendment and you have made that very clear, and you have given Deputy Meerveld at various times great licence, but the planning process and the DPA and individual decisions which have nothing to do with the east coast must be outside of any response to this amendment.

A Member: Hear, hear.

The Deputy Bailiff: To be fair, Deputy Ferbrache, I gave you a very wide ... (*Laughter*)

3085 **Deputy Ferbrache:** Yes, you did.

Three Members: Hear, hear. (*Interjections*)

3090 **The Deputy Bailiff:** But anyway, Deputy Meerveld, please be aware of the limit of what we should be talking about now in your reply.

3095 **Deputy Meerveld:** Yes, okay. I will not bother using any specific examples, but just to say that the DPA and the Island Development Plan, the DPA to some extent is a quasi-judicial Committee. In other words, it has a Law that it enforces and follows, and a lot of the planning process is process driven. In other words, if plans meet all the requirements of the Law, it does not matter what objections people put in, to some extent, the permissions will go ahead. So to say that the public will have involvement in that planning process does not warm the cockles of my heart and think that the public will have the ability to change the plans based on their wishes, as opposed to planning criteria laid down. And it is Deputy Matthews, not Haskins, sorry, who made that statement about the confidence in the process, and he also made a very pointed comment about P&R throwing their toys out of the pram with this and being rather churlish. I think to withdraw the proposal simply because they do not like the amendment and the way it is going would be unfortunate, and I certainly would vote against it being withdrawn.

3105 Going back to some of the other issues. Oh, actually, the best speech today, the one I favoured the most – I am sorry, I am not giving way – was somebody who is voting against the amendment: Deputy Parkinson. I think he gave an excellent speech. (**Several Members:** Hear, hear.) Absolutely. He detailed exactly what the responsibilities and what this Assembly should be doing and I think he was absolutely right to point out, in some cases our failings, in being able to reach decisions and give that policy direction that would enable the DPA and others to proceed with their plans.

3110 But I would say, to some extent, and he also mentioned a delivery agency, that he sees the development agency as a delivery agency, and Deputy de Sausmarez also mentioned that, an agency that goes out and actually implements plans in a more commercial and effective and efficient way than the States. In some ways, this amendment, as blunt as it is, will do exactly that. It divides the development agency down the middle. The development agency currently thinks up ideas, puts it to an oversight group and then proceeds with it. I am saying the oversight basic gap there ... The oversight group I think would be very good for providing guidance to that entity on what was likely to be politically acceptable to bring to the Assembly and how they should couch it, but it brings that Assembly in that middle, and it splits between the entrepreneurial ideas for addressing issues in ways that we may not have maybe thought about, or looking at different ways of financing things, and then the actual delivery at the end where you go back to them and say the Assembly has reviewed this, they have made some amendments, but this is what they want and this is based on the public and what they have been saying to the Members, now go ahead and develop it on a commercial basis. That would work, and that is how I think it should work.

3125 So just taking a quick look at the other notes, Deputy Queripel. I always tell him he has some gems in his speeches, they just tend to be a bit too long – he needs to find ways of distilling them down. But I tried to write this down verbatim, because I thought it was an incredibly powerful statement. Basically it is saying, if we vote through the plans as they are proposed and do not vote for this amendment, we are undermining the democratic process and sidelining the very people they elected to make – the people – big decisions and provide scrutiny. He is absolutely right. If we vote through to give these powers to this thing, we are handing it over to a trusted group, who are not exactly very well defined, and we are trusting that group on a very broad brief. We are not even defining what assets and land they will be given, and we are going to trust them to do what the

3130

public want. No. And we are not going to give them a proper process, in my opinion, the public a proper process, for objecting and intervening in the development of those plans and the implementation.

Whilst the amendment is a blunt instrument, as this policy letter stands – which I think actually is not a particularly good policy letter and has not been thought through properly, and that is why it has attracted so many amendments that P&R are actually supporting – it is necessary to intervene. If this amendment does fail, then I will support all the other amendments, because they incrementally add extra layers – well, the majority of them, not all of them, but certainly the earlier ones – but I will end up voting against the whole proposal at the end because I will not be able to accept this idea that we, as an Assembly, are delegating things away. That is not because I want to debate the colour of doors or where bus stops go in this Assembly, and I think again that was a kind of scaremongering. I certainly hope we are not setting up a development agency to decide where a bus stop goes. I expect them to come back with big plans for large areas and comprehensive developments, not putting up a beach kiosk. Again, why would we be forming and spending a million pounds on an agency to develop beach kiosks? When these things –

Deputy Inder: Point of order, madam.

The Deputy Bailiff: What is your point of order, Deputy –?

Deputy Inder: The point of order is Deputy Meerveld is entirely drifting on to debate. He has spoken about the other amendments and now is drifting out on to an opinion effectively summing up.

The Deputy Bailiff: Deputy Inder, as I said to Deputy Ferbrache, given that Deputy Ferbrache in his response actually commented on the amendments, (**Deputy Inder:** Well could –) I think it would be – this is my ruling, Deputy Inder – I think it therefore would be unfair, in relation to Deputy Meerveld, not to cut him the same slack.

A Member: Hear, hear.

Deputy Meerveld: Anyway, I think we have discussed this enough. I will leave this, obviously, as always, to the decision of the Assembly.

Believe me, bringing back plans to this Assembly to discuss on an individual basis is the best I can do with what is proposed. It is not my ideal situation either. But I hope Deputies will support it, because if they do not, I cannot support the overall project, which I ... there are elements of it I do like and I would like to see us proceed on some fronts.

Thank you.

The Deputy Bailiff: Thank you, Deputy Meerveld.
States' Greffier, there has been a request for a recorded vote, please.

There was a recorded vote.

Not carried – Pour 10, Contre 24, Ne vote pas 2, Absent 3

POUR

Deputy Taylor
Deputy Brouard
Deputy Burford
Deputy Bury
Deputy de Lisle
Deputy Gollop
Deputy Matthews

CONTRE

Deputy Soulsby
Deputy Trott
Deputy Vermeulen
Deputy Aldwell
Deputy Blin
Deputy Cameron
Deputy de Sausmarez

NE VOTE PAS

Alderney Rep. Roberts
Alderney Rep. Snowdon

ABSENT

Deputy Dudley-Owen
Deputy Kazantseva-Miller
Deputy St Pier

Deputy McKenna
Deputy Meerveld
Deputy Queripel

Deputy Dyke
Deputy Fairclough
Deputy Falla
Deputy Ferbrache
Deputy Gabriel
Deputy Haskins
Deputy Helyar
Deputy Inder
Deputy Le Tocq
Deputy Leadbeater
Deputy Mahoney
Deputy Moakes
Deputy Murray
Deputy Oliver
Deputy Parkinson
Deputy Prow
Deputy Roffey

3175 **The Deputy Bailiff:** In relation to amendment 8, there voted Pour 10, Contre 24, there were 2 abstentions and 3 absentees. I therefore declare the amendment not carried.

We will now deal with amendment 8. *(Interjections)* Oh, sorry, amendment 3. Sorry! *(Laughter)* I am very sorry, it is amendment 3.

Deputy St Pier, do you wish the States' Greffier to read the amendment or are you content to carry on without it.

3180

Deputy St Pier: I do not think that is necessary, madam.

The Deputy Bailiff: Very good.

[Amendment 3](#)

To delete Proposition 1 and insert the following:

"1. To direct the Policy & Resources Committee, in consultation with the States' Trading Supervisory Board, to set-out the options for Guernsey's future operational harbour and commercial port infrastructure requirements for approval by the States.

1A. To direct the Policy & Resources Committee to establish a Development Agency as a company limited by guarantee, wholly owned by the States, that will be tasked with:

a) the preparation of a strategic direction for approval by the States setting out the options for the provision of infrastructure along Guernsey's east coast consistent with the objectives and priorities set out in paragraphs 9.3 to 9.5;

b) the preparation of a Long-Term Development Plan for the provision of future operational harbour and commercial port requirements and infrastructure along Guernsey's east coast consistent with the relevant extant strategies and policies of the States, and with the detailed requirements set out in the Local Planning Briefs. The Long-Term Development Plan shall require a Certificate of Consistency from the political oversight group to provide assurance that the proposals are consistent with the decisions of the States and its strategies and policies; and

c) delivery of the Long-Term Development Plan."

3185 **Deputy St Pier:** Madam, I think it might be helpful just to give a little bit of context and background to why I am leading these four amendments. Deputy Ferbrache, in his opening speech, in opening the debate, did make reference to this, which was a debate in the dying days of the last States, in the last Meeting of the last States in August 2020.

3190 Deputy Trott and I laid an amendment to a policy letter that was entitled the 'Seafront Enhancement Area Programme Update', which was the buzzword and title of that time, and that provided a couple of directions, to direct P&R to develop proposals for the political governance structure under which the programme and projects identified would be brought to the States – I am paraphrasing – and, importantly:

To agree, in principle, the formation of the Guernsey Development and Regeneration Corporation, which will drive the operational delivery of the [Seafrost Enhancement Area] programme long-term development strategy, subject to the Policy & Resources Committee providing further detail on the mandate, membership, accountability, funding and involvement in the development of the long-term development strategy, for consideration of the States of Deliberation at the earliest opportunity and not later than March 2021.

Madam, a motion was moved that that amendment be not debated and that motion won, if I recall correctly, 17 votes to 14. It is interesting, actually, that the past Presidents and President of the States' Trading Supervisory Board all voted to in fact have that amendment debated, but they were in the minority. Consequently, the concept of a development corporation was not debated in the last States, as Deputy Ferbrache said.

So he quite rightly identified that I was supportive of it then, I am indeed supportive of it now, but my support of it then and my support of it now was conditional on, in essence, the detail that was set out in that amendment, which is where I feel, or where I felt, that the policy letter did fall short, and therefore did warrant the amendments. In particular, starting with section 8 of the policy letter, it talks about the strategic direction for the development agency, paragraph 8.1 on page 21:

It is important for the effectiveness of the development agency that it works within defined parameters established through a high-level strategic direction by the States (as advocated by the PwC report). The proposed strategic direction is set out in section 9 of this policy letter and Proposition 2 of this policy letter is asking the States Assembly to approve it.

So I then turned to Proposition 2, and Proposition 2 actually does not ask anyone to approve the strategic direction, it asks us to establish the political oversight group. So there is an incoherence in the policy letter.

I then turn to section 9 of the policy letter, which is headed, 'The strategic direction', starting on page 24, and we have got quite a nice series of bullet points under 9.3, which sets out what the strategic direction will help achieve. It will help provide the parameters to the operation of the agency, it will set the broad and long-term agenda, it will provide guidance and direction for the local planning briefs, enable the States to set an overarching long-term direction, it will enable the development agency to achieve continuity of approach and so on.

Then at 9.4 there are a set of priorities, States' priorities, and Deputy Ferbrache referred to some of these when he opened the debate: reference to the blue and green economies; enhancing the visitor economy; the development of a Bridge strategy; support the Strategy for Nature; support decarbonisation; and so on. But I do not think, with any stretch, one can really truly define that as being a strategy. It is a set of objectives and priorities, but it is not a strategy. And that is really what set my alarm bells ringing as being a missing piece of the jigsaw which the previous amendment, that was not debated, had sought to fill by giving direction that that needed to be established. That indeed is what this first amendment, amendment 3, seeks to do.

I should say I am very grateful to Deputy Helyar for his engagement with me on this over a couple of weeks and indeed, through him, with the Policy & Resources Committee and the unanimous – as I understand it – support of the Policy & Resources Committee for these amendments, because I think it was a very open and frank engagement where I was able to articulate my concerns, which were clearly understood, and a reflection that there were some gaps that these amendments did help fill.

I think it is just worth briefly explaining, as is set out in the explanatory note, that whilst section 9 of the policy letter seeks to establish the purpose of the strategic direction core objectives for the long-term provision of the east coast infrastructure and high-level criteria for the prioritisation of development proposals, however, it is considered that the scale and scope of the project ... there is not enough detail in the policy letter to successfully guide the preparation of a long-term development plan. As Deputy Ferbrache referred to that in closing on the previous debate, that that would be a responsibility of the development agency to prepare that, and the absence of that, I suggest, does risk incurring significant delay and cost.

So it is important that, as ever, the States seeks to make decisions in the right order, which is frequently one of our challenges. That is why the revised Proposition 1 is a direction to P&R in

consultation with STSB to set out the options for Guernsey's future operational harbour and commercial port infrastructure requirements for approval by the States. In other words, the first decision has to be what are we doing with the harbours? We have already had one debate last summer, we have to make some decision there as a key input into this whole process. I think that is consistent with the subsequent amendments that will be debated later, namely amendment 1 from the Development & Planning Authority, and I do not think it is actually inconsistent with amendments 9 and 11, which in essence seek to make that decision which short cuts that process and just says we do not really want P&R to do it, we want to make it today and get on with it. But either way, whether we support amendments 9 or 11 or just go with amendment 1, we are seeking to highlight that that is a key input that needs to be made.

Then the new Proposition 1A is really seeking to highlight or clarify the roles of the development agency and the States, so hence directing P&R to establish the Agency as an LBG owned by the States and tasking it with the preparation of a strategic direction for approval by the States. So again, that is putting in the governance and control that Members have spoken about in the previous debate, of losing control over the strategic direction of this, some of the key decisions.

Then the next point is the preparation of the plan, which Deputy Ferbrache referred to, that then is fed into the local planning briefs under the responsibility of the Development & Planning Authority, and then there is the concept of a certificate of consistency which needs to be signed off by the political oversight group, and that is a concept which has emerged out of the Island Development Plan, so again it should be one that the States are relatively familiar with.

Then finally, the development agency is responsible, importantly, for the delivery of the long-term plan. So it seeks to break down the responsibilities of the agency in that way.

I know that Deputy Inder intends to move a motion to guillotine debate and move straight to a vote on the basis that in essence it then becomes a substantive Proposition that can then be debated as a part of the main debate, rather than having a long debate around the amendment. It is clearly a matter for the States whether they wish to go with that. I absolutely understand the logic of that, and with the support of P&R that may be a sensible approach. But hopefully that is enough of an explanation as the background to this first amendment this afternoon, madam.

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

Deputy Helyar: I do, madam.

The Deputy Bailiff: Thank you.
Deputy Roffey.

Deputy Roffey: Thank you.

Earlier on this afternoon, my colleague on STSB, Deputy Charles Parkinson, said that he was going to be repeating himself several times throughout the debates on these various amendments. Not only will I be repeating myself several times, but very largely I will be repeating what Deputy Parkinson has said as well. So it might start to wear a bit thin, but I think it needs to be said.

To an extent, I very much welcome this amendment, for a number of reasons. First of all, Proposition 1, as it would be in the amendment, does put front and centre of the discussion what we do with our commercial ports, and I believe that that should be front and centre of our considerations. I can think of no bigger strategic consideration in an infrastructural setting than this, because just about everything that we consume, from food to other consumables, actually comes in through our port. So it is absolutely key to our infrastructure.

I felt almost, when I read the policy letter at the beginning, that having been quite obsessional about it over the last year or two and bringing that policy letter last year, it had almost slipped down below the surface. I know it was mentioned in the policy letter, I accept that, but this brings it back front and centre.

However, what it does is basically set up a fresh consideration of the whole options before us. One of the bodies that are being asked to contribute to that is the STSB and of course, if the States instruct us to do that, we will happily do that, with our very limited resources in the Ports team. I cannot really conceive, though, having just recently looked at it for 18 months at a cost of £¾ million, using the best minds in Guernsey, the most expertise in this sort of area, having bought in the technical expertise for the more technical areas from outside the Island, that we are likely, really, to come up with a totally different suite of options to the ones that we laid before the States last year.

So if this is the final set of proposals and if it is passed, and if it takes, I don't know, nine months to a year before this comes back to the States and gets voted on, and only then is the starting gun fired for the DPA to start their 18-month process to draw up the local development briefs for the harbour action areas, so many names that is ... then forget really anything being achieved by the development agency in the lifetime of this States. Luckily, it will carry on into the next States, so maybe something will be achieved and maybe I am being too impatient, but I thought the President of Policy & Resources was an impatient man. I think the policy letter unamended will try his patience, I think even this amendment will try his patience to some extent, and I certainly think we need to move more quickly than that.

The other thing is this amends Proposition 1 and brings in a Proposition 1A and by the way, I really like Proposition 1A(a). That is what we were talking about earlier during the Meerveld amendment: we need to set some strategic direction for this body to actually carry out. But it does not change any of the other proposals. So we will still have, for instance, Proposition 4. In that, Policy & Resources are going to be talking about the STSB about what areas of land can be transferred from the States to the development agency. My answer is, as I stand here as President of the STSB, I haven't a clue. I haven't a clue because we do not know what is happening with the future of our commercial ports development. North Beach; Cambridge Berth; White Rock; East Arm. I tell you what, if the Ro Ro's are staying there, and with what is happening with international regulations as far as security around Ro-Ro's, almost nothing down there will be able to be handed over. In fact, probably quite a big bit of North Beach will have to disappear into the security zone in order to accommodate those new regulations. If they are going to be moved, what superb development opportunities are there. North Beach, and hopefully underneath North Beach as well, and maybe move the bus station and free up the South Esplanade, Cambridge Berth, all sorts can be done. But how on earth can I answer that question when the States have not and will not, seemingly, take a decision yet on what will happen, what they decide is going to happen with the future ports?

So I will vote for this as an improvement on what is there at the moment, but just do not believe it is suddenly going to unleash the ability to rapidly actually bring forward these proposals, because it will not. It will mean, I cannot see it is going to be less than nine months or a year that this fresh investigation or a fresh consideration by P&R together with STSB over what the commercial ports provision should be, with STSB saying I think we have already said our opinion on it, then it comes back to the States, then the starting gun goes for the DPA, and at the end of that time, then some real actions can take place.

So yes, I am going to vote for this, definitely an improvement of what is in there, but do not think it is *panacea* for moving things forward quickly, because it ain't.

The Deputy Bailiff: Deputy Inder.

Deputy Inder: Madam, I would like to move guillotine motion, Rule 26(1), please.

The Deputy Bailiff: Yes. Those who wish to take part in debate on this amendment please stand in their place. *(Interjection)* Sorry? *(Interjection)* People who want to speak, yes, need to stand in their place.

Well, it looks like nobody wishes to stand in their place, so we will move the motion.

We will move the motion formally. There is a motion proposed by Deputy Inder that the current debate be guillotined. Those who support, say Pour; those against?

Members voted Pour.

3340 **The Deputy Bailiff:** Well, the Pours won, I declare the motion carried, so therefore I invite Deputy Ferbrache as the President to reply.

Deputy Ferbrache: In fact, madam, I can be very brief. I said, unanimously, P&R support this amendment for the reasons outlined by Deputy St Pier.

3345

The Deputy Bailiff: Deputy St Pier.

Deputy St Pier: Thank you.

3350 Very briefly, to respond to Deputy Roffey, I absolutely understand his concerns. There is not a suggestion that any of these amendments are, or that this amendment is perfection. The phrase I have used is seeking to work with the grain of the policy letter, seeking to work with the grain of the draft Proposition, or the Propositions which are in the policy letter.

3355 So I understand his criticism, or his concerns/criticism, but this is an improvement on what was drafted and on that basis, with the support of the Policy & Resources Committee, I do urge all Members to support it.

The Deputy Bailiff: Thank you.

So a vote in relation to amendment 3. Those who support the amendment; those against?

Members voted Pour.

3360 **The Deputy Bailiff:** The amendment is passed.
Amendment 4.

[Amendment 4](#)

To delete Proposition 2 and insert the following:

"2. To agree to establish the political oversight group (as set out in paragraph 5.9.2.7) which shall:

- Have oversight of the appointment process of a board for the Development Agency (as set out in paragraph 5.9.2.8) and thereafter make recommendations of appointments to the board for approval by the States;*
- Discharge the role as the guarantor on behalf of the States (as set out in paragraph 5.9.2.10);*
- Have responsibility for certifying that the Long-Term Development Plan is consistent with the decisions and strategic directions of the States of Guernsey and its strategies and policies as may be amended from time to time;*
- Undertake a comprehensive review of the strategic direction every five years in accordance with paragraph 9.14, or sooner should the political oversight group consider it necessary to do so, for approval by the States;*
- Deliver the annual report of the Development Agency to the Policy & Resources Committee for submission to the States for debate (as set out in paragraph 6.7);*
- Comprise three States' Members, one nominated by each (but need not be a Member) of the Policy & Resources Committee, the Committee for the Environment & Infrastructure and the Committee for Economic Development.*

2A. To direct the Policy & Resources Committee to develop and set out for approval by the States the Terms of Reference, any delegated authorities and clear financial arrangements for the political oversight group (based on the principles set out in paragraph 7.5)."

Deputy St Pier: Thank you, madam.

Once again, I will not seek to have this read in detail and I shall be brief.

Again, it is really to put a bit more flesh onto what is in Proposition 2 presently, again using this phrase 'working with the grain' of what is there, namely the reference to paragraph 5.9.2.7 of the policy letter. But setting out really in a little more detail some of the key parts, namely that the political oversight group will have the responsibility of overseeing the appointment of the board, as set out in the policy letter, and making recommendations for appointments of the board for approval by the States of Deliberation. So again, that provides an opportunity for a governance check for the States as a whole.

To discharge the role as the guarantor on behalf of the States, again, the policy letter starts referring to a shareholder, which is not correct of course. A limited-by-guarantee company does not have a shareholder and normally our shareholder responsibilities sit with the States' Trading Supervisory Board in most cases. So it is making clear and avoiding any ambiguity that the political oversight group's job is to act as the guarantor, as the owner on behalf of the States. That it will have the responsibility for this so-called certificate of contingency check; that it will undertake a comprehensive review of the strategic direction every five years. The policy letter talks about, in one paragraph – paragraph 9.13 I think – of a review every four years and then in the following paragraph it talks about a review every five years. So it irons out that inconsistency and it says there will be a review every five years. That is, again, intentionally, after dialogue with the Policy & Resources Committee, to straddle the political cycle, so that it is not intended that it is just reviewed by each new political cohort, but actually it is something that reflects the need to straddle the political cycle. Hence a conscious decision to have it every five years, rather than four, but obviously it can be sooner if they see fit.

And again, the policy letter is ambiguous about this so-called annual report, who it goes to, whether the States will ever see it and so on, and so it clarifies that, irons that out and makes it clear that the annual report of the agency will go to P&R and it will be P&R's responsibility to deliver it to the States for debate. And to clarify that the three States' Members are appointed by P&R, Environment & Infrastructure and Economic Development, but that it need not be a member of that Committee. That provides a little bit more flexibility than the contents of the policy letter, which provides that the oversight group will be the Treasury lead and the Presidents of those other Committees. That introduces a level of inflexibility which may not be appropriate, and hence the suggestion, as set out in this amendment.

Once again, the same comment applies as the previous amendment, that what is set out in the bullet points there may not be ideal, Members may have other views, Members may have a view that it should be five Members and those Members should be appointed by the States of Deliberation rather than those Committees. What I have sought to do is, as I said, work with the outline set out in the Policy & Resources Committee's policy letter, rather than impose a completely new model.

Then finally, to direct P&R to develop a set of – once again, for approval by the States – the terms of reference, any delegated authorities, so that we are clear about what this group can do and the financial arrangements, what they can commit to and so on. So it just ensures a process by which there better governance is put in place and again with appropriate checks and balances of the States of Deliberation, but not seeking to gum up the whole process by having the States involved at every level. So it is a compromise, it is a balance; hopefully it is one that will find favour with most Members.

Once again, I do urge Members to support it.

The Deputy Bailiff: Deputy Helyar, do you second this?

Deputy Helyar: I do, madam.

The Deputy Bailiff: Thank you. Deputy Inder.

Deputy Inder: Just invoking Rule 26(1), madam.

3415 **The Deputy Bailiff:** Does anybody wish to speak in relation to the amendment?
Only Deputy Gabriel. So in that case, I will put the motion to the Chamber. Those who support the motion that the debate be guillotined, say Pour; those against?

Members voted Pour.

The Deputy Bailiff: The Pours have won.
Therefore, I turn to you, Deputy Ferbrache, as President of the Committee.

3420

Deputy Ferbrache: Again, I can be brief, madam. We are in favour of the amendment unanimously, for the reasons set out by Deputy St Pier.

The Deputy Bailiff: Deputy St Pier, anything else to add?

3425

Deputy St Pier: Nothing to add, madam.

The Deputy Bailiff: Those who support amendment 4, say Pour; those against?

Members voted Pour.

The Deputy Bailiff: The amendment is carried.
Amendment 5.

3430

[Amendment 5](#)

To delete Proposition 3 and insert the following:

"3. To direct the Policy & Resources Committee to make available a maximum of £1million of funding over the first two years of the establishment of the Development Agency (as set out in section 7) by approving funding from the 2022 Budget Reserve and making specific allowance in recommended Cash Limits for 2023 and 2024."

Deputy St Pier: Whilst I am on a roll, madam. *(Laughter)*

The Deputy Bailiff: Yes, Deputy St Pier!

3435 **Deputy St Pier:** If only my political career were quite so easy, but there we go; let's run with it whilst we can.

This amendment is I think best described as a technical amendment. If you read the current Proposition, it is to direct Policy & Resources to 'invest seed funding'. Whenever Government says it is investing money, my hackles go up, because I say, well, are we really investing or are we just spending? I think in this case it is quite clear that we are spending money; and if we are spending money, we need to be clear about where it is coming from, and that is the Treasury & Resources role coming out in me, having done that for eight years. I cannot quite get comfortable with the idea that we are passing a Resolution and we have no idea where the money is coming from.

3440 So that is really all this amendment does. It has obviously had input from the Treasury officers to make sure we are referring to the right parts of the States' account and budgeting and it does no more than that. That, I imagine, is the reason for the support from the Committee as well.

3445

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

3450 **Deputy Helyar:** I do, madam.

The Deputy Bailiff: I presume you are asking for a Rule 26(1)?

Deputy Inder: I am, madam. I am going to be proposing and invoke Rule 26(1).

3455 **The Deputy Bailiff:** Does anybody wish to speak on this amendment? There is one person standing, so we will take a formal vote on the motion. Those who wish to guillotine the debate on the amendment, say Pour; those against?

Members voted Pour.

The Deputy Bailiff: The Pours win, the debate is guillotined.
I turn to Deputy Ferbrache.

3460

Deputy Ferbrache: Again, madam, for the wise words uttered by Deputy St Pier, Policy & Resources unanimously support this.

The Deputy Bailiff: Anything to add, Deputy St Pier?

3465

Deputy St Pier: No, other than I shall bank Deputy Ferbrache's comment about my wise words.
(Laughter)

3470 **The Deputy Bailiff:** Therefore, the vote is on amendment 5. Those who support the amendment, say Pour; those against?

Members voted Pour.

The Deputy Bailiff: Amendment 5 is carried.
Amendment 6, Deputy St Pier.

3475 **Deputy St Pier:** Again, I think I can be very brief with this one as well, madam.
Again working with the grain of the policy letter, I am sure Members will have views. No doubt the President of the States' Trading & Supervisory Board in particular will have views on this, as to whether there ought to be a better or different mechanism. But nonetheless, working with the Policy & Resources Committee's ideas, to establish a clear land management transfer policy, the difference, I guess, between the original version and this one of course is the provision for States' approval again. I am pleased that the Policy & Resources Committee have recognised that it is appropriate that given the very real quantum of value that is at stake, that that policy is appropriately something that should be subject to debate and approval by this Assembly, and that is what the Proposition provides.

3480 That, in essence, is the key change and I have nothing further to add in introducing this, madam.

3485

The Deputy Bailiff: Deputy Helyar, do you second amendment 6?

Deputy Helyar: I do, madam.

3490 **The Deputy Bailiff:** Deputy Roffey.

Deputy Roffey: Very briefly, just to reiterate what I said a few minutes ago, that while I have no problem with this amendment, I do flag up that under (b) the States' Trading Supervisory body will have great difficulty in this consultation over what land to transfer – the extent of the land that we are reasonably able to transfer – until we know what the long-term plans for the commercial ports development are going to be.

3495

The Deputy Bailiff: Deputy Brouard.

Deputy Brouard: Thank you, madam.

3500 I just have one question of the proposer, which is on their part (4)(a). It says by 'approval by the States'. I am probably being a bit pedantic and a bit being overprotective, what exactly does that mean? Is that the States of Deliberation in this Chamber or the States as the power of the Treasurer or the States as the power of P&R, or the President of the Trading Supervisory Board? I just want to make it absolutely clear it is coming back to this Assembly. If I can just have that clarification, that

3505 would be very helpful.

Thank you.

The Deputy Bailiff: Deputy Inder.

3510 **Deputy Inder:** I am going to move Rule 26(1), please, madam.

The Deputy Bailiff: There is another motion to guillotine the debate on this amendment. Who would wish still to speak in relation to the amendment?

Given there are two Members who do wish to speak, we will put the motion to the Chamber.

3515 Those who support the motion that the debate be guillotined, indicate Pour; those against?

Some Members voted Pour, others voted Contre.

The Deputy Bailiff: We are going to have a recorded vote, please, States' Greffier.

There was a recorded vote.

Carried – Pour 23, Contre 11, Ne vote pas 3, Absent 2

POUR

Deputy Soulsby
Deputy Taylor
Deputy Trott
Deputy Vermeulen
Deputy Aldwell
Deputy Blin
Deputy Cameron
Deputy Dyke
Deputy Falla
Deputy Ferbrache
Deputy Haskins
Deputy Helyar
Deputy Inder
Deputy Le Tocq
Deputy Leadbeater
Deputy Mahoney
Deputy Matthews
Deputy McKenna
Deputy Moakes
Deputy Murray
Deputy Oliver
Deputy Parkinson
Deputy Queripel

CONTRE

Deputy Brouard
Deputy Burford
Deputy Bury
Deputy de Lisle
Deputy de Sausmarez
Deputy Fairclough
Deputy Gabriel
Deputy Gollop
Deputy Meerveld
Deputy Prow
Deputy Roffey

NE VOTE PAS

Deputy St Pier
Alderney Rep. Roberts
Alderney Rep. Snowdon

ABSENT

Deputy Dudley-Owen
Deputy Kazantseva-Miller

The Deputy Bailiff: So the motion to guillotine the debate on amendment 6: there voted Pour, 23; Contre, 11; there were 3 je ne vote pas; and 2 absentees. Therefore, the motion is passed. Therefore, I will turn to Deputy Ferbrache as President to reply on the amendment.

3520 **Deputy Ferbrache:** Thank you, madam.
Again, unanimous support –

The Deputy Bailiff: Sorry, Deputy Gabriel?

3525 **Deputy Gabriel:** I was wondering if Deputy Ferbrache might mind giving way?

Deputy Ferbrache: No, I am not giving way, madam. *(Laughter)*

This is a simple matter. The only extra comment I would make, because I am asking everybody to vote in favour of it, is that I really do think that Deputy Roffey is making too much difficulty ...
3530 *[Inaudible]*

The Deputy Bailiff: Deputy St Pier.

Deputy St Pier: I will give way to you, Deputy. *(Laughter)*

3535

Deputy Gabriel: I have just got a small question of the proposer, and it is in relation to perhaps if amendment 7 passes. Part 4(b) states that STSB are consulted about any land that may be transferred. But of course, if amendment 7 passes, which is, if Members have not seen it, or I may remind them, about land transfer – I did not have it to hand, but I do have now – and it directs DPA to fast track the review of the IDP pertaining to waterfront issues. So if that is changed and STSB either has no land, or plenty more land perhaps, how that might affect this particular amendment that we are voting on now.

Thank you.

3545

Deputy St Pier: With that latest intervention and question I rather regret giving way because I have no idea how to answer that question. *(Laughter)* It is a reasonable challenge.

I guess it would need to be swept up in the first part of the Proposition, namely P&R would need to have to take that into account in establishing a clear land management and transfer policy for approval by the States and reconcile the two provisions, is the best answer I can give, unless Her Majesty's Comptroller has a better interpretation that he would like to offer.

3550

Briefly, in response to the other two contributions for this debate, Deputy Roffey is absolutely right to identify that there are extensive powers that have effectively been granted to P&R here. Yes, this amendment introduces a check in the States' – I will address Deputy Brouard's point in a moment – approval being required, but after that it is then P&R's responsibility to consult with the STSB. They can consult them, disregard everything they say and then go ahead and transfer what they wish, providing it is in accordance with the policy that has been approved by the States.

3555

So there are extensive powers being granted by this proposal, and my only advice to Deputy Roffey and to the others who have concerns about that is, once again, this amendment is an improvement on what is currently there, and if they do not like this, then of course they have the option to vote this amendment out as a substantive Proposition at the end of debate.

3560

In relation to Deputy Brouard's question, a very fair challenge, it is certainly the intention and I am pleased to see, for the record and for *Hansard* record, acknowledge ... I will give way.

Deputy Ferbrache: The answer is yes, States of Deliberation.

3565

Deputy St Pier: I am pleased to have Deputy Ferbrache's acknowledgement that it was the intention, clearly understood by Policy & Resources, that it meant the States of Deliberation in that context. Hopefully that gives Deputy Brouard the assurance he is looking for.

With that, madam, I ask for Members' support.

3570 **The Deputy Bailiff:** In relation to amendment 6, those who support the amendment, say Pour; those against?

Members voted Pour.

The Deputy Bailiff: The amendment is passed.
Amendment 9.

[Amendment 9](#)

To insert a new Proposition 1A, after Proposition 1:-

"1A. In relation to the island's future harbour requirements, to agree the longterm development plan should include the following elements, as described in the States' Trading Supervisory Board's policy letter dated 6th May 2021 entitled "Future Harbour Development" (Billet d'État XIII of 2021), which was debated by the States of Deliberation in June 2021:

- a. Carrying out essential repairs to the current harbours*
- b. Reconfiguring remaining operations in St Peter Port Harbour;*
- c. Constructing a new northern port at Longue Hougue South;*
- d. Relocation of all current commercial activity away from St Sampson Harbour to the new northern port, and converting St Sampson Harbour to leisure use only;*
- e. Improving the leisure sector offering in St Peter Port Harbour; and*
- f. Relocating some or all current commercial freight activity from St Peter Port Harbour, as described in Combination 5 or Combination 6 in the Policy Letter entitled 'Future Harbour Development' (Billet d'État XIII of 2021)."*

Deputy Roffey: Thank you, madam Deputy Bailiff.

3575 This amendment really is an attempt to cut through a Gordian knot, which has been explored at length I think during the afternoon, and to ensure that the establishment of the agency actually leads to some real action, and not just expensive words, at an initial cost of a million pounds, and no doubt far more in time, because I am cynical that it will be self-funding after two years.

3580 So I need to explain why setting up a development agency, without taking the admittedly very big decision of where to put our new commercial ports facilities is basically setting it up to fail; that if we do not have the courage to step up to the governmental plate and show some vision, our shiny new agency will achieve, in my view, precisely nothing over the next few years, and I will explain why.

3585 As has been hinted at earlier, the STSB knows from its own experience that trying to develop economic opportunities in the environs of the harbours is subject to really a total planning blight until the local planning briefs for the harbour action areas have been completed by the DPA. There have been any number of potential projects, on the Castle Emplacement, the Roundtop, the Crown Pier, and elsewhere around the harbours, where we have seen considerable interest from private commercial developers and potential tenants, but have constantly been unable to go ahead with those projects until the planning briefs have been drawn up. And as has been explained, that is really particularly true where potential tenants have been willing to plough very considerable amounts of their own money into those projects, because we can only offer them short-term leases in case their activity runs counter to the local planning briefs for the harbours when they are finally developed. Of course, no one is going to commit significant capital up front without any security of tenure, so these projects are stymied and potentially valuable buildings go unused or underused. 3595 While that has been ultra-frustrating to the STSB, we do understand the planning rationale. The point is that those same planning constraints would equally apply to any newly formed development agency. They may be at arm's length, that does not change the planning situation.

3600 So we can set it up, we can set it up tomorrow, but there will be little it will be able to achieve in the proximity of the harbours until the planning briefs for the harbour action areas have been developed. For that reason, it is clearly crucial, it is absolutely front and centre for this whole project

that we are talking about to enhance the eastern seaboard, for the DPA to crack on with those planning briefs as soon as possible. But at the same time, the DPA have rightly pointed out over the years, and they do again in their amendment 1 that is going to be laid later on – and I understand has the full support of P&R – that they really cannot do this work in a meaningful way until the States make a strategic decision over their preferred option for the development of new commercial ports facilities. They cannot start that work until then, and it is really hard to argue with that claim. Indeed, the STSB certainly cannot, because we ourselves describe the decision over the future commercial ports facilities as the keystone which gave shape to the whole rest of the project to enhance the eastern seaboard when we brought forward our own, what I thought was an excellent, policy letter last year. I would say that, I know.

So we are left in a real Catch-22 situation. How can the DPA possibly draw up meaningful development briefs for the harbours until the States have decided, or at least strongly indicated, its preferred approach over commercial ports development?

I know no absolutely *final* decision can be taken on the new commercial ports facilities until further investigation work has been completed. That is accepted, that is a given. But unless the States have the courage to at least make an in-principle decision, we remain in a Catch-22 situation. Put simply, no outline decision on commercial ports provision equals no planning briefs for the harbour action areas, equals no meaningful developments around the harbours: stalemate, the absolute opposite of action this day. *Inaction* this political term. I really do not want that to happen. I really believe in my heart that probably the President of P&R does not want that to happen either.

The problem we have is when the States debated the options, and it was not just the one option in the policy letter, there were a number of options that people could have selected, a number that could have been selected, no option was approved. And at the end of the day, the whole process, no positive decision was taken. We will not move forward in any way, apart from to decide that we defer the whole thing to allow proposals for a development agency to be drawn up. Well, that has now happened, or it is in the process of happening, and what has become crystal clear as a result of this policy letter is that in order for that agency to carry out meaningful work, the States does need to take the plunge and make an in-principle decision over commercial ports developments.

I know that is an enormous decision, and I know that makes it a really hard decision to take, but if the States shy away from voting for this amendment, then it means a prerequisite for the DPA to even start drawing up the planning briefs for the harbour action areas will be yet another investigation or consideration about what the options are and what we might want to do, and then yet another debate in this Assembly. Of course, if that is what Members want, it can be done. If you really want the whole area to be looked at again, the whole issue of commercial ports provision looked at again, that can happen. But it is very hard to see how different options will be put forward to those that came out of the recent investigation, which cost £¾ million and which, as I said earlier, involved Guernsey's leading experts in the provision of commercial port facilities and bought in expertise from outside the Island on some of the technical issues.

I think there comes a time when a Government has to take big decisions in order to break logjams and allow actions to take place. And if we are not willing to take one now, and I know it has just gone half past five, or at least take one tomorrow, then we will be hamstringing the new agency that we may set up tomorrow. We will be emasculating it. That is not prudence, it is losing the will to govern. It is being too frit to take a big decision.

Madam Deputy Bailiff, it will not have escaped Members' notice – and I know I am talking about another amendment here, but I think you have to contrast – that if this amendment is lost, and I really hope it is not, Deputy Parkinson and I have another watered-down version on offer. Are we spreading our bets? Well, yes, we are. Have we put forward amendment 11 because that is what P&R indicated they were willing to support? Undeniably that is the case. Sometimes in politics, prudence trumps bravery. Would it be better than nothing? Of course it would be, or else we would not have submitted it. But will it ensure that we take the *constipation* out of the system and allow the local planning briefs for the harbour to be drawn up without delay? I think that is an open question. We have tried to make sure it will with the form of words, but the DPA have made crystal

clear they need 18 months from the point of this Assembly – this is what is in their amendment 1 coming up tomorrow – making a decision on commercial ports provision to complete that planning exercise. I think this is the only amendment on offer that will mean that that 18 months starts now and not many months down the road.

I am not surprised it is going to take 18 months. We have heard, I think Deputy Parkinson asked whether it would involve a planning inquiry and Deputy Oliver nodded. It is a long and complex process and the public will have their say. They do not want to go off half-cocked, they want to make sure that their plans reflect the States' aspirations, what they put forward. They are not going to want to have to do it twice.

So if you pass this amendment tomorrow, the DPA will be able to crack on with the process, but it will still be 18 months before the local planning briefs are completed, so maybe two years or more before anything can actually be achieved on the ground. If you opt for the watered-down version – sorry, if the *States* opt for the watered-down version, I think there is a real question mark over whether the DPA would regard that as sufficient direction in order to be able to swing into action and I will be interested to hear on that point from Deputy Oliver in due course. But pass neither, and no work can possibly start on the planning briefs for the harbours, unless and until we have investigated yet again, and debated yet again, commercial ports provision and reached a decision. So that will mean the new-fangled agency that you will have set up tomorrow, as I presume you will, will achieve precisely nothing in this political term – simple as that.

I was not trying to be difficult, I would say, through you, to Deputy Ferbrache. Of course we will engage on land transfer and of course there are some areas that we can talk about and legitimately make decisions on, but I was just trying to point out that some of the most valuable areas that would be of most interest to the development agency, we just do not know whether we can release from commercial ports use until we know what the future provision is going to be. That is not being awkward, that is just being truthful.

Does this amendment go further than the existing Propositions? It undoubtedly does, and it must do, because if we do not have the courage to go further than what was in this Billet in the first place, we are heading down a *cul-de-sac* to nowhere for many years to come. Will it, if you decide to go for a port at Longue Hougue, cost hundreds of millions of pounds, that has been suggested in the media? No; not the *net cost*, because what we were talking about is the value of the land that we can release around our ports. Yes, the capital cost of development over a long period of time might be that, but the land around St Peter Port Harbour, the transformation to St Sampson's Harbour that we can achieve, which I know the Vale and St Sampson's Douzaine are really keen, on behalf of their people, to see us make this decision in order to be able to do that, that is the value of the development.

We heard earlier from, who was it? Was it from Deputy Ferbrache or Deputy Trott, saying about our forefathers and what they did with the Victorian harbours and how we got the money back? *That* is what we are talking about. We are talking about having the courage to do that sort of investment, which will in turn release the land that will allow this development agency to develop something really big.

It is down to Members. I do not know whether they are up to making that decision or not, we will see, but I commend it to the States.

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

Deputy Parkinson: I do, madam.

The Deputy Bailiff: Deputy Prow.

Deputy Prow: Please could I invoke Rule 24(6)?

3705 **The Deputy Bailiff:** Yes. Rule 24(6), and as Deputy Roffey has indicated that he accepts that it goes beyond the original Proposition, this is a motion that the amendment shall not be debated and no vote taken. So that is the amendment Deputy Prow is seeking. *(Interjections)* And it is on a recorded vote, please, States' Greffier.

There was a recorded vote.

Not Carried – Pour 15, Contre 19, Ne vote pas 2, Absent 3

POUR

Deputy Vermeulen
Deputy Aldwell
Deputy Blin
Deputy Brouard
Deputy de Lisle
Deputy Dyke
Deputy Haskins
Deputy Helyar
Deputy Inder
Deputy Mahoney
Deputy McKenna
Deputy Meerveld
Deputy Moakes
Deputy Murray
Deputy Prow

CONTRE

Deputy Soulsby
Deputy St Pier
Deputy Taylor
Deputy Trott
Deputy Burford
Deputy Cameron
Deputy de Sausmarez
Deputy Fairclough
Deputy Falla
Deputy Ferbrache
Deputy Gabriel
Deputy Gollop
Deputy Le Tocq
Deputy Leadbeater
Deputy Matthews
Deputy Oliver
Deputy Parkinson
Deputy Queripel
Deputy Roffey

NE VOTE PAS

Alderney Rep. Roberts
Alderney Rep. Snowdon

ABSENT

Deputy Bury
Deputy Dudley-Owen
Deputy Kazantseva-Miller

3710 **The Deputy Bailiff:** The motion that the amendment shall not be debated and no vote taken, there voted Pour 15, Contre 19, then there were 2 abstentions, 3 absences. Therefore, the motion did not carry, we will continue debate tomorrow.

States' Greffier, if you could close the Meeting.

The Assembly adjourned its sitting at 5.41 p.m.