



BILLET D'ÉTAT

WEDNESDAY, 28th NOVEMBER, 2007

XXIV
2007

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B I L L E T D ' É T A T

TO THE MEMBERS OF THE STATES OF THE ISLAND OF GUERNSEY

I have the honour to inform you that a Meeting of the States of Deliberation will be held at **THE ROYAL COURT HOUSE, on WEDNESDAY, the 28th NOVEMBER, 2007,** immediately after the Special Meeting already convened for that day for the purpose of considering the States Budget for 2008, to consider the items contained in this Billet d'État which have been submitted for debate by the Policy Council.

G. R. ROWLAND
Bailiff and Presiding Officer

The Royal Court House
Guernsey
9 November 2007

PROJET DE LOI

entitled

THE INCOME TAX (ZERO 10) (GUERNSEY) (No. 2) LAW, 2007

The States are asked to decide:-

I.- Whether they are of the opinion to approve the Projet de Loi entitled “The Income Tax (Zero 10) (Guernsey) (No. 2) Law, 2007” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

PROJET DE LOI

entitled

**THE EVIDENCE IN CIVIL PROCEEDINGS
(BAILIWICK OF GUERNSEY) LAW, 2007**

The States are asked to decide:-

II.- Whether they are of the opinion to approve the Projet de Loi entitled “The Evidence in Civil Proceedings (Bailiwick of Guernsey) Law, 2007” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE CRIMINAL JUSTICE (COMMUNITY SERVICE ORDERS)
(BAILIWICK OF GUERNSEY) (AMENDMENT) ORDINANCE, 2007**

The States are asked to decide:-

III.- Whether they are of the opinion to approve the draft Ordinance entitled “The Criminal Justice (Community Service Orders) (Bailiwick of Guernsey) (Amendment) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

THE DOCUMENT DUTY (AMENDMENT) ORDINANCE, 2007

The States are asked to decide:-

IV.- Whether they are of the opinion to approve the draft Ordinance entitled “The Document Duty (Amendment) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

THE ATTENDANCE AND INVALID CARE ALLOWANCES ORDINANCE, 2007

The States are asked to decide:-

V.- Whether they are of the opinion to approve the draft Ordinance entitled “The Attendance and Invalid Care Allowances Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

THE FAMILY ALLOWANCES ORDINANCE, 2007

The States are asked to decide:-

VI.- Whether they are of the opinion to approve the draft Ordinance entitled “The Family Allowances Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE LONG-TERM CARE INSURANCE (GUERNSEY)
(ANNUAL GRANT AND RATES) ORDINANCE, 2007**

The States are asked to decide:-

VII.- Whether they are of the opinion to approve the draft Ordinance entitled “The Long-term Care Insurance (Guernsey) (Annual Grant and Rates) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE HEALTH SERVICE (BENEFIT)
(ANNUAL GRANT AND AMENDMENT) ORDINANCE, 2007**

The States are asked to decide:-

VIII.- Whether they are of the opinion to approve the draft Ordinance entitled “The Health Service (Benefit) (Annual Grant and Amendment) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE SOCIAL INSURANCE (RATES OF CONTRIBUTIONS
AND BENEFITS, ETC.) (AMENDMENT) ORDINANCE, 2007**

The States are asked to decide:-

IX.- Whether they are of the opinion to approve the draft Ordinance entitled “The Social Insurance (Rates of Contributions and Benefits, etc.) (Amendment) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE SUPPLEMENTARY BENEFIT (IMPLEMENTATION)
(AMENDMENT) ORDINANCE, 2007**

The States are asked to decide:-

X.- Whether they are of the opinion to approve the draft Ordinance entitled “The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

TREASURY AND RESOURCES DEPARTMENT

STATES PROPERTY RATIONALISATION

The Chief Minister
Policy Council
Sir Charles Frossard House
La Charroterie
St Peter Port

26th October 2007

Dear Sir

Executive Summary

In its previous Report entitled “*States’ Land and Property – Management and Administration*” (Billet d’Etat V, February 2006), the Treasury and Resources Department was directed to commence the implementation of its Rationalisation Strategy proposals (see Appendices I and II).

Accordingly, in this Report, the Treasury and Resources Department: -

- Reports on progress made on the Rationalisation Strategy.
- Recommends the disposal of a number of properties of historic importance that have been identified as no longer necessary for the operational requirements of the States.
- Recommends maximising the potential capital returns from the sale of surplus assets by the inscription in Part A of the Housing Register of certain properties owned by the States through adoption by the States of a new policy for States-owned properties.
- In conjunction with the Housing Department, brings forward recommendations to regularise perceived anomalies identified in the application of the Housing (Control of Occupation) (Guernsey) Law, 1994 to the letting of certain dwellings in the possession or ownership of the States.

1.0 Implementation of Rationalisation Strategy

- 1.1** Following the relocation of several Departments to Sir Charles Frossard House, the former Board of Administration presented a ‘*States’ Properties Report*’ (Billet d’Etat XI, 1994) identifying properties in States ownership that could be

reallocated to other Departments, rented to the private sector or released for disposal. Since then, the States has realised more than £7m from property sales. Details of individual transactions have been reported at least annually to the States in Billets d'Etat and most recently in Interim Financial Reports and Budget Reports.

- 1.2 The Treasury and Resources Department has continued its review of the land and property in the beneficial ownership of the States and has initiated a programme of Asset Management Plans (AMPs) for each land and property holding in order to assess them against rationalisation criteria within the AMP. An ongoing part of States Property Services' (SPS) role is to keep under constant review the use of buildings and land used by States' bodies whether owned or leased. Rationalisation is not simply a one off exercise; it is a constant evolutionary process.
 - 1.3 The Department recognises that continuing change is inherent in property matters, whether this involves the requirements of Departments in fulfilling their mandates, the availability of resources, fluctuations in demand within the commercial market, land use policy or legal and technical developments within the property and construction industry. The Department must attempt to reconcile all of these factors in implementing its Rationalisation Strategy in line with the States' Resolution of February 2006; both for one off disposals and the ongoing task of ensuring property resources are effectively managed.
 - 1.4 The Department has adopted the process and procedures for the disposal of land and properties set out in Appendix III.
 - 1.5 Following the successful completion of the extension to the Royal Court, in 2006, there remain two adjacent surplus areas of land in the ownership of the States. These areas cover approximately 900 square metres in total and front onto St. James Street and Rue Marguerite. The opportunities that this land may afford the States are being thoroughly investigated and will be the subject of a further report to the States of Deliberation.
 - 1.6 Other land identified that will be released as part of Rationalisation and Capital Projects will be subject to assessment (Appendix III procedures) in order to maximise its value to the States and necessary reports brought to the States for its consideration at the appropriate stage of the exercise.
- 2.0 Disposal of Surplus Properties of Historic Importance**
- 2.1 The Treasury and Resources Department takes its initial guidance as to whether or not a property is of historic importance by consulting the Register of Ancient Monuments and Protected Buildings established under the Ancient Monuments and Protected Buildings (Guernsey) Law 1967 ("the 1967 Law") administered by the Environment Department.

- 2.2** Under the 1967 Law, the Environment Department, as successor to the former Ancient Monuments Committee, can direct the registration of any building, structure or object which in its opinion is of historical, traditional, archaeological, architectural or other special interest. It follows that a property is not necessarily of 'historic importance' merely by virtue of registration, although the Treasury and Resources Department will take this into account. However, even if a property was not listed under the 1967 Law, for whatever reason, it would still be possible to recognise its historic importance and to agree a lease or sale subject to appropriate covenants being included within the terms of that transaction.
- 2.3** The Treasury and Resources, Culture and Leisure and Environment Departments have jointly developed an overarching strategy for the management of heritage assets in public ownership in Guernsey. The strategy includes guidance on criteria to be considered in deciding on the acquisition, retention or disposal of specific heritage assets and on their management and maintenance. There is a presumption in favour of the disposal by lease or sale of heritage assets which do not meet the retention criteria, rather than their remaining underused or unused and presenting a continued demand on scarce resources. Following disposal, historic buildings will often gain a new lease of life through investment in repairs and restoration that would otherwise not have been available.
- 2.4** This can be evidenced by the local National Trust, which has restored a number of buildings for beneficial use, and is a method of both conservation and preservation of buildings at risk used widely in the U.K. by such organisations as the Landmark Trust and the Architectural Heritage Fund.
- 2.5** In approving the Department's proposals in February 2006, the States authorised the Treasury and Resources Department to approve all property transactions as set out in Appendix I to that Report. The Department was empowered to approve sales of land and property without prior reference to the States, except for any property of historic importance.
- 2.6** The States also decided that no commitment should be made in respect of any proposed lease of a property of historic importance for a term exceeding twenty-one years without reference to the States. The same condition applies in respect of any proposed lease of a property of historic importance containing an option for renewal the effect of which, if exercised, would be to increase the original term of such a lease to a total term exceeding twenty-one years.
- 2.7** Except in specific instances, the States does not own and would not normally seek to acquire, property assets solely for investment purposes. However, there may be an argument for retaining existing properties in the States' portfolio and deriving a market rental income. That said, the Department is also aware of properties, acquired for a particular purpose many years ago, but which are no longer used for those original purposes and may indeed have been used for a variety of functions in the meantime and held just in case a use arose, rather than

for any strategic purpose. In many cases, substantial costs will have been incurred in conversion and maintenance works when, perhaps, alternative existing or new premises might have been more cost effective.

- 2.8** The Treasury and Resources Department believes that it is both sensible and prudent not to retain properties that are a drain on the States' revenue requirements, are no longer compatible with the operational needs of the States and where the proceeds from disposals could be used to support the States' strategic aims and objectives.
- 2.9** Accordingly, the Department now seeks approval for the disposal, by sale or long lease, of several properties which no longer provide accommodation for States' Departments, except for the Cadastre Office at Nelson Place, (which is scheduled to move by the end of the year), or will be returned to the Centre following the realisation of current development plans. The Treasury and Resources Department does not envisage any future use of the buildings identified below that would enable any Department to deliver its mandate or services, or justify the costs of conversion, given other priorities for States' expenditure. It considers that the properties have no strategic role and has concluded that there is no reason why they should remain in States' ownership. The properties are:
- (a) Vale Mill;
 - (b) Fort Richmond;
 - (c) Nelson Place.
- 2.10** Background information on the original acquisition, subsequent use and current state of each of the above properties is set out in Appendix IV.
- 2.11** The Department is not in favour of retaining properties on the basis that they might be suitable for some future, as yet unidentified, use when the proceeds from disposal could be utilised to fund new purpose-built premises to meet the operational requirements of States' Departments. Alternatively the proceeds from sales could be transferred to reserves, and savings in on-going revenue expenditure could be used to greater effect on other States' properties. In each case, if the properties now being considered for disposal by the States were instead being offered to the States, the Treasury and Resources Department would not support their purchase.
- 2.12** The Department recommends that, if the proposals are approved, the net proceeds of sales should be treated, as is presently the case, as capital income and credited to the General Revenue Account. It will be available to fund the States' capital expenditure or for transfer to Reserves as appropriate. Specific ring-fencing, other than from the disposal of incompatible States' housing, is not considered appropriate as all capital projects need to be considered on their merits and in accordance with agreed priorities. Simply ring-fencing capital proceeds to a particular Department or project would distort the process of

prioritisation. However, should a Department identify property surplus to its operational requirements, the potential proceeds of disposal could be taken into account in any business case to further that Department's priority projects.

2.13 Where properties are disposed of by lease, the rental income will continue to be treated as operating income within the revenue budget of the Treasury and Resources Department.

3.0 Enabling Inscription of Certain States-owned Properties in the Housing Register

3.1 In 1996 the States agreed in principle that any dwellings administered by the then States Housing Authority which were not originally purpose built by the States for letting to States' Tenants could be sold if they were considered by that Authority to be incompatible with the current needs of States' Tenants (Billet d'Etat XXIV, 1995 - Review of the States' Housing Stock). There is no reason why the same principle should not apply to all States-owned property, subject to consideration of appropriate alternative uses.

3.2 The Department does not believe that the States has a core function to be a landlord other than for social, environmental, strategic or heritage purposes. It, therefore, wishes to see the States reduce its role as commercial landlord, notwithstanding the loss of rental income, which has to be set against the increasing costs, pressure on resources and liabilities associated with the retention of incompatible properties.

3.3 **In 2006 the States unanimously approved the Aims and Objectives contained within the Rationalisation Strategy (Billet d'Etat V, 2006). In directing the Treasury and Resources Department to "*commence the implementation of that strategy*" the States agreed that disposal of certain buildings should provide "*an economic solution for the States*"; and that the Rationalisation Strategy would unlock the potential of the property portfolio.**

3.4 In order to maximise the potential of the sale of substantial and prestigious properties, the Department considers that **the greatest benefit for the community** would be obtained by selling them as Open Market properties. These include: -

- (a) Fort Richmond;
- (b) Granville House;
- (c) Grange House; *

* In June 1994, the States approved the sale of Grange House as one of the properties identified by the Board of Administration in its 'States Properties Report', (Billet d'Etat XI, 1994).

(d) Belvedere House.**

- 3.5** Background information on the original acquisition, subsequent use and current state of each of the above properties is given in Appendix V.
- 3.6** In the February 2001 report “Housing Control Law – Review of the Open Market”, (Billet d’Etat III, – “the 2001 Report”), the States approved a policy statement (Section C of that report, see Appendix VIII of this report) which set out the circumstances where dwellings could be inscribed on Part A of the Housing Register in prestigious or important developments. The Department is of the view that the circumstances set out in the policy are not appropriate to exercise in this situation and that an additional policy solely for States-owned properties should be approved.
- 3.7** Subject to States’ approval of the sale of these properties their value, (subject to use class), can be realised by selling them. There is however, the opportunity for the States to sell on the Open Market where a healthy market clearly exists and thus maximise the capital receipts to the States. This will only be possible if the States approve a new policy for States-owned properties to allow their inscription on Part A of the Housing Register.
- 3.8** **In the Department’s view, using the capital receipts obtained from the sale, on the Open Market, of the four properties for the benefit of the community, would assist the States in delivering its strategic priorities as set out in the Government Business Plan.**
- 3.9** As early as 1969 the States were pursuing a policy of creating “the *right fiscal climate for capital to come here and to encourage people to come here and live.*” (Billet d’Etat I, January 1969). The Open Market has been identified as having the potential for increasing economic benefit through the zero-ten tax strategy and of attracting entrepreneurs to the Island who have a track record of generating new ideas and starting up businesses that may in themselves generate economic benefit.
- 3.10** In 2001 (Billet d’Etat III, February 2001) the States considered a report from the (then) Housing Authority which acknowledged that another body, other than the Housing Authority, might instigate expansion of the Open Market if it was thought desirable, for example, “*to increase revenue income*”. At that time the policy of inclusion of Open Market accommodation in prestigious or important developments was also debated. The Department now seeks to clarify the position for States-owned properties by the introduction of a new policy.
- 3.11** In 2000, the States purchased Clos Vivier, Route Des Frances, St Saviour’s, on

** 1994, the States approved the sale of Belvedere House as one of the properties identified by the Board of Administration in its 'States Properties Report', (Billet d’Etat XI, 1994).

behalf of Guernsey Airport. The premises were then demolished to provide for the rerouting of Route des Frances to form the revised Airport safety zone. The property, which was on the Open Market Register, is therefore considered to be deregistered. In 2004, the States purchased Longacre, Les Baissieres, St Peter Port, on behalf of the Health and Social Services Department. The premises are now used to provide residential accommodation for mental health services and has Open Market status. In 1971 the States purchased the property known as Treliske which now forms part of the Commerce and Employment Department's site at Burnt Lane. The property was inscribed in the Open Market Register but was deregistered in 2001. The States purchased Lihou Island in 1995 from a private individual. The property, and land, remain in the possession of the States, albeit the house and its curtilage are rented out for a term of 21 years at a peppercorn rent. This house also has Open Market status.

- 3.12 The Treasury and Resources Department would be happy to offer these registrations in return for each dwelling to be inscribed as set out in the 2001 Reports policy statement for Open Market inscription. However it believes that the situation with regard to States' properties is not clear and that the policies in Section C of the 2001 Report need to be expanded to encompass States' properties.**
- 3.13** Ordinarily the States would not seek to purchase Open Market properties because of the inevitable price premium. However, in the case of Clos Vivier, there was no alternative, as the location was critical to the layout of the revised safety zone. In the second case (Longacre), it was the availability of suitable accommodation, the need for only minimal conversion works and the shortage of other appropriate premises, which influenced the decision. By purchasing these properties, the States has effectively reduced the number of Open Market dwellings available to potential purchasers.
- 3.14** The number of Open Market properties available on the Register, since 1982 when it was generally closed for new inscriptions, has declined although the exact figure is not available. In 2003 the Register stood at 1676 entries (Source: 2003 Digimap data). However, the number of Local Market houses has risen by approximately 14,000 (Source: Housing Department, 1981 Census figures and Cadastre records, 31 December 2006).
- 3.15** It is acknowledged that when Section 52 of the Housing (Control of Occupation) (Guernsey) Law, 1994 was drafted, the control of States-owned properties was not necessarily envisaged. The Law is silent on the concept of placing States' properties on Part A of the Housing Register. In addition the policy statement within the 2001 Report (Section C) did not specifically mention or include properties owned by the States of Guernsey. For this reason the Treasury and Resources Department is asking the States to determine the merit of a specific policy in regard to placing these properties on the Open Market Register, thus enabling a premium return on the sale of States' assets to be achieved and used to the wider benefit of the community. This measure would be solely for States'

properties currently owned (as of 2007) and all monies would be used through States Resolution, for the furthering and achievement of States' priorities.

- 3.16** The Department is convinced that substantial sums (measured in millions) could be realised from, and has accordingly investigated, the potential sale of the four properties as Open Market dwellings. In each case, the Treasury and Resources Department has no doubt that these substantial properties would attract considerable interest from purchasers seeking Open Market accommodation, subject to the appropriate use class being obtained. States' properties do not, in the majority of cases, have ascribed use classes other than the previously named Use Class 29, Public Administration. In order to maximise capital receipts in the case of States' properties a use class must be obtained prior to offer for sale.
- 3.17** All of the properties have been used, at some time in their history, for residential purposes. However the 1994 Law applies only to existing dwellings. Accordingly, the Department will need to consult with the Environment Department to establish the relevant use class under the Island Development Laws and will apply for appropriate change of use, prior to proceeding with the proposed inscription on the Housing Register and subsequent sale of each property. If the Environment Department does not grant the necessary change of use to residential, the status of the property under the 1994 Law will be irrelevant.
- 3.18** The Treasury and Resources Department suggests that if the States resolve to make these four properties Open Market by virtue of allowing their inscription upon Part A of the Housing Register, then the following should apply:-
- (1) Only one unit of Open Market residential accommodation would be created per property. If the properties were to be granted permission for sub-division to create further residential units these would be classed as local market dwellings.
 - (2) All the statutory planning and building control requirements would be applicable to the four properties and their associated land.
- 3.19** The Department does not consider that the sale of these properties on the Open Market will be to the detriment of, or have a material effect on, depleting the supply of local market housing. In this regard it should be noted that in recent times the accommodation within Belvedere House has been used as three units; two for States' key workers and one where a former public employee had been given life enjoyment (and who is now deceased). In proposing the inscription of Belvedere House on Part A of the Open Market Register the Department believes that:
- (i) The States have been proactive in providing local market properties, and States' housing, enabled by the agreement of the States to dispose of surplus land and property. Such developments include projects at La

Passee, Courtil des Mielles, Maison Le Marchant, Millmount, Clos Landais, La Cailloterie Farm, Rosaire Avenue, Amherst, Bulwer Avenue, Le Vauquiedor Farm, Clairval House, 1-6 Baubigny Cottages and Highfield;

- (ii) The sale of Belvedere House will generate further funds for public strategic investment and, as such;
- (iii) If as proposed the States adopts the new policy as set out in this report the “loss” of the units within Belvedere House should not set a precedent for a more general application of this policy.

3.20 At the present time no more than four properties have been identified as being suitable for disposal and possible inclusion in the Open Market Register. The States will not seek to purchase properties in order to gain from changes in status, but merely look to rationalise those currently in public ownership and obtain the maximum capital receipt. Having reviewed all other possibilities, the Department does not consider that the four properties are primarily suitable for key worker housing accommodation.

3.21 Having due regard to all the information set out above, the Treasury and Resources Department will accordingly ask the States to approve the policy that:-

Appropriate properties currently in States’ ownership which are no longer required for public purposes may, with the agreement of the States, be inscribed in Part A of the Housing Register and all of the monies arising from the sale (freehold or long lease-hold) shall be treated as capital income.

3.22 Concerns have however been raised, by the Housing Department, regarding the precedent that might be set by the opening of the Register to allow the four properties Open Market status. A separate letter from the Housing Department is attached (Appendix VII) but the main areas of concern are summarised as follows:

- As a matter of law and States’ policy, the Housing Register has been closed for new inscriptions since the commencement of the Housing (Control of Occupation) (Guernsey) Law, 1982.
- To create a new policy statement for the sole benefit of the States would set a precedent and it could be seen as discriminatory if the same opportunities were not made available in respect of property in private ownership.
- Three of the four properties under consideration are unlikely to be considered as ‘dwellings’ under the provisions of the 1994 Law at the time of sale and thus could not be inscribed in the Housing Register prior to purchase.

3.23 Notwithstanding the Housing Department's concerns, the Treasury and Resources Department, by a majority, is recommending the States to agree (subject to obtaining the necessary use class) to an express policy in relation to States' properties and the preparation of Ordinances to enable the Housing Department to inscribe in Part A of the Housing Register, in accordance with the 1994 Law, each of the four premises mentioned in paragraph 3.4 above.

3.24 The Department would reiterate the fact that in respect of each of the four properties, all of the monies arising from their sale will go to the public purse and be used for the benefit of the community as a whole. **The Treasury and Resources Department considers it important that the States are given the opportunity to debate this principle having regard to all of the relevant information, including that provided by the Housing Department, so that a decision can be arrived at in an open and transparent manner.**

4.0 **Perceived Anomalies Relating to the Occupation of States-owned Properties under the Housing (Control of Occupation) (Guernsey) Law, 1994**

4.1 Properties in the ownership or possession of the States are exempt from housing controls by virtue of Section 65 (1) of the Housing (Control of Occupation) (Guernsey) Law, 1994. This means that there is no housing control restriction on who may live there and occupants do not require housing licences.

4.2 The Treasury and Resources Department is in agreement with the Housing Department that this enables persons who might not otherwise be entitled to a housing licence to be accommodated by the States.

4.3 In view of this, both Departments are agreed that, through this report, the States should be asked to approve that an Ordinance be brought forward in accordance with Section 65(2) of the Housing Control Law that would suspend the provisions of Section 65(1) in respect of specified properties in the possession or ownership of the States. It is intended that the specified properties would be those which are administered centrally by the Treasury and Resources Department and a list of those properties will be put before the States to agree by resolution. The effect of such an Ordinance would be to treat the States (Public Sector) in the same manner as the private sector in respect of these properties.

4.4 The actual properties concerned will be determined following consultation with the Housing Department and other States' Departments as appropriate.

4.5 For the avoidance of doubt, at the time the Ordinance comes into force, existing tenants of the named dwellings will not be affected by these proposals for so long as they continue to occupy them, as, provided their circumstances do not change, they will be afforded continuing rights of occupation under Section 65(3) of the Housing Control Law.

5.0 **Recommendations**

The States are recommended to:

1. Note the progress made on the Rationalisation Strategy to date as set out in this report.
2. Approve the disposal by sale or lease, as set out in Section 2 of this Report, of:
 - (a) Vale Mill;
 - (b) Fort Richmond;
 - (c) Nelson Place.
3. Approve the policy statement that:

Appropriate properties currently in States' ownership which are no longer required for public purposes may, with the agreement of the States, be inscribed in Part A of the Housing Register and all of the monies arising from the sale (freehold or long lease-hold) shall be treated as capital income.
- 4.* Direct that, subject to the appropriate Planning Use Classes being obtained, Ordinances be prepared to enable the Housing Department to inscribe in Part A of the Housing Register by virtue of Section 52 of the Housing (Control of Occupation) (Guernsey) Law, 1994 one dwelling only at each of the following premises which are currently in the ownership of the States:
 - (a) Fort Richmond;
 - (b) Granville House;
 - (c) Grange House;
 - (d) Belvedere House.
5. Direct that an Ordinance be prepared to suspend the provisions of Section 65(1) of the Housing (Control of Occupation) (Guernsey) Law, 1994 in relation to specified properties in the possession or ownership of the States of Guernsey, as set out in this Report.

Yours faithfully

L S Trott
Minister

* Deputy Dorey, the Deputy Minister of the Housing Department and a member of the Treasury and Resources Department, agrees with the letter from the Housing Minister in Appendix VII.

APPENDIX I**EXTRACT FROM RESOLUTIONS**

In the States of the Island of Guernsey on the 22nd February 2006.
The States resolved as follows concerning Billet d'État No V dated 27th January, 2006

TREASURY AND RESOURCES DEPARTMENT
STATES LAND AND PROPERTY – MANAGEMENT AND ADMINISTRATION

After consideration of the Report dated 22nd December, 2005, of the Treasury and Resources Department: -

1. To approve the processes, procedures and authorisations for property transactions (as set out in Appendix I to that Report).
2. To direct the Treasury and Resources Department to undertake all property negotiations, save those relating to tenancy agreements (undertaken by the Housing Department in respect to its social landlord role) or those relating to concession agreements for small premises within a property primarily used for States' purposes and which remain within the control of a States' Department (which exceptions are outlined in Paragraph 4.15 of that Report).
3. To direct the Treasury and Resources Department to review the Compulsory Purchase Law.
4. To approve the Rationalisation Strategy as set out in section 5 of that Report, but subject to the modification that the States of Deliberation, rather than the Policy Council, shall be the final arbiter in the case of a dispute between the Treasury and Resources Department and another States Department, and to direct the Treasury and Resources Department to commence the implementation of that Strategy.
5. To direct all States' bodies that there will be no exceptions to the implementation of the Rationalisation Strategy, unless specifically approved by the Treasury and Resources Department for reasons which exceed the requirements of the Strategy.
6. To authorise the Treasury and Resources Department to assume responsibility for any States' property when it deems that a justifiable case has not been made by a Department for its retention.
7. To direct the Treasury and Resources Department to act as a holding agent for properties on behalf of the States of Guernsey (as outlined in Paragraphs 5.14 and 6.20 of that Report).

8. To direct the Treasury and Resources Department to undertake the project management or project sponsor role in regard to major property projects, such that it facilitates the delivery of that property project for the benefit of the employing Department.
9. To direct the Treasury and Resources Department to undertake a full review of property workload and skills currently available within the States and to agree with the Departments concerned the reallocation of staffing to enable the approved recommendations to be carried out and, if agreement cannot be reached, to refer proposals in respect of the Departments concerned together with the Departments' views to the Policy Council for a final decision.
10. To note and confirm that the recommendations concerning property management policies will apply only in respect of property assets that are wholly beneficially owned by the States.

EXTRACT FROM STATES REPORT, BILLET D'ÉTAT V, 2006**TREASURY AND RESOURCES DEPARTMENT
STATES' LAND AND PROPERTY – MANAGEMENT AND
ADMINISTRATION****5.0 Rationalisation strategy****Rationalisation strategy – background**

5.1 Within the 2005 Policy and Resource Plan, it was acknowledged that, “*The States have increasingly recognised the importance of ensuring that the substantial property assets of the States are properly administered and that both capital and revenue expenditure are considered carefully in the light of the island’s economic circumstances and the ability of the construction industry to meet the demand. The States have also increasingly recognised that this is best facilitated by a corporately managed strategic approach*” (Billet d’État XXII, 2004).

5.2 It is recognised that a definitive rationalisation strategy has not previously been placed before the States as a whole. However, in its Budget Report for 2005, the Treasury and Resources Department stated that it, “continues to be determined to ensure that property is treated as a corporate strategic asset for the benefit of all and not just individual Departments.” It remarked that, “Any individual property may therefore need to be transferred between Departments (or indeed transferred to the private sector) to ensure it is used to its maximum potential for the social and economic benefit of the island” (Billet d’État XXI, 2004). Individual properties have previously been identified as suitable for disposal and thus authorised by the States.

Rationalisation strategy – proposals

5.3 As part of the Strategic Property Plan (see Appendix III), the Rationalisation Strategy outlined in this Report sets out framework guidelines and an evaluation process for ‘value for money’ asset management and utilisation of the States’ property assets.

5.4 Rationalisation involves:

- acquiring, disposing and/or exchanging the leasehold or freehold of land and properties in order to streamline the accommodation of States’ business;

- ensuring that the disposal or refurbishment of certain buildings, which could otherwise be considered liabilities, provides an economic solution for the States;
- maximising the fit between States' properties and their purposes and promoting sustainability in resource management.

- 5.5 Overall, the Rationalisation Strategy has been designed to unlock the potential of the property portfolio. The property needs of the various States Departments must be matched with the property assets owned and used by the States. The Rationalisation Strategy will review properties under standard criteria through the use of Asset Management Plans and Evaluation. Prior to the implementation of the Strategy it is not possible to ascertain, in a structured, quantified manner, whether any particular building would be a candidate for disposal. However, the buildings which present the highest liabilities to the States tend to be those which (i) have particularly high costs associated with them (perhaps due to poor condition and/or underinvestment), (ii) are unfit for purpose, and/or (iii) are otherwise inappropriate or unsuitable for the States' needs (due to their size, shape and/or location).
- 5.6 In order to ensure that it is fully effective, the Rationalisation Strategy will apply to all States of Guernsey assets, whether these are freehold or leasehold, including those administered by trading entities⁵.
- 5.7 For full effectiveness, the Rationalisation Strategy will need to apply to all States bodies. Partial implementation could continue or worsen the present situation and would render the Rationalisation Strategy aims and objectives less achievable. Property Centralisation is an important part of the Rationalisation Strategy. In a minority of instances, an exception might be made to the provisions of the Rationalisation Strategy, but the Treasury and Resources Department would need to specifically authorise such an exception due to reasons that exceed the requirements of the Strategy.
- 5.8 The use of a property, or requirement for same, would need to be demonstrated to the satisfaction of the Treasury and Resources Department. Any property not used by any individual Department, for a particular (justified) purpose that fulfils its aims and objectives, is to be returned to the centre and held by the Treasury and Resources Department, on behalf of the

⁵ According to the States Trading Companies (Bailiwick of Guernsey) Ordinance, 2001, there are three such companies; being Guernsey Electricity Limited, Guernsey Post Limited, and Guernsey Telecoms Limited (since bought by Cable and Wireless (Guernsey) Limited). There are certain conditions under which the trading companies' properties may be sold, disposed of, encumbered and so on. The written consent of the Treasury and Resources Department (formerly Advisory and Finance Committee) is required. That written consent is not to be refused if that property has been offered for sale to the States at the open market value (within a six month period preceding that time).

States of Guernsey. An independent appeals process is considered to have value in that it might avoid protracted debate about Rationalisation Strategy decisions if a dispute were to arise between the Treasury and Resources Department and an individual Department (for example, if a decision were viewed as disproportionately disruptive). It is proposed that the Policy Council would be the most appropriate body to undertake this role.

- 5.9. The Treasury and Resources Department would consult with the Environment Department, in particular with regard to land-use classes for any properties that are proposed for disposal under the Rationalisation Strategy.

Rationalisation Aims and Objectives

- 5.10 If this Rationalisation Strategy is approved and implemented, the States of Guernsey will:

- hold and maintain only the land and property necessary to deliver its aims, objectives and obligations;
- retain a strategic ‘land bank’;
- carry out strategic planning for each of its land and property assets, utilizing individual Asset Management Plans and with due regard to planning policies approved by the States and executed by the Environment Department;
- ensure that any current assets demonstrate value for money in regard to management and maintenance;
- rationalise any land and property considered surplus to the States’ long-term requirements, either through long leasehold or disposal of the freehold or exchange;
- provide as many of its core corporate services as possible through the flexible use of land and buildings, with due regard to cost effectiveness and the requirements of individual Departments (as detailed in their submissions to the Policy and Resource Plan) and to planning policies approved by the States and executed by the Environment Department;
- acquire land and property assets where necessary and where a clear business case can be proven (it is recognised that there will be instances when social and economic issues take priority, even though they might not be able to be considered within a purely financial business case framework);
- explore and update initiatives to achieve value for money and best

value⁶ on an annual basis (e.g. consideration as to whether specific functions, such as facilities management, could be best met by outsourcing);

- promote sustainability of human, financial and environmental resources in all buildings held by the States of Guernsey;
- assess disabled access for all buildings held by the States of Guernsey.

⁶ In this context, 'best value' relates to the provision of services, such that the service provider must demonstrate that it is the appropriate provider following a review that includes challenge, comparison, consultation, competition and continuous improvement. Best value does not always equate to lowest price.

APPENDIX III**TREASURY AND RESOURCES DEPARTMENT****LAND AND PROPERTY DISPOSAL PROCEDURES**

These notes set out the formal process that must be followed by staff prior to obtaining approval from the Board to dispose of land and property holdings to optimise the disposal value of these assets for the States of Guernsey. This process is to maximise the capital return, but mainly to minimise the revenue requirement for the portfolio and to reduce the risk factors associated with retaining incompatible and surplus property within the States.

The land or property in question will have been identified by T and R as surplus to requirements through the Rationalisation Strategy, the Condition Survey and associated Asset Management Plan.

Overarching issues to consider on disposal are:

Outright sale	}	Freehold properties
Sale and leaseback		
Surrender	}	Leasehold
Subletting		
Marriage of interests With another party(ies)	}	Both freehold and leasehold

Disposals of freeholds and long leaseholds can be by:

- Private treaty
- Informal tender
- Formal tender (including sealed bids)
- Public auction

Long leaseholds and leaseholds can also be transferred by means of assignment. Each tenure type must be considered and justification for the chosen method of disposal be recorded on file.

Whilst in many cases the method to adopt for disposal to produce the best value for the States of Guernsey may be evident, in some cases it may be that the 'best fit' has to prevail. This is likely to be where the development risk factor is high and consequently the value of the asset is difficult to assess in anything other than broad terms. Each property will be dealt with on a case by case basis, with the Board being the final arbiter in the assessment and achievement of best value (using industry accepted criteria).

As a general rule the following must be established in order to recognise and control the associated risk as far as possible:

- 1) Any extant States Resolution or legal obligations regarding the property;
- 2) Specialist advice in cases where the best value disposal route is unclear;
- 3) Use class and consideration of change of use class to maximise value;
- 4) The effects of obtaining planning or other permissions under the appropriate laws to maximise value;
- 5) Obtaining a current market valuation and assessment of market conditions with particular regard to (3) and (4) above;
- 6) The potential effect of any loss of rent or application of special conditions on internal budgets.

REPORTING TO TREASURY AND RESOURCES DEPARTMENT

The report to the Board must include:-

- A description of and background information on the identified properties;
- The recommended disposal route and why;
- The answers to 1-6 above;
- Proposals to action Departments decision within programme;
- Clear recommendations.

If any of the above matters have not been established this should be made clear to Board Members in the report. A provisional timescale must be supplied with the associated estimates of costs (of disposal) and returns (capital receipt, revenue savings).

June 2007

**PROPERTIES OF HISTORIC IMPORTANCE RECOMMENDED FOR
DISPOSAL**

Vale Mill

In December 2005 the Culture and Leisure Department formally offered the Vale Mill to the Treasury and Resources Department, which it accepted, subject to the completion of current works and the transfer of any residual budgetary allocation for the site.

Vale Mill was originally a circular granite rubble structure of a tower windmill, with five timber floors, fitted with rotating cap and sails, dating from around 1850. The sails were removed in around 1935 and the mill was adapted by the German military for use as an observation tower during the Occupation.

On 31 January 1968, the States accepted the offer of Mrs Nora Watts to convey to the States as a gift, the Vale Mill and the land on which it stands. In its report (Billet d'Etat III, 1968) the Board of Administration advised that although the mill was structurally sound, substantial repairs would be required to the interior if the building was intended to be occupied or public access be permitted. The Board was not prepared at that time to meet the costs that would be involved but noted that the mill served as an important landmark to mariners and felt that, although there was no legal requirement to do so, it should be maintained as such.

The Board undertook minor works at the time to prevent unauthorised access to the building but the building has since had no practical use other than as a landmark. Further remedial works were carried out on safety grounds due to deterioration of the concrete used in the German works resulting from poor drainage and ventilation in the building. The German addition was partially demolished during the 1970s. The Ancient Monuments Committee undertook further remedial works to floors, stairs and windows in the early 1990s. Most recently, during 2005/2006 the Culture and Leisure Department has undertaken repairs to the concrete following instances of material falling into the gardens of neighbouring properties.

The Asset Management Plan for Vale Mill notes that the building is now structurally sound but other problems, such as residual dampness, remain. It is estimated that costs to realise its development potential for tourist or residential purposes could be in the region of £400,000.

The property was scheduled as an ancient monument in 1973.

Fort Richmond

Fort Richmond was built c1855 by the War Department on the site of an existing battery and magazine that was sold to the Crown by the States in 1850. In 1908, the premises

were returned to the States on condition that the War Office be relieved of responsibility for the upkeep of the buildings. During the Second World War the German Wehrmacht used the Fort as a garrison.

In 1967, the States Housing Authority ceased to use the premises as a tenement building and the Board of Administration proposed that a long lease be offered to a private tenant prepared to undertake the repair and maintenance and to carry out internal alterations at his own expense. The States subsequently decided instead to carry out necessary structural repairs and to lease the premises to the Guernsey Surf Club, with provision for sub-letting to other organisations, for a period of twenty years. In recent years, the Fort has remained largely unused.

The Culture and Leisure Department transferred Fort Richmond to the Treasury and Resources Department in September 2005 as it stands, with no staffing and only minimal financial resources. The Department assumed responsibility for the Fort on the understanding that it would either use it or dispose of it. Some recent interest in using the building for arts-related, archaeological or workshop activities had been expressed by local groups to the Culture and Leisure Department but no firm proposals have yet been brought forward. Such groups had been advised that a substantial financial commitment would be needed.

The Asset Management Plan for Fort Richmond notes that the building is in urgent need of backlog repairs and maintenance work, in particular, to the roof. It is estimated that the immediate cost will be in excess of £85,000 with a further £460,000 maintenance cost required over the next 25 years. In view of its condition, it is recommended that access to the premises should remain strictly controlled. A substantial financial input would be required to realise the building's development potential.

The property was scheduled as a protected building in 1983.

Nelson Place

Nelson Place was built by John Shaw to the specific requirements of the British Post Office and opened in 1883[†]. In 1969 the States assumed responsibility for the operation and administration of the postal and telecommunications services from H M Government. Nelson Place, with other capital assets, was purchased from the General Post Office and managed by the States Post Office Board until transferred to the Board of Administration at a cost of £1,125,000 in 1987 since when the Post Office and subsequently Guernsey Post Ltd have leased the ground floor premises. In 1983, all departments of the Post Office Board, with the exception of the main and philatelic counters, moved to the new Headquarters at Guelles Road. The Cadastre have occupied part of the upper floor at Nelson Place since 1983 and the Guernsey Training Agency have occupied the remaining area since 1996, before which it had been used by the Civil Service Board, until relocation to Sir Charles Frossard House in 1993, and as temporary accommodation for the Law Officers of the Crown during the refurbishment in 1994 of

[†] Transactions of La Société Guernesiate - Volume XVI 1955-1959 p354 (1958)

St James' Chambers and the former Police Station.

The Asset Management Plan for Nelson Place notes that the building is in fair condition but in need of backlog repairs and maintenance work. Due to the nature of the design, construction and materials used in the premises, it is likely that substantial repairs will be necessary within the short to medium term. The premises clearly have potential for continued office and/or retail use.

Nelson Place was scheduled as a protected building in 1975.

**PROPERTIES RECOMMENDED FOR INSCRIPTION IN PART A OF THE
HOUSING REGISTER**

- **Fort Richmond**

Information on Fort Richmond is given in Appendix IV.

- **Granville House**

Granville House was built as a private dwelling and is shown on an 1843 map of Guernsey. The States purchased it in 1928 for £1,500 for use as a cookery and laundry centre. In addition, accommodation was provided for a resident caretaker and two floors were converted to flats to be let to tenants. It had previously been occupied for about forty years, first by the Intermediate Boys, then by the Intermediate Girls and then temporarily by primary girls from Vauvert School pending return to their own building in 1928.

Prior to 1976 the building temporarily housed technical and business studies sections of the College of Further Education, before the opening of the site at Les Coutanchez. It has also accommodated the teacher of the deaf, Schools Library Service and Speech Therapy and been used for Open University purposes and by various voluntary bodies. In 1979, the States agreed that Granville House should be converted to a Teachers' Centre and the following year approved major remedial structural works at a cost of £50,000.

In 2003 the Education Department advised that this property was used by the Education Support Services and the Pupil Support Advisory Service (now called the BESD Service). These Education Support Services were recently relocated to new premises at Le Rondin School and Centre leaving the BESD Advisory and Outreach team as the sole occupants.

Following the move to Le Murier, the new special needs secondary School being built on the Les Nicolles site, the existing Oakvale School site will be vacated and it is planned to be converted to a new BESD Centre. It is therefore unlikely that this property could be released until then but it is vital at this stage to obtain a commitment to the sale of this property pending the completion of the development at Les Nicolles to ensure that the property is not retained for further use. It is a large old building, which requires much maintenance and relatively high running costs and could be returned to the residential market.

Granville House has been a protected building since 1989.

- **Grange House**

Grange House was built c1835 and purchased by the States in 1928 and used by the States Telephone Council until the Council's new premises in Upland Road opened in 1965. At that time, the States approved the sale of Grange House but, in the event, it remained in States ownership. The building has since been used as accommodation for the administrative department of the Island Police Force and for Building Control. In its 1994 States Properties Report, the Board of Administration proposed that Grange House be offered for sale with vacant possession at the end of the five-year allocation to the Education Council agreed by the States from 1993 for teaching students from the finance sector.

The building is currently used as an Arts Annexe to the College of Further Education. In its policy letter, '*Progressing the Education Development Plan*' (Billet d'Etat III, 2003), the Education Council anticipated that Grange House could be closed in due course when the redevelopment of the College of Further Education on the present St Peter Port School site was completed. The Education Council subsequently indicated in its policy letter, "Progressing the Education Development Plan" (Billet d'Etat II, 2004) that Grange House could be released earlier than originally indicated, this being upon completion of works to the vacated St. Peter Port school building to enable the interim relocation of College of Further Education facilities from Grange House and Brock Road.

Grange House has been a protected building since 1974.

- **Belvedere House**

The building of Fort George started in 1780 and took thirty years to complete[‡]. Belvedere House was formerly the residence of the Garrison Engineer at Fort George. It is shown on an 1843 map of Guernsey. In 1958, the States agreed to purchase the Fort George site from the War Department with the object of selling the buildings and development areas and other parts not required for States purposes. At the time, Belvedere House was described as being divided into two separate dwellings with sixteen rooms, three bathrooms and other offices in the building.

In 1960, the States resolved to sell a large part of Fort George for development as a high standard residential estate. However, the Belvedere Field area was omitted, thereby retaining Belvedere House in the ownership of the States. It has since remained in use as residential accommodation and is presently occupied by tenants paying rent to the Department.

In June 1994, the States approved the sale of Belvedere House as one of the properties identified by the Board of Administration in its '*States' Properties Report*' (Billet d'Etat XI, 1994). The Board was "*authorised to sell Belvedere*

[‡] Bailiwick Bastions: The Fortifications of the Bailiwick of Guernsey, James Marr, 1985

House with any such sale to take place when the existing tenancy arrangements expire". The Treasury and Resources Department has confirmed that it too will honour those arrangements.

It has been a protected building since 1979.

EXTRACTS FROM
HOUSING (CONTROL OF OCCUPATION) (GUERNSEY) LAW, 1994

Dwellings which are combined

34. (1) Where two or more dwellings, any of which are not inscribed in the Housing Register, are combined, whether by alteration or otherwise, so as to be used or made useable as a single dwelling, then that single dwelling, whether or not inscribed as such in the Cadastre, shall not be eligible to be inscribed in the Housing Register and; if any of those dwellings are inscribed in the Housing Register, the Authority shall delete the inscriptions relating to them from the register.
- (2) Where the owner of a single dwelling created by the combination of no more than two dwelling in the circumstances described in subsection (1) (referred to in this subsection as “**the single dwelling**”), is also the owner of another dwelling which is deleted from Part A of the Housing Register under section 33 or 35, the Authority may, upon application made to it in that behalf no later than 6 months after the date of the deletion from Part A of that other dwelling, inscribe the single dwelling in Part A of the Housing Register by way of substitution for the deleted dwelling.

Dwellings which are divided

35. Where a single dwelling inscribed in the Housing Register is, whether by alteration or otherwise, used or made useable as two or more dwellings-
- (a) that single dwelling, whether or not inscribed as such in the Cadastre, shall, subject to section 37, cease to be eligible to be inscribed in the Housing Register and the Authority shall delete the inscription relating to it from the Register;
 - (b) the Authority may, upon application being made to it in that behalf, inscribe in the Housing Register one only of the dwellings created by the alteration or otherwise of that single dwelling.

Alterations to Register by Ordinance.

52. (1) The States may by Ordinance permit the Authority to inscribe any dwelling in Part A or B of the Housing Register.
- (2) Where an Ordinance under subsection (1) is made the Authority shall, subject to the provisions of this Law and of any Ordinance made under it, upon application being made to it in accordance with the provisions of any

such Ordinance by the owner of the dwelling within a period of 3 months, or such other period as may be specified in the Ordinance, immediately following the date of commencement of the Ordinance, inscribe the dwelling –

- (a) in Part A of the Housing Register, unless paragraph (b) applies;
- (b) in Part B thereof in cases where, on the date on which the application is made, the dwelling is, in the opinion of the Authority, a hotel.

States dwellings exempted from Law.

65. (1) No provision of this Law applies to the occupation of a dwelling in the possession or ownership of the States.
- (2) The States may by Ordinance suspend, indefinitely or for a specified period, subsection (1).
- (3) Notwithstanding the provisions of any Ordinance under subsection (2), but without prejudice to the generality of the powers conferred by section 66, a person who, immediately prior to the date of commencement of the Ordinance, was occupying a dwelling in the possession or ownership of the States in accordance with the provisions of this Law then in force shall, if he has continuously so occupied that dwelling in the same circumstances since that date, be governed in respect of such occupation by the provisions of this Law as amended from time to time in the same way as if the Ordinance had not been enacted.
- (4) An Ordinance under subsection (2) may, without prejudice to the generality of the powers conferred by section 66(2), make different provision in respect of dwellings in the possession or ownership of different committees of the States.

General provisions as to Ordinances.

66. (1) An Ordinance under this Law –
- (a) may be amended or repealed by a subsequent Ordinance hereunder;
 - (b) may contain such consequential, incidental, supplementary and transitional provision as may appear to the States to be necessary or expedient.
- (2) Any power conferred upon the States by this Law to make an Ordinance may be exercised -

- (a) in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or in relation to any specified cases or classes of cases;
 - (b) so as to make, as respects the cases in relation to which it is exercised -
 - (i) the full provision to which the power extends, or any lesser provision (whether by way of exception or otherwise);
 - (ii) the same provision for all cases, or different provision for different cases or classes of cases, or different provision for the same case or class of case for different purposes;
 - (iii) any such provision either unconditionally or subject to any prescribed conditions.
- (3) Any power conferred by this Law to make an Ordinance may be exercised at any time after the registration of and before the date of commencement of this Law; provided that no Ordinance so made shall come into force until the said date of commencement.

APPENDIX VII**HOUSING DEPARTMENT**

The Minister
Treasury and Resources Department
Sir Charles Frossard House
La Charroterie
St Peter Port

29th October 2007

Dear Deputy Trott

RATIONALISATION STRATEGY

Thank you for the opportunity to comment on your States Report entitled 'States Property Rationalisation'. This matter has been considered by the Housing Department.

As you know, this Report has been the subject of extensive discussion at senior staff level in an effort to resolve concerns about the proposals set out in Section 3, which engage fundamental matters of States' policy regarding Guernsey's unique housing market system, as well as the Housing (Control of Occupation) (Guernsey) Law, 1994 ("the 1994 Law"), whose provisions enshrine those policies in legislation administered by the Housing Department.

Regrettably, notwithstanding the extensive dialogue that has taken place, it has not been possible to find a mutually acceptable position. We are, therefore, grateful for the opportunity to set out our concerns in this letter to be appended to your Report, in order that the States may be fully appraised of our concerns, and the reasons for them, when this matter is considered by the States.

Confusion between the status of a dwelling and the controls placed on its occupation

By means of introduction, and before the Department's concerns are set out in detail, it is important to clear up the confusion, inherent in the Report, between the status of a property and the controls that apply to its occupation.

In simple terms, all dwellings – regardless of who owns them – are either Local or Open Market. Open Market dwellings are specifically inscribed on the Housing Register.[§]

The 1994 Law governs who may occupy different types of dwelling.

Again, simplifying matters, people without residential qualifications need a housing licence to occupy a Local Market dwelling. Housing licences are not required to occupy Open Market dwellings inscribed in Part A of the Housing Register.

Special provisions govern the occupation of dwellings in States' ownership. States-owned property is governed by Section 65(1) of the 1994 Law which states that: "*No provision of this Law applies to the occupation of a dwelling in the possession or ownership of the States*" (underlining added).

In other words, unless this provision is specifically suspended for a specified dwelling, persons occupying States-owned dwellings are not required to hold housing licences.

Some States' dwellings - Longacre is a case in point – are Open Market dwellings because at the time they came into the possession of the States they were inscribed in Part A of the Housing Register. Provided they have not been subsequently deleted from that Register, the fact that they have come into the possession or ownership of the States at a later stage does not detract from their Open Market status.

Those dwellings can therefore be sold as Open Market dwellings (provided they have not been altered in such a way as to lose that status).

Any dwellings in the ownership of the States which do not appear on Part A of the Housing Register, or elsewhere on the Register, will have Local Market status and can only be sold as such.

Open Market Housing Register closed

As a matter of law and States' policy, since the commencement of the Housing (Control of Occupation) (Guernsey) Law, 1982, the Open Market Housing Register has been closed for new inscriptions (Section 30 of the current 1994 Law refers). That is to say, the overall number of dwellings on Part A of the Register (private dwelling houses) has not increased since 1982.

Nonetheless, it is acknowledged that Section 52 of the 1994 Law does provide that the States may, by Ordinance, permit the Housing Department to inscribe any dwelling in Part A or Part B of the Housing Register.

However, the circumstances under which this can occur were strictly prescribed by the States, as recently as March 2001 (Billet d'Etat III). As a matter of policy, the States resolved that the overall number of Part A Open Market dwellings would not increase,

[§] There are 4 parts to the Housing Register: Part A – private dwellings; Part B – hotels; Part C – nursing and residential homes; Part D – lodging houses.

but that exceptionally Part A Open Market dwellings could be included in prestigious or important developments such as the MURAs or ‘where there are other strategic issues’. The detailed proposals were summarised in a Policy Statement, agreed by the States, which is reproduced at Appendix VIII.

Although the 2001 Policy Statement does not specifically include States’ properties, neither does it exclude them. In principle, there is no reason why the existing Policy Statement could not be used by the States. If these proposals fulfilled the terms and conditions of that Policy Statement then the Department would not be opposed to them.

However, the Department notes that the Treasury and Resources Department accepts that it is not appropriate to use the 2001 Policy Statement in respect of these properties. It also acknowledges that the States are supreme in the decision-making process and can resolve to adopt a new policy statement in respect of properties which are currently in their ownership. However, this Department believes that such a policy statement should not be adopted by the States for the reasons set out below.

No compensatory deletions

Consistent with the States’ decision not to increase the size of the Open Market, one of the key principles of the policy approved by the States 2001 is that, for each new dwelling to be inscribed, an existing dwelling must be deleted from the Housing Register. The proposals contained in the Report seek to increase the overall number of Open Market dwellings inscribed in the Housing Register, as it is not proposed that there are compensatory deletions from the Housing Register.

In this regard, it is noted that the Report suggests that the inscriptions of four dwellings, Clos Vivier, Longacre, Treliske and the house on Lihou Island, might be offered in exchange, although that offer is not included in the propositions. However, the States should be aware of the position regarding each of these four inscriptions.

Clos Vivier

It is true to say that, prior to its demolition, Clos Vivier was a Part A Open Market dwelling.

However, the clear intention of the policy approved by the States in 2001 was that the Local Market housing stock was not to be depleted by the inscription of a newly built dwelling in the Housing Register.

The way in which this is achieved is that when a dwelling is deleted from the Housing Register it becomes a Local Market dwelling, effectively to compensate the Local Market for the loss created by the inscription in the Register of the newly built dwelling.

Therefore, the suggestion that the inscription of Clos Vivier could be available to “trade” is not correct. Clos Vivier was deleted from the Housing Register

because the property was demolished in conjunction with revisions to the Airport safety zone – it was not returned to the Local Market.

Longacre

This property remains a Part A Open Market dwelling and is therefore inscribed in the Housing Register.

The fact that it is in States' ownership is of no relevance to that inscription. If, at some stage in the future, a decision is taken to sell this property it can be sold as a Part A Open Market dwelling and its market value will reflect that status.

Treliske

As stated in the Report, this property forms part of the States' site at Burnt Lane, St Martin. It was formerly inscribed on Part A of the Housing Register. However, it has long since ceased to be used as a dwelling and was deleted from the Register in 2001. Therefore, its deregistration did not and cannot benefit the Local Market.

House on Lihou Island

The main house on Lihou Island is inscribed in Part A of the Housing Register. It would be possible to deregister this property and, if the States were in agreement, "swap" its inscription to one of the properties in this Report. However, at the time of the Island's purchase in 1995, the then President of the Housing Authority wrote to the President of the then Board of Administration stating that the Authority was not prepared to recommend a "swap" of this inscription as "*it will never form a useful part of the Guernsey housing stock because of its location and the tidal conditions affecting access*". These peculiar aspects of the property obviously still apply. Therefore, its deregistration would not and could not genuinely benefit the Local Market.

Potential misuse of Section 52 of the 1994 Law

The Report asks the States to approve a new policy statement in respect of properties owned by them and to direct that the properties named therein be inscribed in Part A of the Housing Register by virtue of Section 52 of the 1994 Law.

It is reiterated that the Housing Register is closed for new inscriptions. As stated above, current States' policy, which was reconfirmed as recently as the March 2001 debate on the Review of the Open Market, is that the Register should not be enlarged (or contracted) by legislative measures. On the occasions since 1982 when the size of the Open Market has been debated, the States have always decided that the size of the Open Market should not be increased. The view has been that an expansion could not be justified on housing grounds. In fact, the opposite applies as there would be a loss or potential loss of Local Market dwellings.

This means that, despite the ability of the States to add properties to the Register using the provisions of Section 52 of the Law, it has been States' policy since 1982 not to increase the number of properties on the Open Market Housing Register. Therefore, Section 52 has not been used.

These proposals would overturn that situation without having given the States full and detailed arguments why they should now reverse a policy which has been in force for 25 years.

Further concerns about the use of Section 52

The Housing Department acknowledges the understandable desire of the Treasury and Resources Department to exploit the States' property assets to their best advantage, in value and thus price terms, and notes that the reason for the Treasury and Resources Department's proposal is to obtain funds for General Revenue, and so public benefit.

However, it must be understood that, subject only to the States using their powers under Section 52, the Housing Register is, and will remain, closed unless and until the States resolve to amend their policy in this regard, and propose the necessary amendments to the 1994 Law.

One of the difficulties about using Section 52 in the manner intended is that, whilst it is assumed by the Treasury and Resources Department to be useable only in accordance with some States' policy, in practice it can be used *ad hoc* by the States – even through a Requête – to cause any dwelling to be inscribed.

However, the 1994 Law gives no directions or guidance as to which dwellings should be inscribed. Unlike the 1969 and 1975 Housing Control Laws, in which the rateable value (i.e. {roughly} the size, of a dwelling) was the primary qualifying factor for inscription in the Housing Register, Section 52 of the 1994 Law provides no similar qualitative or quantitative input into a proposal to the States to inscribe a property in the Register. The only qualifying factor in the 1994 Law is that the building to be inscribed by Ordinance should be a dwelling, as defined by the 1994 Law.

Taken to its logical conclusion, the new policy statement proposed by Treasury and Resources would thus enable the Housing Department to sell off incompatible States' houses on the Open Market. While that would have a public benefit by increasing the monies available to the Housing Department for improving and adding to the social housing stock, the downside would be that it would risk rapidly devaluing the stock of Open Market housing. It would also make a nonsense of our responsibility to protect the local market housing stock for occupation by those with residential qualifications – the very essence of the Housing Control Law - and conflict with our mandate to implement policies to meet the housing needs of local people.

In the light of the above, it must be clearly understood that the Housing Department is not in a position, without further States' direction, to be generally implementing a

change in policy that will have the effect of re-opening the Open Market after 25 years of ordinary closure (because the addition of new Open Market dwellings pursuant to the 2001 Resolution will only occur in extraordinary circumstances). Accordingly the Department will not accede to requests for inscription from the private sector and promote Ordinances under Section 52 having that effect, even in circumstances in which the benefit derived from inscription by Ordinance of a dwelling in the Register and the sale of that property, would accrue to the public (as would, for example, be the position if the property were owned by a locally operating charity).

Spurious arguments about the growth of the Local Market and dwellings built on States-owned land

In the context of what is being proposed, the arguments in paragraphs 3.14 and 3.19 about the growth in Local Market housing are entirely spurious.

The Open and Local Markets are distinct entities and you cannot trade between them.

Listing all the dwellings that have been built on States-owned land since 1982 is at best irrelevant and, at worst, misleading, as of necessity all such new housing has been Local Market because the Housing Register has been closed.

The reference to “States housing” confuses matters further.

Meeting housing need is being confused with the laws governing the occupation of housing. These are two entirely separate matters.

Discrimination in favour of the States and the danger of precedent

The Housing Department is regularly approached by individuals or businesses who seek to increase the value of their dwellings and developments by requesting their inscription in the Housing Register.

The Department is able to give definitive advice in such cases based on the provisions of the 1994 Law and the policy agreed by the States in March 2001.

If the States deviate from the 2001 policy statement by approving a new one in order to maximise income, albeit that the income generated will be returned to the public purse, the Department is in no doubt that it will make it very difficult for it to resist similar requests from private individuals and businesses, as to have one policy statement for the States and another for everyone else could be seen to be discriminatory regardless of what body profits as a result.

Not all the proposed inscriptions are dwellings

Fort Richmond, Granville House, Grange House and Belvedere House are not inscribed in the Housing Register and therefore can only be sold as Open Market dwellings if the States make a positive decision to do so.

Furthermore, while acknowledging that all of these properties have been used, at some time in their history, for residential purposes, it must be pointed out that the 1994 Law applies only to existing dwellings. Section 71 of the 1994 Law defines a dwelling as, “...*any premises or any part of any premises used or made useable for the purposes of human habitation...*”.

Even if the use class of any of these named properties was to be changed by agreement with the Environment Department to be residential, each of the properties for which an Open Market inscription is sought would have to be used, or made useable, as a dwelling in order to be classified as such under the provisions of the 1994 Law. With the exception of Belvedere House, the properties under consideration are unlikely to fall within that definition at the time of sale.

As a result, any agreement to create an Open Market Part A inscription in relation to the three other properties (Fort Richmond, Granville House and Grange House) would have to be held in abeyance, in favour of the new owner, until such time as the Housing Department was satisfied that a useable dwelling had been created.

How many potential inscriptions are possible?

The Housing Department is pleased to note that the Treasury and Resources Department is proposing that there should be only one Open Market inscription at each of the four properties to be sold.

However, given the size of Fort Richmond, Granville House and Grange House, it is perhaps unlikely that any of these three properties would be developed as a single unit of accommodation. For the avoidance of doubt, the States should, therefore, be aware that if any of these properties is sold as a single dwelling and inscribed as such, any potential Part A Open Market inscription would relate to the whole dwelling. That being the case, if any of these three properties was then made useable as two or more dwellings, it would have to be deleted from the Housing Register under the provisions of Section 35 of the 1994 Law.

However, it would be possible, upon application being made, for one only of the new units of accommodation created as a result of the sub-division to be inscribed in Part A of the Housing Register.

The situation with regard to Belvedere House is the reverse of this scenario. In this case, the property is currently divided into a number of separate units of accommodation. It is proposed that only one inscription in Part A of the Housing Register will be available at Belvedere House. Therefore, if the property is altered after it has been inscribed such that it becomes usable as only a single unit of accommodation, under the provisions of Section 34 of the 1994 Law, the inscription will be lost and the whole dwelling will become Local Market.

If the States were, therefore, to approve the proposals it must be understood that each property will carry just one potential Open Market Part A inscription, regardless of the number of dwellings that the property comprises either at the time of its sale by the States or subsequently.

If any of the four properties is made useable as a single dwelling, the inscription will 'belong' to the whole dwelling, provided that the property has been converted into one dwelling before it is inscribed.

Conclusions

Summing up, the Housing Department has serious concerns that, while superficially attractive, the proposals do not have regard to the historical origins of the Housing Control legislation nor the practical application of those policies, which this legislation is designed to implement.

In particular, the Report provides no clear justification for creating a new policy statement to permit Section 52 of the 1994 Law to be used for a purpose for which it was never intended. The board is firmly of the view that unless, and until, a substantive basis for the proposed policy statement and course of action can be devised, the States should not consider these proposals.

Indeed, as a minimum, the States should be provided with explicit reasons why government should be able to create a policy specifically for its own use only and depart so fundamentally from the terms of the policy agreed by the States in March 2001, when any private property owner or developer would be obliged to fulfil the strict terms of the 2001 policy.

Yours sincerely



D Jones
Minister

APPENDIX VIII

BILLET D'ETAT III 2001

EXTRACT FROM POLICY LETTER ENTITLED "HOUSING CONTROL LAW - REVIEW OF THE OPEN MARKET"

Section headed INCLUSION OF OPEN MARKET ACCOMMODATION IN PRESTIGIOUS OR IMPORTANT DEVELOPMENTS extracted from page 191.

- “1. The policy would not apply to small one-off sites or single dwellings.
2. It can apply to sites:
 - which are part of a Mixed Use Redevelopment Area (MURA) and where the overall number of new dwellings in the MURA is likely to be in excess of 100; and/or
 - where there are other strategic issues.
3. In return for each dwelling to be inscribed, one existing dwelling must be deleted from Part A of the Housing Register.
4. Neither the dwelling to be deleted nor that to be inscribed will have to meet any specific size or rateable value criteria. It will simply be a numerical exchange, albeit that the Authority will have to approve the specific dwelling which is to be inscribed or deleted.
5. The dwelling to be deleted must be unoccupied, or occupied by an unrestricted qualified resident, at the time of the application to delete the inscription. The fact that the dwelling is the subject of an application for the deletion of the inscription from the Housing Register under this policy would not be regarded as a reason which, of itself, would justify the grant of a housing licence to an occupier or former occupier.
6. The number of dwellings which can be inscribed on a one to one exchange basis will be limited to one third of the total number of dwellings in the development or a maximum of eight dwellings whichever is the lesser.

Note – for the purposes of the above policy statement the words “site” in number 2 and “development” in number 6, mean that an owner will only be eligible for one such concession in respect of parcels of adjacent land in his ownership in the MURA. The owner would not be able to increase the number of dwellings beyond the eight or one-third mentioned in number 6 by phasing the site development or by transferring land to an associate company.”

(NB The Policy Council supports the proposals.)

The States are asked to decide:-

XI.- Whether, after consideration of the Report dated 26th October, 2007, of the Treasury and Resources Department, they are of the opinion:-

1. To note the progress made on the Rationalisation Strategy to date as set out in that Report.
2. To approve the disposal by sale or lease, as set out in Section 2 of that Report, of:
 - (a) Vale Mill;
 - (b) Fort Richmond;
 - (c) Nelson Place.
3. To approve the policy statement that:

Appropriate properties currently in States' ownership which are no longer required for public purposes may, with the agreement of the States, be inscribed in Part A of the Housing Register and all of the monies arising from the sale (freehold or long lease-hold) shall be treated as capital income.
4. To direct that, subject to the appropriate Planning Use Classes being obtained, Ordinances be prepared to enable the Housing Department to inscribe in Part A of the Housing Register by virtue of Section 52 of the Housing (Control of Occupation) (Guernsey) Law, 1994 one dwelling only at each of the following premises which are currently in the ownership of the States:
 - (a) Fort Richmond;
 - (b) Granville House;
 - (c) Grange House;
 - (d) Belvedere House.
5. To direct that an Ordinance be prepared to suspend the provisions of Section 65(1) of the Housing (Control of Occupation) (Guernsey) Law, 1994 in relation to specified properties in the possession or ownership of the States of Guernsey, as set out in that Report.
6. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

ENVIRONMENT DEPARTMENT**WASTE ARISING, RECYCLING AND GROWTH**

The Chief Minister
Policy Council
Sir Charles Frossard House
La Charroterie
St Peter Port

25th September 2007

Dear Sir

1 Executive Summary

1.1 In January 2007 the States rejected recommendations within Billet I concerning a) the waste arisings tonnage, b) the recycling target and c) the waste growth projections on which any future waste treatment technology must be sized. This report seeks States agreement on these three key values in order that procurement of essential waste infrastructure can progress.

1.2 This report seeks to:

- A. Set a level for waste arisings, justify that figure and in doing so it;
- Explains that waste arisings are not the same as tonnage landfilled at Mont Cuet;
 - Explains that a reduction in Mont Cuet landfill tonnage is not the same as a reduction in waste arisings and that waste arisings can increase whilst landfill decreases.
 - Explains that waste arisings are calculated before recycling and reuse are taken into account and hence increased recycling and reuse does not reduce waste arisings;
 - Explains that other factors such as illegal burning, or dumping of waste can lead to a reduction in landfill tonnage even when waste arisings are increasing.
- B. Set a target for recycling and in doing so, it clarifies the meaning of the States adopted target of recycling 50% of Household and Commercial and Industrial waste.

- C. Set a minimum annual tonnage which the procured treatment facility will be required to handle, by applying the 50% diversion target to the waste arisings figure.
- D. Set a growth rate (over the expected life of the plant) to be applied to the starting tonnage and thus calculate a maximum annual tonnage. The minimum and maximum tonnages collectively define plant capacity.

2 Purpose of this Report

- 2.1 To gain endorsement of the quantities, in full, to be managed by infrastructure in the future. This will guide the Public Services Department in their procurement of facilities and services for waste handling, treatment and disposal.

3 Implication

- 3.1 The capacity of waste infrastructure should be matched to the community it serves. Misjudgement of capacity requirements will result in either inadequate service provision, or excessive use of resources. Irrespective of technology choice, expenditure on waste management infrastructure is a multi-million pound proposition and therefore, decisions must be expected to pass the highest standards of scrutiny. Hence the Environment Department has made recommendations that are grounded in evidence and the advice of appropriately qualified advisors, primarily Enviros who were appointed subsequent to the findings of the Panel of Inquiry.

4 Definition of Waste Arisings and Residual Waste

- 4.1 It is vital to an understanding of this topic that the concept of waste arisings is defined. Waste arisings are the amount of wastes produced by a community before any separation or recycling has occurred. Once appropriate materials have been separated for recycling or treatment, there will be a smaller quantity of waste left over, termed residual waste.
- 4.2 Residual waste is that from which further materials cannot be extracted. This may be because of economic issues, or because of an absence of markets for recovered materials, or because of technical barriers.
- 4.3 It is important to understand the tonnage of waste arisings because this will dictate the overall capacity of waste management infrastructure *i.e.* including collection, sorting and treatment.
- 4.4 It is important to understand the tonnage of residual waste because this will dictate the capacity and process choice for treatment: a facility that will probably account for the majority of capital expenditure.

- 4.5 In Figure 1, waste management activities in 2004 and 2006 are compared. Stimulated by rising landfill charges, there was an incentive to reduce the quantity of waste sent to Mont Cuet. Increased recycling is a welcome and legitimate consequence of an increased gate fee. Unfortunately, increases in open burning, fly tipping and uncontrolled burial have also been observed.
- 4.6 The key point in relation to Guernsey is that tonnages landfilled at Mont Cuet should not determine the size and capacity of future waste management infrastructure. Fluctuations in this quantity are not representative of waste arisings. Hence consideration of the tonnage landfilled in isolation from the tonnages flowing through other activities is an unreliable guide to the size of treatment plant or other facility.
- 4.7 Figure 1 also portrays the effect of implementing the waste strategy. It shows that appropriate sorting, recycling and treatment infrastructure will achieve further dramatic reductions in the quantity of residual waste sent to landfill.
- 4.8 Some members may be familiar with the discussion of waste generation and recycling presented in the Sustainable Guernsey series of reports. It is important to note that the terminology and methods used in those reports are not consistent with the industry standards, as used by Enviros. Hence, the term 'waste produced' does not equate to waste arisings, nor do the methods to calculate recycling performance match those used by Enviros. A comparison between figures from this report and the Sustainable Guernsey report will not be possible.
- 4.9 The Enviros figures are adopted here, firstly because they conform with wider standards. Secondly, the Sustainable Guernsey method inflates recycling performance and consequently the Enviros method actually entails a greater commitment in tonnage terms to recycling and hence a smaller treatment facility. The Department believes there is sympathy for these implications and hence this report will not dwell upon the differences.

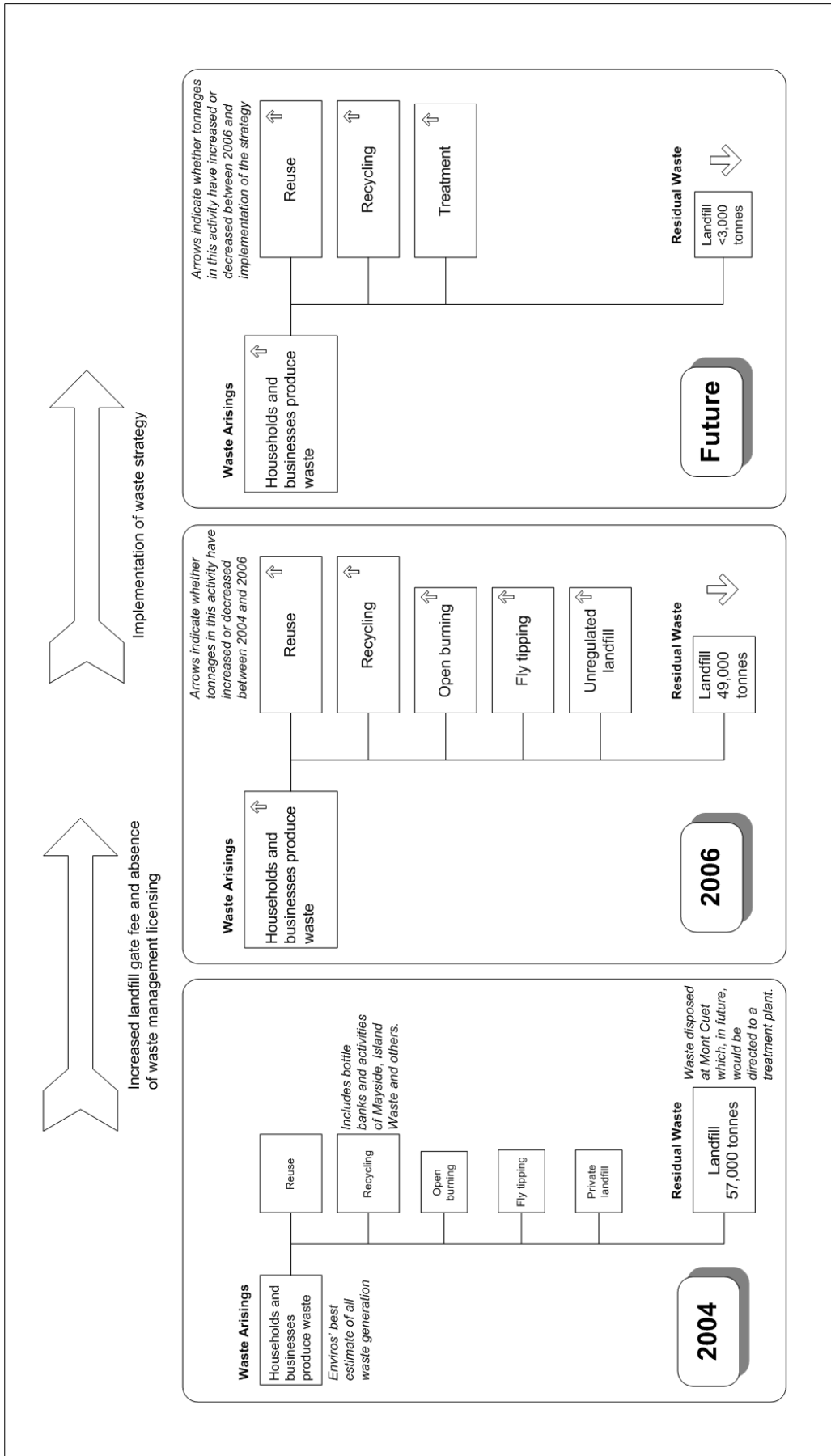


Figure 1 Comparison between 2004, 2006 and future waste management

5 Definition of Diversion

- 5.1 As seen in Figure 1, there are numerous activities that determine the quantity of residual waste. Qualifying these activities as ‘recycling’ or ‘re-use’ and other terms can be problematic. For example, sending stone separated from builders’ skips to Longue Hougue could be defined as ‘disposal’ or ‘re-use for land reclamation’ depending upon one’s perspective.
- 5.2 To avoid confusion, this report focuses upon the strategic objective of conserving void space in Mont Cuét landfill. Therefore all activities which contribute to the reduction of residual waste, *i.e.* divert waste from landfill, are simply termed ‘diversion’.

6 January 2007 Debate of Enviros Recommendations

- 6.1 In January 2007, having considered the Environment Department report dated 12 October 2006 (Billet d’État I, 2007), the States negated proposition 1 of that report “*To endorse the waste arisings and growth projections as set out in Appendix 3*”. As a consequence the States has not, to date, agreed:
- A.) The waste arisings or
 - B.) The future growth of those waste arisings over the life of the strategy.
- 6.2 Despite the States rejection of Enviros recommendations, following an extensive and detailed review the Department has not been presented with any proof that Enviros’ work was flawed, nor have credible alternatives been put forward.
- 6.3 What is clear is that there has been significant confusion over what constitutes waste arisings, why landfill is reducing and hence what facilities are needed in the future. The Department has considered a number of scenarios in order to present alternative data to the States but has concluded those scenarios were all significantly flawed and ran the very real risk of leading to the procurement of inappropriately sized facilities. As a consequence the department has concluded the only robust and reliable data on which to act is that presented by ISL and verified by Ramboll and Enviros.
- 6.4 Instead of presenting flawed alternatives, the department has concentrated on clarifying the misunderstandings clearly present, thus enabling the States to make a truly informed decision.
- 6.5 In revisiting the States decision in January to reject Enviros’ conclusions, the following justifications are offered.
- 6.6 One factor which is believed to have undermined confidence in Enviros’ work is the discrepancy between actual tonnages landfilled and those forecast by the model.

- 6.7 Data from 2004 (amongst other factors) was used to calibrate projections of recycling and waste growth. Calibration data from 2004 is based upon waste inputs to Mont Cuet amounting to 57,108 tonnes (a slight correction is applied to the weighbridge data in order to eliminate double counting in some of the weighbridge data). The model then applies a growth rate to calculate the tonnage landfilled in successive years. Hence the model predicts tonnages sent to landfill will grow over successive years from 57,108 in 2004. However, in 2006, the tonnage landfilled had dropped to just under 50,000 tonnes. This fall contrasts with the prediction of growth and has raised concerns that the model is inaccurate.
- 6.8 There is little doubt that the increased gate fees have led waste producers to look for alternatives to landfill during the period in question. Whilst one can expect some waste reduction and some increased recycling to have contributed to the reduced tonnages entering the landfill site there can be no certainty that this alone accounts for the 7,000 tonnes difference. Neither can there be any certainty that, during the period in question actual waste arisings (as opposed to waste entering Mont Cuet) have reduced. There is however, ample evidence to demonstrate that waste that would otherwise have entered Mont Cuet has been stockpiled or disposed of through uncontrolled burning or landfill. These unsustainable practices may well account for the apparent reduction in waste.

7 Amendment to undertake 50% recycling

- 7.1 In January 2007, the States supported an amendment to adopt a target of 50% recycling of household and commercial waste. This 50% recycling target must be applied to the waste arisings figure adopted by the States in order to generate the starting tonnage against which any future growth projections will be applied (see section 8 for more detail of the overall approach to calculating plant capacity).
- 7.2 The amendment placed was open to interpretation as it did not specify whether the target was to recycle 50% of the combined household and commercial waste arisings or 50% of each of the two categories. Whilst the total tonnage recycled in each case remains the same the latter interpretation is more restrictive as to how the tonnage is to be achieved. In addition the amendment did not specify what the 50% target was to be measured against. For example, for commercial waste, the 50% target could be measured against the tonnage of the commercial waste currently entering Mont Cuet or assumptions could be made about the amount of recycling already being achieved.
- 7.3 It is therefore necessary to clarify the intention of the amendment and to set the waste arisings against which the 50% recycling target is based and monitored.
- 7.4 The intention of the amendment is that recycling in the future should grow above the current levels, up to 50%. The detailed calculation is described in section 10, but further clarification is given here.

- 7.5 For household waste, statistics on recycling have been collected over several years. This information is readily available because facilities such as the bring scheme have been operated by the public sector. Consequently, it is possible to calculate with some precision the quantity of household waste and how much of that is recycled.
- 7.6 As discussed in section 4.8, the Sustainable Guernsey measurements of household waste recycling are not comparable with the measures used by Enviro. However, in general terms, the implication of the amendment is that household waste recycling should increase from a current rate of around 26%, up to 50%. Hence a further 23% of household waste will require diversion from landfill via bring banks and other facilities.
- 7.7 For commercial and industrial waste, the issue is less clear because there are numerous private sector operators that undertake activities to divert waste from landfill. The department and its advisors have obtained the relevant information from larger operators but it is not possible to establish the exact quantity of waste arising, nor the quantities that are separated, recycled and otherwise diverted – often because that information is not recorded.
- 7.8 Hence, a best estimate was taken on the basis of data collected about the largest streams of commercial waste. In addition, the experience of the board's advisors and data from similar communities was taken into account. The implication of the amendment is that commercial and industrial waste recycling should grow from around 31% (as assessed in 2004) up to 50%.
- 7.9 The effects of recycling upon waste tonnages are described further in section 10.
- 7.10 The final aspect of the amendment that requires clarification is timescale. It is intended that 50% recycling will be achieved by 2010.

8 Calculation of waste treatment plant capacity

- 8.1 The general approach to calculating waste treatment plant capacity is:
- 8.2 Firstly, measure waste arisings in terms of tonnes per annum
- 8.3 Secondly, subtract the tonnage that may be diverted by recycling and other measures, thus giving the start capacity (or lower limit)
- 8.4 Lastly, apply a growth factor to the start capacity over the design life of the facility, to determine the final capacity (or upper limit)
- 8.5 This calculation formed the basis for the recommendations of Billet I of 2007. Sections 9, 10 and 11 of this report present it in simplified form.

9 Waste arisings

9.1 Table 1 below contains data gathered in 2004 from weighbridges (at Mont Cuet and Longue Hougue) and from discussions with private sector waste hauliers and operators of recycling facilities. These figures show the effect of recycling and diversion activities in 2004.

Category	Diverted	Residual	Total
Parish Waste diverted	4,068		
Parish Waste residual		16,438	
Civic Amenity site waste diverted	1,542		
Bulk residual (collected at the Civic Amenity site)		4,147	
Total Household Waste Arisings			26,195
Commercial & Industrial waste diverted	10,961		
Commercial & Industrial waste residual (Mont Cuet inputs - C&I plus asbestos & hazardous waste)		24,969	
Total Commercial & Industrial Waste Arisings			35,929
Construction & Demolition waste diverted (to Longue Hougue (154,000 t), Ronez (45,000t))	199,000		
Construction & Demolition waste residual		8,913	
Total Commercial & Demolition Waste Arisings			207,913
Other Non-household Waste Diverted	12,107		
Other Non-household waste residual		2,641	
Total Other Non-household Waste Arisings			14,748
Total Waste Diverted	227,678		
Total Waste Residual - Input into Mont Cuet		57,108	
Total Guernsey Waste Arisings			284,785

Table 1 2004 Waste arisings and diversion

9.2 Therefore in 2004, residual waste amounted to 57,108 tonnes *i.e.* this quantity was landfilled.

10 Applying 50% recycling

10.1 From Table 1, the household waste arisings (as opposed to tonnage landfilled) in 2004 were 26,195 tonnes. After 50% diversion, this would leave 13,098 tonnes.

10.2 Looking at commercial and industrial waste and including the 'other non-household' category, waste arisings in 2004 were 50,678 tonnes. After 50% diversion, this would leave 25,339 tonnes.

10.3 Hence the quantity of waste requiring treatment would amount to 13,098 + 25,339 = 38,437 tonnes.

- 10.4 It should be borne in mind the above figure relates to arisings in 2004. The earliest planned date for operation of a treatment facility to start is 2012. Therefore the 2004 figure must be adjusted to reflect any change in waste arisings that will take place between 2004 and 2012. Enviro arrived at a complex method for determining trends in Guernsey's waste, a summarised figure of 1.30% annual growth is used here, which gives a figure of 42,621 tonnes.
- 10.5 Enviro also assumed that sewage treatment would be operational from 2010 and in 2012 this would generate 1,170 tonnes per annum of sludge.
- 10.6 Start capacity of a solid waste treatment facility is therefore estimated to be 42,621 + 1,170 = 43,791 tonnes per annum.**
- 10.7 In the absence of alternative, robust evidence, the Environment Department is unable to support any alternative capacity figures. To do so would be to risk multi-million pound expenditure on a false premise. However, for comparison purposes only, the Department has set out in appendix A an alternative calculation based on 2006 Mont Cuet Tonnages.

11 Growth projections – introduction

- 11.1 Having determined the initial quantity of waste that requires treatment, it is necessary to take a judgement on how that quantity will change over the lifetime of a treatment facility. It is conventional to use a planning period of 20 years.
- 11.2 Enviro calculated waste quantities on the basis of investigating waste arisings from different sectors of the community, taking account of future economic effects upon those sectors and assessing the scope for recycling and other means of diversion. (Contrary to some views, the growth rate is not a direct match with GDP.)
- 11.3 Opinions about the future performance of different economic sectors were gained from extensive consultation. Sources within the public and private sectors were used, including statisticians from Commerce and Employment, and the Policy Council.
- 11.4 Consequently, Enviro's forecast of waste production is expressed as a series of percentage growth rates for each of the waste streams. Underlying each growth rate are several judgements. For example, growth in the finance sector will be accompanied by a lower growth in waste quantities than one would expect from other industries. Similarly, the construction industry is expected to reduce as a number of large projects reach completion, after which it will settle to a period of neutral growth.
- 11.5 Inevitably when making assertions about the future there is scope for error and uncertainty. In order to build confidence in the forecasts, a range of values for

economic performance was tested. This found the outcome to be robust and changed little with different views on key variables.

- 11.6 Further confidence was gained by noting the outcome of this investigation reached a similar conclusion to studies conducted by Ramboll in 2000 (as part of tender preparations) and Integrated Skills Ltd in 2002 (for preparation of the draft Waste Management Plan).
- 11.7 No specific issues have been raised with the Environment Department about the rejection of the waste arisings presented in Billet I of 2007.
- 11.8 Consequently, it is assumed here that debate of the multitude of factors underlying Enviros' forecast would not be feasible and in any event, the reasoning was documented within Billet I.
- 11.9 Instead, the purpose of this report is to demonstrate the effect of different growth rates upon treatment plant capacity.
- 11.10 Six growth rates have been examined, presented in Table 2. These include a simplification of the growth rate calculated by Enviros ("Medium"), and five arbitrary values for the purpose of discussing plant capacity in section 14.8

	Value	Description
Sharp decline	-2%	Strong negative growth
Gentle decline	-1%	Negative growth
Zero	0%	No growth
Low	1.5%	Enviros growth less 1%
Medium	2.5%	Enviros growth rate
High	3.5%	Enviros plus 1%

Table 2 Various growth rates used to estimate upper capacity limits

- 11.11 Readers may note the difference between the growth rate of 1.3% applied in 10.4 and the rate of 2.5% in Table 2. This apparent discrepancy arises from the complexities of the model. In summary, the value of 1.3% reflects the short term impact of introducing new diversion measures which create a distinct reduction in the production of residual waste. However, most measures have a practical limit beyond which no further benefits can be gained. For example, waste minimisation may only be applied up to the point beyond which an organisation's activities become negatively impacted, or the costs of recycling outweigh the benefits. Consequently, waste growth ultimately returns to the long term growth rate and hence the higher value in Table 2.

12 Growth projections for output of Enviros model

- 12.1 Applying the growth rates in Table 2 to the lower capacity limit in paragraph 10.6, results in several possible upper capacity limits, shown below in Table 3.

Start Tonnage		43,971
End tonnage after 20 years at growth rates:	Sharp Decline	29,832
	Gentle Decline	36,178
	Zero	43,791
	Low	58,108
	Medium	70,006
	High	84,187

Table 3 Start and end tonnages under various growth rates based upon output of Enviros model

- 12.2 **Upper capacity of a solid waste treatment facility using Enviros' growth rate of 2.5% is therefore estimated to be 70,006 tonnes per annum.**

- 12.3 It can be seen that compared to Enviros' forecast outcome (shown in bold in Table 2), widely varying results in tonnage are possible depending upon the choice of growth rate. This demonstrates the risk of incorrectly sizing a plant if forecasting is not carried out rigorously.

13 Comparison with Enviros model

- 13.1 Enviros were able to estimate the effect of future recycling practices based upon the presence of recyclable material in waste arisings and the availability of means to recover, separate and re-process that material. Collectively these were termed the High Recycling scenario and, if implemented, would put Guernsey on a par with the best UK authorities in terms of recycling.

- 13.2 **Therefore Enviros' interpretation of High Recycling is quite different to the amendment supported by the States in January 2007. The amendment essentially describes recycling in terms of an aspiration to reach a target, whereas Enviros' interpretation is based upon levels of operational performance observed elsewhere.**

- 13.3 Taking account of the time to implement operations necessary to deliver High Recycling, Enviros calculated a residual waste tonnage in 2008 of 41,753 tonnes. After applying the same corrective factors as described in sections 10.4 and 10.5, the start capacity of a solid waste treatment facility was estimated to be 45,664 tonnes per annum.

- 13.4 If the growth rates from Table 2 are applied then upper capacity limits may be calculated. The results are given in the centre column of Table 4 alongside the results from Table 3 for comparison.

	Enviros High Recycling	50% Recycling as Per Amendment
Start Tonnage	45,664	43,971
End tonnage after 20 years at growth rates:		
Sharp Decline	31,108	29,832
Gentle Decline	37,726	36,178
Zero	45,664	43,791
Low	60,594	58,108
Medium	73,001	70,006
High	87,789	84,187

Table 4 Summary of plant capacity calculations

- 13.5 It can be seen there is a minimal difference between the two methods, in effect both recycling targets (Enviros High Recycling and the target set by the amendment) lead to the same plant capacity.

14 Summary

- 14.1 All waste management infrastructure should be designed to cope with the quantity of waste likely to be produced over its lifespan. When considering the capacity of waste treatment processes and the scale of expenditure on such plant, the financial implications of this decision become particularly important.
- 14.2 The Department wishes to allay confusion over the term ‘waste arisings’. In short, the quantity of waste landfilled at Mont Cuet is not a reliable indicator of the capacity requirements of a treatment facility. This is because various practices to divert waste from landfill have become more prevalent as a result of increased landfill gate fees and the absence of waste management licensing. The quantity of waste landfilled is not equivalent to waste arisings. Waste arisings are the total quantity of waste generated before taking into account the effect of any separation or processing. An understanding of this quantity is vital to the accurate specification of the overall capacity of waste treatment infrastructure *i.e.* including collection, sorting and treatment.
- 14.3 The Department acknowledges the States decision to reject Enviros’ findings in the January 2007 debate, however it has not been presented with evidence that

refutes Enviros' analysis. Section 6 discusses how the discrepancy between tonnages presented at Mont Cuet and those forecast for disposal by Enviros may be accounted for by unsustainable disposal practices, such as wood burning and unofficial landfill.

- 14.4 An amendment was supported in the January 2007 debate which committed to recycling 50% of household and commercial waste. The amendment could be interpreted in a number of ways which have been clarified by this report. In summary, the amendment sets a target of increasing existing recycling performance such that 50% of household waste and 50% of commercial waste is recycled by 2010.
- 14.5 Waste arisings are a result of complex factors that govern the economic activity of the community. Similarly, the viability of recycling, waste minimisation and other measures to divert waste from disposal will be influenced by a multitude of issues. Therefore a forecast of waste arisings and growth must recognise uncertainty about how these issues will develop over time.
- 14.6 Enviros addressed this problem with the waste management industry's standard approach. Their research, presented in simplified form in sections 9 to 12 of this report, made a thorough evaluation of existing waste management activities. A model was created that calculated the effect of greater recycling and thus generated an estimate for the lower capacity limit of a waste treatment plant. Further research by Enviros examined how growth in economic activity related to waste production. This enabled the model to apply growth rates such that the quantity of waste in future years could be judged, thereby allowing the upper capacity limit to be estimated.
- 14.7 The results of the capacity calculation are presented in Table 3. Given the level of accuracy of this forecasting technique, the results have been rounded to a start capacity of 45,000 and a final capacity of 70,000 tonnes per annum.
- 14.8 The Department has shown the effect of growth rates above and below that determined by Enviros. It is evident that the growth rate has a considerable effect upon the forecast capacity requirement. This demonstrates the need to make a prudent choice. Selection of assumptions for the plant capacity will have a direct effect upon the efficient use of capital and the extent to which the plant can fulfil its role. Under these circumstances, basing plant capacity upon Enviros' application of the industry-standard method appears to be the only defensible choice.

15 Conclusion

- 15.1 The outcome of Enviros' research is a suggested starting capacity of 45,000 tonnes per annum. An alternative calculation reached a conclusion that was virtually identical, and in any event, the difference may be accounted for, as described in Appendix A.

- 15.2 The amendment in January 2007 proposes a different approach to recycling to that taken by Enviro, but the starting capacity is relatively unaffected, as described in paragraph 13.5.
- 15.3 Consequently, it is suggested that the starting capacity of the plant is unlikely to be the key element of debate because all methods suggest a value of circa 45,000 tonnes per annum.
- 15.4 Therefore the key value open to debate is growth rate, from which the upper capacity limit is calculated. The justification for Enviro's forecast growth rate of 2.5% is documented within Billet I of 2007. If it is believed this figure should be amended, then it may be appropriate to debate waste minimisation measures. (Bearing in mind that recycling and other diversion activities are encompassed within the definition of high recycling.)
- 15.5 Introduction of policies, such as import bans or levies, to constrain economic activity in certain industries may contribute to waste minimisation. Enviro's took the likely effect of such policies into account in their analysis. Hence the probable benefits are 'built-in' to their forecast, and are consistent with results observed in other communities around the world. It must be assumed, therefore, that a very significant shift in policy accompanied by appropriate legislation, promotion and enforcement would be required to deliver growth projections lower than that forecast by Enviro.

16 Recommendations

- 16.1 The Environment Department recommends the States to:
- i.) Endorse Waste arisings as set out in Table 1 of this report;
 - ii.) Endorse recycling as set out in section 10 of this report;
 - iii.) Adopt 45,000 tonnes p.a. as a lower design plant capacity and 70,000 tonnes p.a. as an upper capacity, as set out in paragraph 14.7 of this report.

Yours faithfully

Janine Le Sauvage
Deputy Minister

Appendix A – Alternative Calculations of Starting Capacity

As stated in the body of the report waste arisings do not equate to landfill tonnage. To base plant capacity on landfill tonnage ignores the reality of all the diversion currently taking place whether legal or illegal. Nevertheless, for comparison purposes the Department has recalculated capacity using landfill tonnage as the starting point.

- 1.) 2006 Mont Cuet weighbridge data and assumption that no recycling is occurring

Household waste landfilled	17,315 tonnes
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Commercial & Industrial including other non household waste landfilled	32,162 tonnes
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50% of 17,315 and 50 % 32,162 = 24,783 tonnes

Applying 1.3% growth from 2006 to 2012 = 26,780 tonnes

Plus Sewage sludge = 1,170 Tonnes

Thus starting plant capacity would be 27,950 tonnes.

This calculation is particularly inaccurate because it works from a base of 0% recycling. It assumes that no diversion, no recycling, no illegal burning and no private landfill is taking place at present and that the multi million pound treatment plant will only ever have to deal with half of the current waste entering Mont Cuet (including the annual percentage growth). In effect it assumes a 50% recycling on top of the recycling and diversion already known to be taking place.

The calculation below takes into account current recycling.

- 2.) 2006 Mont Cuet weighbridge data and taking into account known recycling practices

Household waste landfilled	17,315 tonnes
----------------------------	---------------

Commercial & Industrial including other non household waste landfilled	32,162 tonnes
--	---------------

Current Household diversion assumed to be 27%

Current Commercial diversion assumed to be 31%

At 50% diversion, tonnage to landfill would be $(17,315/(100-27)) \times 50$ plus $(32,162/(100-31)) \times 50 = 35165$

Applying 1.3% growth from 2006 to 2012 = 37,999 tonnes

Plus Sewage sludge = 1,170 Tonnes

Thus starting plant capacity would be 39,169 tonnes.

While both of the above figures are based on actual landfill tonnage they present an artificially low starting capacity because they do not take into account the quantity of waste diverted from landfill by methods which would not be tolerated under a waste management licence.

As discussed in section 6.8, the 2006 tonnage to landfill is around 7,000 tonnes lower than forecast. Assuming around half of this goes to landfill (the other half diverted by legitimate means) then it can be seen that the value above returns to around 44,000 i.e. the same value calculated by Enviros.

Minority report—Waste arisings and growth.

Submitted by Deputy David De Lisle, Ph.D

October 2007

I disagree with the recommendation 16.1 iii) of the Environment Board majority report to adopt 45,000 tonnes per annum as a lower design plant capacity and 70,000 tonnes per annum as an upper capacity, as set out in paragraph 14.7, and also with the growth rate adopted of 2.5% (15.4) and respectfully submit this minority report to the Policy Council and the States.

This brief minority report explains why I disagree with the majority opinion on waste growth and capacity limits.

Background

At the January states debate, the States rejected the Environment Department's waste arisings and growth projections based on Enviros' calculations –which concluded that the end treatment facility would need to cope with 71,000 tonnes of waste. As a consequence of this the Environment Department was required to reexamine the numbers and report back to the States setting out options for waste arisings and future growth.

The Board has chosen to return to the House with essentially the same conclusions as that brought forward in January. The report is essentially a post ad hoc justification of the Enviros consultants conclusions rather than an application of any new thought in response to the decisions and concerns of the States.

The results of the current report conclude a start capacity of 45,000 tonnes per annum (using a waste growth rate of 1.3% on the basis of waste arisings in 2004) and a final capacity of 70,000 tonnes per annum (using a waste growth rate of 2.5% per annum).

The downward trend in waste

The following factors indicate that the Board's assumptions are misguided.

- Actual fall in Guernsey waste in period 2004 to 2007
 - The growth figures chosen don't correlate with current trends. Mont Cuet waste receipts fell 13% from near 57,000 tonnes in 2004 to 49,443 tonnes in 2006 with a further estimated drop to 45,000 tonnes for 2007—down 9%. See table 1. Why is it assumed that waste is still growing rapidly in Guernsey, particularly with the fall in waste over the latest periods between 2004 and 2007?
 - To increase waste arisings 2004-2012 by 1.3% annual growth is in my opinion unjustified given the facts that waste into Mont

Cuet has reduced significantly in recent years (10.4). The result of applying the 1.3% growth factor is to give a starting capacity of 45,000 tonnes which in my estimation is too high (15.3). This should be taken as under 40,000 tonnes per annum.

- In addition the Enviros growth rate of 2.5% from which the upper capacity limit is calculated does not reflect current trends in waste reduction to landfill either. In my estimation this should be taken at -2% which would reduce the waste to 20,000+ tonnes and the plant capacity to a range in the order of 20-40,000 tonnes per annum.
- Actual fall in UK waste last year
 - In England also there are indications of a tide turn on household waste. The previously predicted 3% per annum growth in the English waste strategy had implied a doubling of waste over 20 years. But the Environment Department DEFRA said the decline in municipal waste volumes by 3% last year signaled the turning of the tide. Environment Minister Ben Bradshaw said the figures ‘show us breaking the link between economic growth and waste growth’.
- Alderney effect
 - Alderney currently ships 1,260 tons (2006) of waste to Guernsey for processing. This will cease once Alderney’s waste treatment facility comes on line.
- Population growth strategy
 - During the period 2004 to 2007 waste fell despite a rise in population. The Enviros report assumes a forecast population growth rate of 0.22% per annum (using forecast net immigration of 200 per annum). In July 2007 the States endorsed a policy of zero population growth.
- Economic growth as endorsed by the States 0/10 strategy
 - In order to achieve the growth required by the 0/10 strategy there will need to be a shift in labour to higher value added activities in the finance industry from other sectors. The finance industry generates lowest waste and this together with the slow down in the building trade implies negative growth in waste from commerce and industry.
 - By contrast in an attempt to simplify their model Enviros have expressly linked forecast GDP growth rates of 1.71% with waste growth and the Environment Department 2.5%.

- Greening of retailing/Industry
 - Past practices in commerce and industry have been environmentally unsustainable. Internationally/locally industry is racing to change their business models to ensure products/packaging are recyclable.
 - Internationally
 - Marks & Spencer announced in January 2007 a business wide £200m eco-plan. The 100 point plan means that by 2012 M&S will send no waste to landfill.
 - Asda - Britain's second biggest supermarket chain—has introduced a target of 25% less packaging by next year—and is removing its packaging from loose produce
 - Car manufacturers - Residual materials that are hazardous or costly to recycle are being phased out over time and replaced by new materials that can be recycled
 - Last fall, Wal-Mart committed to phasing out PVC private label packaging over the next two years, a major victory for consumers worldwide. Now, the Center for Health Environment and Justice (CHEJ) wants to build on that momentum and ratchet up the pressure for Wal-Mart to expand the scope of its commitment and eliminate all private label and brand name products packaged or made out of PVC.
 - Locally
 - Coop – plastic bag recycling initiatives – introduction of linen and other biodegradable/reusable bags
 - Local company Mercury reduced its waste bill last year from £4000 to £350 and is now recycling 95% of its rubbish – it took only 3 days to get the recycling scheme into operation
 - The Guernsey Pallet Company and Huelin Renouf are working together to collect and transport all natural wood pallets to Portsmouth where the pallets will be refurbished and put back into circulation
 - Ronez initiatives – stone and glass recycling initiatives are being introduced

- Greening of government regulation
 - The European Commission has advocated a cleaner materials policy within the recently revised waste strategy, which states the objective to be the prevention of the generation of wastes and the reduction of the content of hazardous materials in waste.
 - Since my January 2007 minority waste report Defra has completely changed tack now advocating a zero waste strategy and plans to set up a network of "zero waste" areas across England to demonstrate excellent waste management practice
 - In January 2007 the States of Guernsey voted for a target recycling rate of 50% for household and commercial waste by 2010. And there is no basis for assuming that recycling will stop at 50% locally. Some UK authorities already exceed this (e.g. Cambridgeshire); Flanders already recycles 75% and extended producer responsibility will increasingly emphasize the recyclability of new products.

- Changes in public behaviour/attitudes
 - Growth in concern/increased awareness of environmental issues. Evidence that consumers are taking into consideration waste issues in their purchasing decisions.

Significant progress in diverting waste from landfill and increasing recycling rates
 - The public perception is very strong and is forcing government to deal with waste in an environmentally friendly way

Reappraisal of waste growth

The numbers calculated in both scenarios in the majority report are recalculated in the appended table by substituting the 1.3% growth from 2004 to 2012 for minus 2% growth, minus 1% growth and for zero growth –and adding in the calculated sewage sludge (Table 2). This gives the starting plant capacity for Scenario 1 (Enviros 2004 arisings) at 33,870 tonnes(-2%), 36,637 tonnes (-1%) and 39,607 tonnes(zero) and Scenario 2 (Appendix A from 2006 to 2012) at 32,321 tonnes (-2%) 34,278 tonnes(-1%) 36,335 tonnes(zero). It makes the starting capacity an element of debate (in contradiction to 15.3)

For both scenarios the table further substitutes the 2.5% growth over the 20 years from 2012 with minus 2% growth, minus 1% growth and zero growth. The results show that the plant capacity would fall to 23447 tonnes, 30,472 tonnes, 39,607 tonnes per annum respectively in Scenario 1 and in Scenario 2 to 22,391 tonnes, 28,522 tonnes, 36,335 tonnes per annum respectively.

This gives a plant capacity range of 20-40,000 tonnes—a conclusion very different from that held by the Board.

Expert Opinion

The plant capacity range in the order of 20-40,000 tonnes closely resembles the views and conclusions expounded by Alan Watson of Public Interest Consultants in his address to States members and the public in January 2007 whereupon he highlighted his analysis of the waste residual situation in a table included here (Table 3). He condemned the January 07 waste strategy for being based on unreliable data—especially the Enviro forecasts on page 171 of the January 07 Billet (p6 of the Waste Disposal Plan) for 2.25% growth to 2011 and 2.75% from 2012 and the fact that this higher growth rate had been applied to both household, and even more unreasonably to commercial and industrial wastes. He maintained that the growth assumptions predict a total of 35% more waste would be generated by 2025 and that waste arisings in 2025 would be 82% higher than using a zero growth rate. The growth assumptions made an enormous difference to what facilities would be needed.

He made the point that there was no more justification for taking the median levels than the minimums as the real data does not support any recent growth rate. He noted that even the Department did not suggest that there had been any growth since 2004. They struggled hard enough to pretend that there is no reduction!

Alan Watson said that authorities in England were looking at maximizing recycling before deciding how to treat the residual waste. He suggested this approach for Guernsey.

In the longer term residual treatment will be needed but that should only need to deal with a small component of the total waste stream and need not entail expensive and inflexible technology.

Defra Review

Reflecting the conclusions of Alan Watson and Public Interest Consultants, the UK Government's 'Waste not, want not' strategy states that "over 50% of the household waste sent to landfill sites or incinerated in England could be diverted from incineration and landfill through composting and recycling on the basis of current best practice. By failing to do this, the country is wasting valuable resources and putting itself at a competitive disadvantage". The strategy also recognizes the potential for reducing the amount of commercial and industrial waste sent to landfill. It calls for the development of a more sustainable approach to waste management that will minimize waste, boost reuse and recycling, and reduce the volume of waste for treatment.

Conclusions

I disagree with the Board in adopting the growth rate of 2.5% (15.4) and the recommendation in 16.1 iii) to adopt 45,000 tonnes per annum as a lower design plant capacity and 70,000 tonnes per annum as an upper capacity.

There is a very strong case that the tide in waste growth has now turned and that the volume of waste needing treatment will diminish rather than grow in future.

As has been demonstrated the majority report opts for high growth rates which I believe undermine the credibility of the Board's recommendation with respect to waste capacity limits.

On closer examination and in taking account of recent developments both locally and internationally a decline in waste is in my opinion the more likely and credible conclusion for the future.

There are real risks of overbuilding the required future infrastructure requirements as we progress in diverting waste from landfill. And there is merit in first concentrating on the front end of the waste stream and looking at maximizing recycling before deciding how to treat the residual waste.

This means working through the waste hierarchy first in terms of waste prevention, re-use and recycling and composting in particular.

It is worth noting that the basic philosophy of growth in waste is not the progressive direction for the States to take in future. As a small community government should be looking towards reduction of waste year on year as we work towards a more environmentally acceptable future. A zero waste policy setting out waste reduction and recycling targets provides a more credible and progressive way forward (See Appendix).

As set out in the discussion on the reappraisal of waste growth the zero growth strategy results in a capacity requirement of 40,000 tonnes per annum. A decline of 1-2% per annum gives a 20-30,000 tonnes per annum capacity requirement.

Over the past year Guernsey has successfully reduced the amount of waste going to landfill and the government has been regularly caught out by the enthusiasm with which islanders have adopted new recycling initiatives, the desire to do more, and the call for short term interim measures and trials to be replaced by a commitment to recycling. With public environmental consciousness rising government has a duty to lead by making faster progress in landfill diversion and recycling so as to reach the levels achieved by many European states.

At the same time producer and supplier responsibility is changing to ensure packaging is recyclable to minimise waste and maximise recovery, thereby changing our ways so that we produce far less waste in the first place, make a major shift from disposal to re-

use and recovery and reduce the drag effect of waste on the economy and business productivity

Guernsey is in a unique position as it has only just embarked on a course of developing its waste management strategy action plan. This provides a unique opportunity for islanders and their government to learn the lessons from elsewhere and work in harmony with the environment and guard public health to provide long-term sustainability.

The sustainable alternative is recycling and composting, which is environmentally friendly and will not endanger the health of our people. We need to commit to investment in sustainable and comprehensive recycling programmes and waste reduction initiatives that embrace a responsible approach to waste disposal that will not compromise our children's quality of life and develop an environmentally sensitive approach to waste management. That need not be costly or insurmountable and promises further reduction in waste in future.

Recommendation

The recommendation of the minority report is to adopt a 30,000 tonnes per annum lower capacity and 50,000 tonnes per annum upper waste capacity.

Appendix--Minority Report to States—Waste Disposal—January 2007

My recommendations to the States were to:

- 1—Adopt a zero waste policy and set a target of zero waste for all household and commercial waste in the island by 2020 (50% recycling by 2010, 75% by 2015)
- 2-- Channel energies into resource recovery, intensive waste segregation, recycling and composting
- 3—Abandon any notion of mass burn EfW incineration or MBT plant
- 4---Require source separation for all generators of waste and all waste materials
- 5-- Procure a permanent materials recycling facility (MRF) immediately to handle household and commercial recyclable materials
- 6—Supplement home composting with doorstep collection of organic waste and procure an in-vessel compost plant immediately to focus on garden and horticultural materials, foodwaste and organic materials
- 7---Introduce island wide Commercial collection of recyclables
- 8—Extend kerbside collections of wet, dry recyclables and reusable and repairable products to every household without delay
- 9—Establish a permanent waste management facility site and civic amenity sites without further delay to handle the sorting of mixed waste, recyclables, household and commercial, organics, reuse, wood, metal and regulated materials
- 10 Introduce strong regulatory control to minimize or reduce the waste generated in the first place
- 11 Open up waste planning to greater public participation, education and promotion
- 12--Use landfill charges to fund zero waste programmes

TABLE 1 - WASTE INPUTS TO MONT CUET 2004 - 2007

MontCuet

Year	2004	2005	2006	2007
Jan	4,479	4,201	3,812	3,767
Feb	4,358	4,156	3,393	3,153
Mar	5,228	4,677	4,159	3,905
Apr	4,953	4,855	4,087	3,588
May	4,853	4,806	4,460	3,730
Jun	5,094	5,250	4,686	3,676
Jul	4,837	5,049	4,260	
Aug	4,929	5,002	4,466	
Sep	4,832	5,199	4,320	
Oct	4,394	4,736	4,145	
Nov	4,641	4,542	4,052	
Dec	3,967	3,996	3,636	

Total	56,565	56,469	49,476	45000 est
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Max	5,228	5,250	4,686	3,905
Min	3,967	3,996	3,393	3,153
Avg	4,714	4,706	4,123	3,637

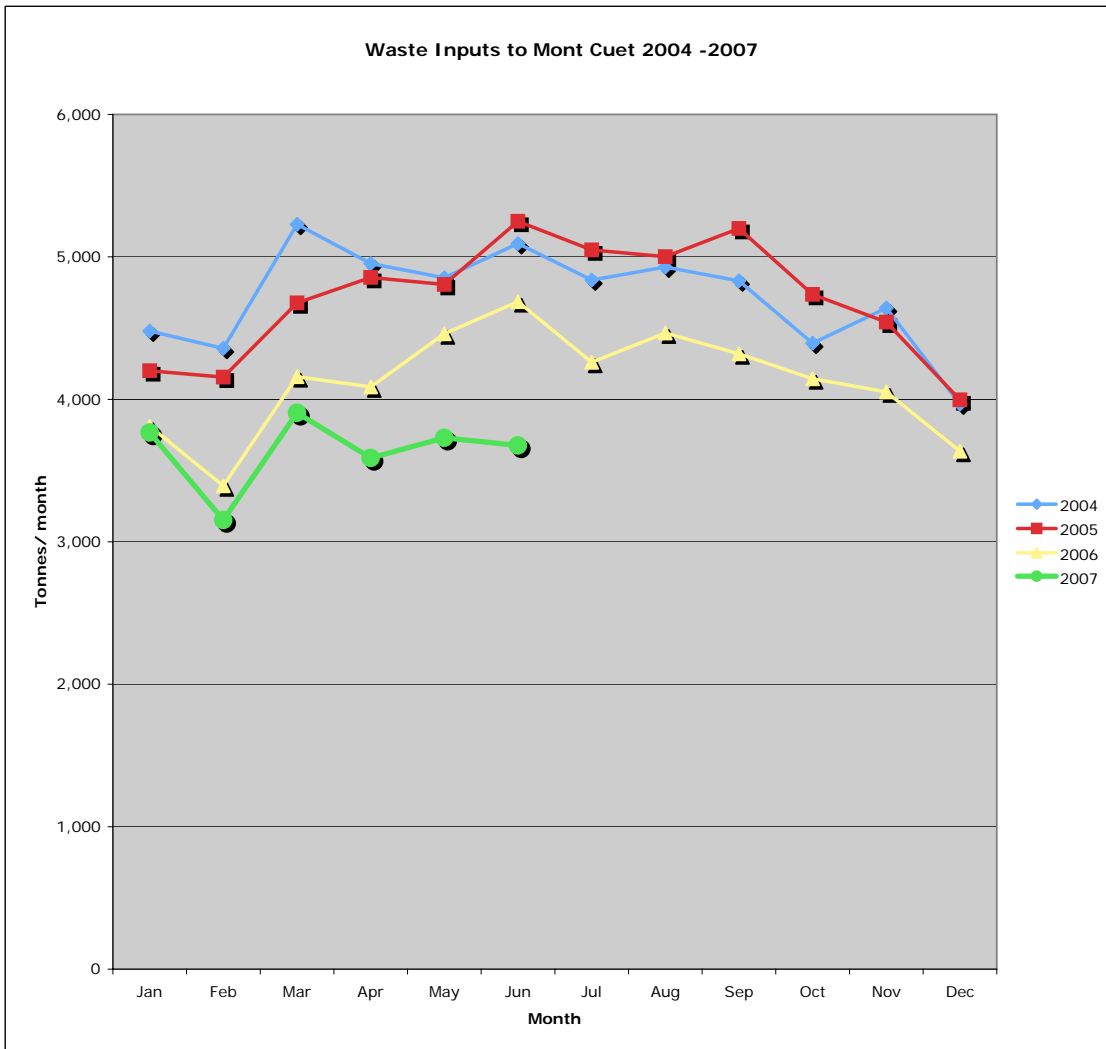


TABLE 2 - WASTE ARISING AND GROWTH PROJECTIONS

Scenario 1

Section 1.1 Enviros 2004 arisings and diversion
 ↓
 Section 1.2. Recycling as per Jan07 amendment and 0% growth pre-implementation
 ↓
 Section 1.3. Growth (0%, -1% and -2%)

Section 1.1 Enviros 2004 arisings and diversion

	diverted	residual	total	% diverted
Parish waste diverted	4068			
Parish waste residual		16438		
civic amenity site diverted	1542			
bulk residual from CA site		4147		
total household arisings			26195	21%
Commercial & Industrial divert	10961			
Commercial & Industrial residual		24969		
Total commercial & industrial arisings			35930	31%
Construction and demolition div	199000			
Construction & demolition residual		8913		
Total construction & demolition arisings			207913	96%
Other non-household diverted	12107			
Other non-household residual		2641		
total other non-household			14748	82%
total diverted	227678			
total residual, input to MC		57108		
Total arisings			284786	80%

Section 1.2. Recycling as per Jan07 amendment

divert 50% of household waste				
total household arisings	26195			
of which 50% =	13098			
divert 50% of commercial/industrial & other non-hh				
total c&i & other non-household	50678			
of which 50% =	25339			
2004 Residual to landfill or treatment	38437	38437	38437	
annual adjustment from 2004 to 2012	-2.00%	-1.00%	0.00%	
adjusted residual tonnage to 2012 estimate	32700	35467	38437	
plus sewage treatment sludge	1170	1170	1170	
Capacity requirement	33870	36637	39607	

Section 1.3. Growth (0%, -1% and -2%)

		Sharp Decline	Gentle Decline	Zero
growth		-2%	-1%	0%
year 1	2012	33870	36637	39607
	2013	33216	36282	39607
	2014	32575	35931	39607
	2015	31947	35584	39607
	2016	31332	35240	39607
	2017	30729	34899	39607
	2018	30137	34562	39607
	2019	29558	34228	39607
	2020	28990	33897	39607
	2021	28434	33570	39607
	2022	27889	33246	39607
	2023	27354	32925	39607
	2024	26831	32607	39607
	2025	26317	32293	39607
	2026	25814	31982	39607
	2027	25321	31674	39607
	2028	24838	31369	39607
	2029	24365	31067	39607
	2030	23901	30768	39607
year 20	2031	23447	30472	39607

Scenario 2

Section 2.1. Sustainable Guernsey 2006 waste production
 ↓
 Section 2.2 Recycling grows from Sustainable Guernsey (for household) and Enviros (for commercial) rates and 0% growth pre-implementation
 ↓
 Section 2.3. Growth (0%, -1% and -2%)

Section 2.1. Sustainable Guernsey 2006 waste production

Waste Type	Tonnes in 2006
Parish Waste	15502
Bulky Waste Collection	440
Litter	355
Civic Amenity Site (Non-recyclable)	1018
Household waste Recycled	6228 (aprx 27%)
Total Household Waste Produced	23543
therefore household waste landfilled	17315

To calculate tonnage of commercial/industrial landfilled

Waste Type	Tonnes in 2006
Total waste landfilled at Mont Cuet	49477
less Parish Waste	-15502
less Bulky Waste Collection	-440
less Litter	-355
less Civic Amenity Site (Non-recyclable)	-1018

therefore Commercial/Industrial Waste Landfilled 32162

Section 2.2 Recycling grows from Sustainable Guernsey (for household) and Enviros (for commercial) rates

Current household diversion rate as Sustainable Guernsey 2006 =	27%		
Current commercial diversion rate as Enviros 2004 =	31%		
At 50% diversion, tonnage to landfill would be			
	Household	11860	
	Commercial	23306	
	total	35165	35165 35165
annual adjustment from 2006 to 2012	-2.00%	-1.00%	0.00%
adjusted residual tonnage to 2012 estimate	31151	33108	35165
plus sewage treatment sludge	1170	1170	1170
Capacity requirement	32321	34278	36335

Section 1.3. Growth (0%, -1% and -2%)

		Sharp Decline	Gentle Decline	Zero
growth		-2%	-1%	0%
year 1	2012	32321	34278	36335
	2013	31698	33946	36335
	2014	31087	33619	36335
	2015	30489	33294	36335
	2016	29903	32973	36335
	2017	29328	32655	36335
	2018	28765	32340	36335
	2019	28213	32028	36335
	2020	27672	31720	36335
	2021	27142	31414	36335
	2022	26623	31112	36335
	2023	26114	30812	36335
	2024	25615	30516	36335
	2025	25126	30223	36335
	2026	24647	29932	36335
	2027	24177	29644	36335
	2028	23717	29360	36335
	2029	23266	29078	36335
	2030	22824	28799	36335
year 20	2031	22391	28522	36335

TABLE 3 - PUBLIC INTEREST CONSULTANTS - ANALYSIS OF WASTE ARISING**Waste Arisings**

Categories

Sub-categories 2004 Base data (t)

Possible Incinerator waste?**Household waste**

Mixed Domestic refuse (Parish Waste)	16,438	16,438	8219
Paper	2,342		
Glass	1,510		
Tins and cans	88		
Textiles	261		
Metal	230		
Garden	1,179		
Bulk Refuse	4,147		
Total Household Waste	26,195	26,195	

Commercial and Industrial waste

Commercial Paper	2,730		
Mixed	24,609	24,609	12304.5
Separate Metals	5,770		
Electrical and Electronic	1,600		
Batteries, oils, fluorescent tubes	842		
Asbestos	304		
Other Hazardous	74		
Total Commercial and Industrial	35,929	35,929	

Other Non-Household

Hospital and other healthcare	566		
Water Treatment Sludge	275	275	275
Abattoir	300		
Animal Manure	6,000		
Farm Plastics	22	22	
Tyres	300	300	
Horticultural	5,000		
End of Life Vehicles	2,285		
Total Other Non-household	14,748	14,748	

Construction and Demolition

Inert	154,000		
Mixed	53,913		
Total Construction and Demolition	207,913	207,913	

Total Waste Arisings On Guernsey**284,785 41,644 20,799**

(NB By a majority, the Policy Council supports the Environment Department's proposals. Deputy De Lisle dissents from this view.)

(NB The Treasury and Resources Department supports the Environment Department's proposals.)

The States are asked to decide:-

XII.- Whether, after consideration of the Report dated 25th September, 2007, of the Environment Department, they are of the opinion:-

1. To endorse Waste Arisings as set out in Table 1 of that Report.
2. To endorse recycling as set out in section 10 of that Report.
3. To adopt 45,000 tonnes p.a. as a lower design plant capacity and 70,000 tonnes p.a. as an upper capacity, as set out in paragraph 14.7 of that Report.

HOUSE COMMITTEE

STATES EMPLOYEES – POLITICAL ACTIVITIES

The Presiding Officer
The States of Guernsey
Royal Court House
St Peter Port

15th October 2007

Dear Sir

1. On the 28th September 2007 the States resolved, inter alia, that the Rules relating to the Constitution and Operation of States Departments and Committees be amended, with effect from 1st May 2008, by inserting the following after paragraph (3) of Rule 11: “(4) *Civil servants shall not be eligible to serve on Departments or Committees.*” [carried 24 in favour, 11 against].
2. The proposition that the words - “(5) *States employees other than civil servants shall not be eligible to serve on the Public Sector Remuneration Committee or their employing Department but shall be eligible to serve on other Departments or Committees save that they shall obtain their employing Department’s consent to such service prior to accepting nomination thereto.*” - be inserted was lost. [The voting was 14 in favour, 21 against.]
3. As you, Sir, explained at the conclusion of voting on that proposition, the status quo position therefore continues in respect of States employees who are not civil servants. This means that such employees are therefore entitled to serve on any department or committee including their employing department and the Public Sector Remuneration Committee and that they do not need their employing department’s consent prior to accepting nomination. The original report (at paragraph 15) stated: “*Insofar as departments and committees are concerned, there is no legislation which prohibits any States employees ... from serving as a non-States Member of those bodies.*”.
4. With regard to the proposition set out in paragraph 2 above, the Members of the States had the usual choices: either vote for or against the proposition or abstain. They voted against which means the status quo as set out in paragraph 3 prevails. However, in retrospect, it has become clear to the House Committee that a further option could have been set before the States; that is, that States employees, other than civil servants, should be treated in the same way as civil servants. Civil servants are not entitled to serve on any department or committee.

5. Having regard to the debate in the States on the 28th September 2007 the Committee believes that several Members of the States wished to place all States employees in the same position as civil servants, i.e. to debar them from serving on any department or committee. The Committee is therefore bringing a proposition to that effect.
6. For the avoidance of doubt, the effect of
 - approving the proposition in this report is that
 - all States employees will be debarred from serving on any department or committee.
 - rejecting the proposition in this report is that
 - civil servants will be debarred from serving on any department or committee but
 - all other States employees will be able to serve on departments and committees including their own employing department and the Public Sector Remuneration Committee.
7. The House Committee recommends the States to resolve that paragraph 4 of Rule 11 of the Constitution and Operation of States Departments and Committees, which is to come into force from 1st May 2008, shall be further amended by substituting the words “States employees” for “Civil Servants”.

Yours faithfully

B M Flouquet
Chairman

(NB The Policy Council supports the proposal.)

(NB The Treasury and Resources Department has no comment on the proposal.)

The States are asked to decide:-

XIII.- Whether, after consideration of the Report dated 15th October, 2007, of the House Committee, they are of the opinion:-

That paragraph 4 of Rule 11 of the Constitution and Operation of States Departments and Committees, which is to come into force from 1st May, 2008, shall be further amended by substituting the words “States employees” for “Civil Servants”.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

**THE SOCIAL INSURANCE (CLASSIFICATION) (AMENDMENT)
(GUERNSEY) REGULATIONS, 2007**

In pursuance of Section 117 of the Social Insurance (Guernsey) Law, 1978, as amended, the Social Insurance (Classification) (Amendment) (Guernsey) Regulations, 2007, made by the Social Security Department on 3rd October 2007 are laid before the States.

EXPLANATORY NOTE

These Regulations amend the Social Insurance (Classification) (Guernsey) Regulations, 1978 to enable the Department to treat persons for classification purposes, in appropriate circumstances, as insured persons who are concurrently employed and self employed (whether or not in similar occupations).

**THE SOCIAL INSURANCE (CONTRIBUTIONS) (AMENDMENT)
REGULATIONS, 2007**

In pursuance of Section 117 of the Social Insurance (Guernsey) Law, 1978, as amended, the Social Insurance (Contributions) (Amendment) Regulations, 2007, made by the Social Security Department on 3rd October 2007 are laid before the States.

EXPLANATORY NOTE

These Regulations provide a mechanism for the payment of primary Class 1 and Class 2 contributions by persons who are treated as both employed persons and self-employed persons under the Social Insurance (Classification) Regulations, 1978, as amended, for the purposes of liability to pay contributions.

EDUCATION DEPARTMENT

ELIZABETH COLLEGE – PRINCIPAL’S ANNUAL REPORT - 2006/2007

The Chief Minister
Policy Council
Sir Charles Frossard House
La Charroterie
St Peter Port

3rd October 2007

Dear Sir,

I enclose the annual report of the Principal of Elizabeth College for the academic year 2006/2007. I would be grateful if you would arrange for the report to be published as an appendix to the Billet d’État for November 2007.

Yours faithfully

M A Ozanne
Minister

Enc

ELIZABETH COLLEGE



The Principal's Annual Report of the general state of the College, the number of scholars and the course of education pursued in the academic year 2006/2007 addressed to the Board of Directors of Elizabeth College.

For onward transmission by them to His Excellency, the Lieutenant Governor and Commander-in-Chief, Vice Admiral Sir Fabian Malbon, KBE and to the Bailiff of Guernsey.

PRINCIPAL'S REPORT

Summaries of the AS and A2 examination results appear elsewhere in this report. By all measures these are our best ever AS/A2 results with an overall pass rate of 100% with no fails or E grades. We exceeded by a wide margin the all-time high in grades A-C and over 40% of all entries resulted in an A grade. Over 78.2% of results were at A-B, again the highest figure ever. The points average per candidate across the entire cohort also beat the previous best by a wide margin. 15 candidates (of 58) gained the equivalent of three or more A grades.

There were some exceptional individual achievements. One pupil gained 5 A grades at A2 plus an A at AS level and placed in the top 5 nationally (out of 12,997 candidates) in A2 Biology. He was one of four pupils who won places at Oxbridge: two will read Natural Sciences at Cambridge, with another studying Medicine; the fourth will read Economics and Management at Oxford. The majority of the Upper Sixth also obtained AS level qualifications in a fourth or fifth subject. The results in the four stand-alone AS levels College offers were also very good, with a 100% pass rate at grades A-C. College also delivers A2 courses for a number of Ladies' College pupils. Collectively these girls achieved 100% passes A-C with over half the results at grade A. One relatively new criticism of A levels is that they cannot differentiate the best candidates. A consequence of this has been a proliferation of university aptitude tests such as UKCAT and BMAT. However, nationally only 10% of A level candidates achieve 3 or more A grades at A2, so for the great majority of students and university admissions tutors, A2s remain a perfectly good discriminator. Nonetheless the introduction of an A* grade at A level will facilitate effective differentiation of even the ablest candidates.

The GCSE results were also our best ever by all measures. The improvement, particularly in the overall pass rate and grades A* and A, was pleasing. The pass rate at grades A-C was a record 98.0% and the overall pass rate, A-E, was 100%. The average points per candidate was also a record, equating to better than eight A* grades for every boy in the year. The results average out across the cohort at over 9.5 A*-C grade passes per pupil, another all-time high. A record 26% of all entries resulted in an A* grade and over 61.6% of entries resulted in grades A* or A, a substantial and pleasing improvement on the figure achieved in the two previous years. There was a 100% pass rate in the three compulsory core areas of English, Mathematics and Science.

Within these GCSE results there were some very laudable individual performances. One pupil gained 11 A* passes plus an A; three gained 10 A*s and 2 As, and in total 19 passed 10 subjects at A* or A. 31 pupils (from the cohort of 73) gained seven or more passes at A* or A.

In January 2007 in an interview with the Spectator magazine, Lord Adonis denounced the,

"comprehensive school revolution, which destroyed many excellent schools without improving the rest."

He said he deplored the end of grammar schools, a move he felt that was,

"carried out in the name of equality but which served to reinforce class divisions."

I agree and regard the shift away from selective education in the 1970s as an example of how easily schools can be damaged by change driven by ideology rather than educational need. I feel that our results this year demonstrate the advantages of a selective system which allows the education of the individual to be tailored to their ability and needs.

Staff changes are listed elsewhere in this report but I would like to comment at this point. At the end of last term a number of staff left College because they were at or very near the end of their housing licences. The present housing licence situation is a particular concern as it is a significant constraint upon the recruitment of teachers and a handicap to their retention. This is not the appropriate forum for a debate on this issue so I will limit myself to the following. If the States are committed to maintaining the continuity and quality of education of this Island's children then the promised review of housing policy must effect a paradigm shift in the availability of licences and the rateable values accorded to key workers such as teachers.

Notable pupil achievements and sporting successes are listed in Annexe B but a few are worthy of particular mention. For the first time in many years there were two 1st XI cricket fixtures against our old rivals Victoria College, Jersey. Both matches resulted in heavy wins for College with one pupil making a century in the away fixture. This was the best pair of results against Victoria for over 25 years. Later in the summer we had two pupils in the Cadet national Shooting team and they subsequently competed in the World Long Range Shooting Championships. Nick Branch won a silver medal at 900m and he and Robert Waters were part of the Channel Islands team that placed strongly in the Palma Trophy; Robert also placed 6th in the world in the U21 competition.

At the Public Schools' Fencing Championships held at Crystal Palace in March, the College fencers were the top U16 school's club, winning the team trophy for both foil and the three combined weapons. College also won the most improved school trophy and placed third over all ages and weapons.

The School Council continues to evolve as a vehicle for pupil contribution to College life. The majority of our charitable fund raising is designed and implemented by the Charities Committee and the range of events supported and monies raised continue to be a source of pride.

This year has seen the launch of the Elizabeth College Foundation: a body intended to raise funds to support our development ambitions. The initial success of the

Foundation, which unites staff, parents and former pupils, was such that the first phase of the programme was undertaken during the 2007summer holidays. This has seen the complete refurbishment of our Sixth Form Common Room areas and greatly improved provision for their private study. At the same time a much needed all weather play surface has been provided at Beechwood.

Dr N D Argent
Principal

NUMBERS AND ENTRY

		Entries to College		Numbers at College	
Acorn House Pre-School	2006/2007	2007/2008	2006/2007	2007/2008	
Wren and Kingfisher Classes	37	33	104	95	
Acorn House	2006/2007	2007/2008	2006/2007	2007/2008	
Reception	27	45	27	45	
Year 01	-	1	27	31	
Year 02	2	3	32	32	
Total	29	49	86	108	
Beechwood	2006/2007	2007/2008	2006/2007	2007/2008	
Year 03	2	7	32	40	
Year 04	-	-	33	32	
Year 05	-	1	29	30	
Year 06	2	2	41	31	
Total	4	10	135	133	
Upper School	2006/2007	2007/2008	2006/2007	2007/2008	
Year 07	45	43	68	82	
Year 08	1	1	79	65	
Year 09	1	1	62	78	
Year 10	2	-	67	57	
Year 11	-	-	74	66	
L6 th	-	-	46	59	
U6 th	-	-	58	43	
Total	49	45	454	450	

Academic Achievements: University places for 2007 were offered to:

NAME		READING	AT
Arstall	Karim	Management	University of Manchester
Bailey	Jonathan	Ancient History	University of Nottingham
Beaton	Oliver	French and English	University of Exeter
Birch	Henry	History	University of Birmingham
Boss	Benjamin	Law	University of Warwick
Branch	Nicholas	International Relations	University of Southampton
Brewer	Anthony	Natural Sciences	Sidney Sussex College, Cambridge
Byrne	Jack	Geography	University of Sussex
Byrne	Robert	History	University of Liverpool
Challinor	Ben	History	Queen Mary, London
Chapman	Ian	Art	University of Bournemouth
Davison	David	History	University of Exeter
Degnen	Andrew	Biomedical Science	University of Warwick
Foote	James	Architecture	Kings College, London
Girard	Ben	Computer Science	University of Lincoln
Guille	Jonathan	Sports Science	University of Cardiff
Hall	Peter	Drama	University of Exeter
Hookway	James	Architecture	University of Plymouth
Huckvale	Jess	Mathematics	University of York
Human	Nicholas	Ancient History	University of Nottingham
Jones	Chris	Psychology	Royal Holloway, London
Lacey	Dominic	Natural Science	University of Bath
Le Hegarat	Peter	Accountancy	University of Cardiff
Lihou	Matthew	Journalism	University of Bournemouth
Monkhouse	Thomas	Natural Science	Robinson College, Cambridge
Moralee	Russell	Sports Science	University of Solent
Morris	David	Sport Technology	University of Loughborough
Paluch	Christopher	Medical Sciences	St John's College, Cambridge
Parkin	Harry	English	University of Nottingham
Perfitt	Benjamin	History	University of Cardiff
Pickford	David	Economics & Management	Pembroke College, Oxford
Plumley	James	Photography	Anglia Ruskin University, Cambridge
Retz	Christopher	Business Studies	University of Aston
Richards	Oliver	Business Studies	University of Cardiff
Rigden	Andrew	Sports Studies	University of Birmingham
Rigg	Thomas	Law	University of Durham
Thompson	Emile	Geography	University of Sussex
Ward	Alex	Theology	University of Glasgow
Waters	Robert	Mechanical Engineering	University of Sussex

LEAVERS' SCHOLARSHIPS

The performance of the following students in the 2006 A2 level examinations was outstanding and they have, therefore, been nominated by the Academic Board for scholarships, tenable for one year, at University during the academic year 2007/2007. The Board of Directors made the following awards:

De Saumarez Exhibition

DC Longan reading History at Birmingham University

Mainguy Scholarship

JP Mann reading Medicine at Birmingham University

Mansell Exhibition

ST Parish reading Architecture at Bath University

Queen's Exhibition

CJ Thome reading Civil Engineering at Bath University

UPPER SCHOOL STAFF APPOINTMENTS

From September 2007 Miss Karen Brent joined to teach Mathematics. A graduate of the University of Hertfordshire, she has a PGCE from Leeds Metropolitan university. She is an experienced teacher who had previously been working at Hemsworth Arts and Community College, Wakefield.

From September 2007 Miss Pippa Dudley joined us as a teacher of Chemistry. A graduate of Trinity Hall College, Cambridge, she is an experienced teacher who had previously been working at Bedford School, Bedford. She is a former pupil of Ladies' College.

From September 2007 Miss Corinne Ferbrache joined to teach Modern Foreign Languages. A graduate of the University of Warwick, Miss Ferbrache completed her PGCE at the University of Bristol in 2007. She is a former pupil of Ladies' College.

From September 2007 Mr Matthew Heaume joined to teach PSHE. A graduate of the University of Gloucester, he completed his PGCE at the University of Southampton in 2007. Mr Heaume is a former pupil of Elizabeth College.

From September 2007 Mr Jonathan Hills joined to teach Teacher of Classics. A graduate of Corpus Christi College, Cambridge, Mr Hills completed his PGCE at the University of Cambridge in 2007.

From September 2007 Mr Graham Wilce joined to teach Physics. A graduate of the University of Central Lancaster, Mr Wilce has an MSc from Edinburgh University and a PGCE from the University College of North Wales, Bangor. He is an experienced teacher and joined us from Mostyn Park School, South Wirral.

STAFFING: INTERNAL POSTS

Senior Management Team	
VICE PRINCIPAL	S.G.D. Morris
DIRECTOR OF STUDIES	A.R. Cross
HEAD OF SIXTH	R.J.W. James

Year Heads		Faculty Heads	
Year 07	B.E.H. Aplin	Head of English	R.J.W. James
Year 08	M.E. Kinder	Head of Mathematics	A. Hale
Year 09	A.M. Jewell	Head of Science	G. Guilbert
Year 10	D.F. Raines	Head of Modern Languages	Mrs M.C. Dudley
Year 11	B.W. Allen	Head of Humanities	C.R.W. Cottam
Year 12 (L6 th)	R. Le Sauvage	Head of Social Sciences	S. Huxtable
Year 13 (U6 th)	R.J.W. James	Head of Fine Arts & Craft	Mrs P. Maher
		Head of Physical Education	D. Wray

Annexe A**GCSE RESULTS**

Year	No. of Candidates	Average Points per Candidate
2007	73	65.70
2006	58	63.14
2005	70	64.50
2004	68	56.90
2003	78	53.00
2002	70	54.70
2001	68	54.37
2000	66	52.62
1999	77	54.42
1998	80	53.94
1997	86	53.15
1996	91	51.54

A-LEVEL RESULTS

To maintain comparability the old UCAS points system has been retained
(A = 10 points, B = 8 points etc.)

Year	No. of Candidates	Average Points per Candidate
2007	58	28.11
2006	55	24.26
2005	55	22.50
2004	52	24.27
2003	57	21.05
2002	47	19.44
2001	38	16.53
2000	53	19.55
1999	72	17.44
1998	69	16.93
1997	58	20.97
1996	65	20.58

Annexe A**ELIZABETH COLLEGE****Year 11 GCSE RESULTS 2007: SUBJECT GRADES**

(Grades achieved by number of pupils)

Subject	N^o. of Entries	A*	A	B	C	D	E	F
Art	20	8	7	3	2	0	0	-
Business Studies	19	4	7	5	3	0	0	-
Biology	25	17	8	0	0	0	0	-
Chemistry	25	16	7	1	1	0	0	-
Classics	15	2	6	2	4	0	1	-
DT Graphics	15	0	8	5	2	0	0	-
DT Materials	22	5	11	5	1	0	0	-
Drama	5	1	4	0	0	0	0	-
English	73	5	16	42	10	0	0	-
E Literature	48	3	20	17	8	0	0	-
French	51	5	15	15	12	4	0	-
Geography	36	18	13	5	0	0	0	-
German	18	3	7	4	4	0	0	-
History	27	10	11	4	1	1	0	-
ICT	19	0	5	10	2	1	1	-
Latin	6	2	3	0	1	0	0	-
Maths	73	18	42	12	1	0	0	-
Statistics	23	14	9	0	0	0	0	-
Music	10	1	5	4	0	0	0	-
PE	10	5	4	1	0	0	0	-
Physics	25	19	6	0	0	0	0	-
RS	73	15	26	19	8	3	2	-
Science (DA)	96	28	16	36	16	0	0	-
Spanish	14	2	3	3	4	2	0	-
Totals	748	201	259	193	80	11	4	0

Annexe A**ELIZABETH COLLEGE****Upper 6th (Yr 13) A2 RESULTS 2007: SUBJECT GRADES**

(Grades achieved by numbers of pupils)

Subject	N^o. of Entries	A	B	C	D	E	U
Ancient History	7	5	2	-	-	-	-
Art	7	3	4	-	-	-	-
Biology	15	9	3	3	-	-	-
Business Studies	18	5	8	3	2	-	-
Chemistry	3	2	-	1	-	-	-
Classical Civilisation	4	3	1	-	-	-	-
DT Graphics	2	-	2	-	-	-	-
DT Materials	10	-	6	3	1	-	-
Drama	2	-	-	2	-	-	-
Economics	10	4	4	2	-	-	-
English Literature	7	4	3	-	-	-	-
French	5	1	3	1	-	-	-
Geography	12	5	5	2	-	-	-
German	1	-	1	-	-	-	-
History	12	4	2	6	-	-	-
ICT	1	-	-	1	-	-	-
Mathematics	18	12	4	1	1	-	-
Further Maths	3	3	-	-	-	-	-
PE	9	2	4	3	-	-	-
Physics	12	7	2	2	1	-	-
Photography	2	2	-	-	-	-	-
Religious Studies	15	-	11	4	-	-	-
Totals	175	71	65	34	5	0	0

Upper 6th (Yr 13) AS RESULTS 2007: SUBJECT GRADES

(Grades achieved by number of pupils)

<u>Subject</u>	No. of Entries	A	B	C	D	E	U
Film Studies	3	2	1	-	-	-	-
Music Technology	5	-	2	3	-	-	-
Photography	1	-	-	1	-	-	-
Psychology	3	2	-	1	-	-	-
Totals	12	4	3	5	0	0	0

Annexe B**SPORTING ACHIEVEMENTS DURING 2006/2007**

GAME	PLAYED	WON	DRAWN	LOST
Cricket	13	8	1	4
Hockey	17	9	3	5
Soccer	12	6	1	5
Rugby	8	5	0	3

Senior Victoria Matches

Cricket	Won by 70 runs away Won by 8 wickets at home	Golf	Lost
Tennis	Lost	Hockey	Lost 1-2
Athletics	Lost the Hutchence Cup V86-E70	Soccer	Away: Lost 1-0 Home: Won by w/o 3-0
Shooting	Small bore Won Full bore Won the Haines Shield by 762-706	Rugby	Lost 50 - 10

Other Pupil Achievements**Autumn 2006**

- 20 College boys took part in the annual Elizabeth College Summer Orchestral Course. Three College students won awards on the course: Hywel Robinson, Year 11, received the Wheadon Salver for a Brass Player; Nic Lane, Year 11, won the Bank of Boston Award for Progress in Percussion and Tom Elliott, Year 9, was awarded the Training Wind Band Cup.
- Jeremy Osborne, Year 12, represented the South of England in the ESSA Nationals and in the UK Sport Games, held in Scotland.
- Robert Waters, Year 13, shot for Guernsey in the Kolopore International match held at Bisley in Imperial week 2006. He was top score for Guernsey with 149.17 ex 150.30.
- Anthony Brewer, James Plumley, Jonathan Willcocks, Nicholas Human and cox, Andrew Barker, all Year 13, competed as a coxed four in the Rocquaine Regatta and in the World & British Coastal Rowing Challenge, held off Guernsey in September.
- College students represented Guernsey in the Inter-Insular Athletics in September. Jonathan Guille, Year 13, placed 1st in the Senior Men's Triple Jump and 3rd in the Long Jump. At U15 (Year 10) William Bodkin won the 1,500m in a new meeting record, whilst Ben Fiore was 3rd in the Javelin, Shot Putt and

Hammer. At U13 (Year 8) Jack Heywood was 1st in the 200m and Ben Cuddihee 2nd in the 1,500m.

- Christopher Whitworth, Year 12, and Henry Birch, Year 13, placed 5th and 6th respectively in the Hampshire U19 squash tournament.
- Ian Chapman, Year 13, gained a full pool lifeguard qualification and a considerable number of boys received Royal Lifesaving Society awards.
- Jonathan Clark, Year 11, was selected for the West of England U15 Hockey squad, playing in the Divisional U15 Hockey Tournament.
- Considerable sums were raised money for charity; 8 members of Year 13 took part in the *Scannerthon* in August. As another team pulled out they were asked to cover two one-mile legs, the first of which included the Val des Terres. All the team ran the 2 miles, resplendent in College vests, raising £548.50 for the appeal. College raised for £326 *Jeans for Genes Day*. Boys and staff took part in the *Swimarathon*. Our 10 teams raised over £1000. Boys contributed to the *Children in Need day* events, raising well over £1100. Particular thanks go to the School Council's Charities Committee for undertaking the organisation of this day. College also collected for the annual *Remembrance Poppy* appeal in November.
- College took part in the Island Schools' Cross-Country winning the Years 9 & 10 competition with four College boys in the first five finishers. The Years 7 & 8 team was narrowly beaten into second place.
- College staged a production of the musical *42nd Street*. On all four nights this played to sell-out audiences who appreciated all the efforts of the boys and the staff.
- Boys performed in the Winter Concert and a number played, sang or acted in *Girard's Follies* at St James early in November.
- Andrew Rigden, Year 13, despite still being an U18, kept goal for the Island U21 side which beat Jersey 4 – 1 in the Junior Muratti.
- Cyclist James McLaughlin, Year 11, came 2nd in his age group and 23rd overall (out of over 130) in the National Hill Climb Time-Trials held in Devon.
- Joshua Lewis, Year 9, won three events in the Boys U13 section of the AIB Tigers Open Swimming Meet, held in Jersey. In winning the 100m freestyle event he broke 60 seconds for the first time.
- Jeremy Osborne, Year 12, set an Island men's 100m freestyle record, (51.93 sec) whilst competing in the National Schools' Swimming Competition in Sheffield.

- George Thompson, Year 09, was selected for the RYA National Development Squad for International Optimist dinghies.
- David Pickford, Year 13, was part of the team that won through to the regional finals of the *Target Two Point Zero* national monetary policy competition for schools and colleges run by the *Bank of England* and *The Times*.
- James Firth, Year 8, was selected by *Collas Day* to ‘turn back the clock’ on the time capsule at the Royal Court. His winning ‘letter to the future’ was highly commended by the judges.

Spring 2007

- Nick Branch & Rob Waters, Year 13, were selected for the GB Cadet shooting team, which will tour Canada in summer 2007. This is only the third time that College has had two “*Athelings*” in one team.
- This term’s production was “*Pravda*”, a challenging and complex play.
- Late March saw the Foundress’s Day Concert. As ever it was heartening to see over 20% of our pupils, drawn from all three sections of College, involved.
- College students represented Guernsey in the Hampshire County Cross-Country Championships in January. Ben Cuddihee and Alex Falla, Year 8, placed 8th and 12th for the victorious U13 team. William Bodkin, Year 10 placed 9th for the U15 team. The U17 team won Bronze medals with Daniel Arblaster, Year 11, second Guernsey scorer in 13th. In the U20 race Jonathan Bailey, Year 13, was 11th. William Bodkin also ran in the UK Cross Challenge in Cardiff, an event which attracts top UK runners; his top 20 finish (19th) was an excellent result.
- Later in the term boys competed in the Inter-Insular Cross-Country races; Ben Cuddihee and Luke Bisson ran for the Guernsey U13 Boys’ team which beat Jersey at Foote’s Lane. In the U15 event William Bodkin won the race, leading Guernsey to victory, with William Steele-Moore placing second. Daniel Arblaster finished 4th in the U17 race in which the Guernsey team lost out narrowly to Jersey.
- Jeremy Osborne, Year 12, swam for the English Schools’ Swimming Team in the Home Nations Schools International, held in Dublin in March.
- Callum McCutcheon, Year 10, won the *Ozannes* Best Speaker Trophy at the *Rotary Youth Speaks Competition*.
- Peter Le Hegarat, Year 13, and Adam Hindle, Year 10, were invited to attend the Sussex County Cricket Academy in February.
- James Oliver, Year 09, won the *Wave Telecom Love Poetry Competition*.

- Jacob Cherry, Year 10, won the Junior Prix d'Honneur for Prose in the English Literary Section of this year's Eisteddfod.
- Matthew Allen, Year 11, was awarded the Langlois Cup for Life Saving.
- The College CCF passed its biennial inspection with flying colours. It was particularly pleasing to see (and hear) the Drum Corps parade for the first time for many years.
- Our swimming team of Matthew Allen & Edward Dickinson, Year 11, and Jacob Cherry & James Jurkiewicz, Year 10, placed 7th in the English Schools Swimming Team Relay Finals, held in Harrogate.
- The U16 Hockey team were runners up in the West of England divisional finals, and the 1st and 2nd XI hockey teams were both second in their respective men's leagues.
- College boys competed in the *Super 6 Indoor Athletics Competition*. Jack Heywood, Year 8, won both the sprint and the standing long jump whilst Ben Fiore, Year 9, won the standing long jump.
- The College Year 9 basketball team completed a 100% season, winning every game and two members of the team, Lawrence Lord and Christian Georcelin, were selected for the Island U17 Inter-Insular squad despite being only in Year 9.
- *Red Nose Day* in March saw over £900 raised and again much was due to the efforts of the School Council's Charities Committee.

Summer 2007

- At the Public Schools' Fencing Championships held at Crystal Palace in March, the College fencers were the top U16 schools' club, winning the team trophy for both foil and the three combined weapons. College also won the most improved school trophy and came 3rd over all ages/weapons.
- At Senior Sports Day in a very close competition the *victor ludorum* was Jonathan Guille, Year 13, who beat Hywel Robinson, Year 11, by just one point. His most notable performance was in breaking his own Sports Day Triple Jump record with a leap of 13.36m. Jonathan was also selected to represent Guernsey in this year's Island Games.
- The College team of Joe Baines, William Bodkin, Alex Burt, Guy Craze, Alistair Jones (all Year 10) and Jack Heywood (Year 8) won the Schools' Liberation Day Relay Race. In a very close finish College won with the Grammar School team less than a second behind.

- Jeremy Osborne, Year 12, was selected for the GB swimming development squad for the 2012 Olympics; he and Matthew Allen, Year 11, were also in the Guernsey swimming team for this year's Island Games, held in Rhodes.
- The Year 9 athletics team won the Island Schools' Sports, the best performance coming from Jaques Ogier who won the 100m, 200m and Long Jump.
- Rafael Van den Bossche, Year 8, won *La Coupe du Souvenir Normand* in the French Recitation Section (U13) of this year's Eisteddfod.
- The College cricketers were successful against Victoria College. In Jersey, the 1st XI won by 70 runs. Chris Whitworth, Year 12, scored 112, and Tim Ravenscroft, Year 10, took 5 for 68; the second XI also won. The home match resulted in an 8-wicket win for College with Tim Ravenscroft (63*) and Jonathan Warr (49*) sharing an unbeaten stand of 135 for the 3rd wicket. This is the best pair of results in this fixture since 1981.
- Adam Hindle, Year 10, was selected for the Sussex U15 cricket team via the county's cricket academy.
- Our the musicians took part in the "Practice-a-thon", raising £400 for the Sir Malcolm Sargent Cancer Care for Children charity.
- College fencers took part in the Channel Island Junior Championships held in Jersey: Pierre Ozanne, Year 10, won all three U16 events (foil, epee and sabre). Ben Inderwick, Year 8, won the U14 boys' foil. Jamie Cluett, Year 10, was 2nd in the epee and Adrian Aplin, Year 9, was 2nd in the sabre.
- College athletes represented Guernsey Schools v. Jersey. In the Hampshire County Championships the following represented Guernsey: Jonathan Guille, Year 13 / U20 Men, won gold in the Triple Jump and silver in the Long Jump. Ben Fiore, Year 9 / U15 Boys, won silver in the Javelin and bronze in both the Discus & Hammer.
- On Junior Sports Day the *victor ludorum* in each age group was:

Year 10	William Bodkin
Year 9	Ben Fiore
Year 8	Alex Falla
Year 7	Andrew Clark
- Xander Barnes, Luca Finetti, Ben Green, Sam Lesley, Jack Lunn, Alex Setters and Michael Tostevin (all Year 7) and Ben Thome and George Melhuish (Year 9) all won first place prizes in the Guernsey Press *Design-an-Ad Competition*.
- In the annual Ten Tors Challenge our two teams braved the exceptionally poor weather conditions in this year's event.

- Michael Creber, Year 10, had a very successful season with North United Air Rifle Club.
- Adam Clark, Year 9, was West of England U14 hockey captain for the divisional tournament.
- Dominic Lainé and Sam Meader, Year 12, were awarded RAF cadet flying scholarships.
- A considerable number of boys successfully completed their Bronze and Silver DoE expeditions during the term. Trips included cycling coast-to-coast across Devon and kayaking in Morbihan.
- In July 2007 the Shooting VIII finished 5th in the Ashburton, one of the most demanding of schools' competitions. They also regained the Haines Shield from Victoria by a wide margin. The Cadet IV placed second in their competition shot at the same time. Later in the summer Nick Branch (U6th leaver) won a silver medal at 900m the World Shooting Championships. He and Robert Waters (U6th leaver) were part of the CI team that placed strongly in the Palma Trophy, the Long Range Shooting World Championships. Robert placed 6th in the world in the U21 competition.

Review of the Musical Year, 2006-2007

The Music Department has to hit the ground running at the start of the Michaelmas Term with the College Foundress's Service taking place at the end of the first week. Twenty-eight members of the College Choir were involved in this important event in the College year. The first half term of the academic year also included the College Open Day and the usual musical activities were arranged.

In November the Old Elizabethans (under the guidance of its President) produced a "Follies Evening" at St James. The College Choir (plus a number of OEs) performed an arrangement of the College Carmen composed especially for the occasion. Other performers in the concert included Joshua De Kooker who gave a stunning performance of Monti's Czardas and the College Strings who performed Haydn's Toy Symphony despite the contributions from several OEs who are at present States Deputies! All of the items were greatly appreciated by the audience and it was an excellent opportunity for the present members of the College to co-operate with the OEs in such a successful evening. A small team of senior musicians were included in the Band for the Drama presentation of *42nd Street*. Building on the success of 'Grease' last year this proved an even more successful production.

The Winter Concert took place in the College Hall at the beginning of December. It involved all the College Ensembles and allowed some of our senior performers to offer various solos. Just two weeks later the College Choir led the Senior Carol Service at the Town Church. The following evening, at St James, the Junior Carol Service took place. The wind, brass and string players together with the College Choir combined to give a truly festive finish to the term. Again, it was pleasing to note that so many of our students were able to participate on this occasion. The College Choir observed the traditional singing of carols at Government House again this year.

The second Faculty of Creative Arts Junior Exhibition Evening took place at the beginning of February and saw the College Hall full of displays from the Faculty's departments. The opportunity was taken for various soloists to perform, which they did with considerable success.

The Foundress's Day Concert is traditionally the highlight of the College musical year. In an attempt to avoid clashes with public examinations it was decided to move the concert to the end of the Lent term. Along with each school's own contributions, performers from Beechwood and Acorn House came on stage for the Grand Finale which this year was Karl Jenkins's *Adiemus*, the performance was considerably enhanced by the original Senegalese, Kenyan and South African drums used by Dominic Rowe. The Concert was one of the most successful of recent years and also included the combined College Wind Bands performing Mussorgsky's *The Great Gate of Kiev* as well as the College Strings rendition of Haydn's popular Piano Concerto.

The annual College Choir visit to St Malo followed its usual format with the boys singing at two services over the weekend. Saturday evening's performance at the Chapel of the Dominican Convent and Sunday morning's Mass in the church of Saint

Ideuc both went particularly well and the warmth of the welcome from the French congregations was greatly appreciated by the members of the Choir.

The musical members of Years 7 to 9 took part in a *Practice-a-Thon* at the end of May. A full and very demanding day of rehearsals led to an evening concert which helped to raise over £400 for charity. This has been an exceptionally busy year for the department and in conclusion I would like to thank the tremendous support given throughout the year to College Music by Mrs Maher, Mr Cottam, Mr Cross and the invaluable members of the Schools' Music Service – and of course, the Boys!

Review of the College Drama, 2006-2007.

College Drama continues to thrive. In October Year Nine boys presented a successful improvised drama at Beau Sejour for the culmination of the inter-schools Life Skills alcohol awareness project, *Don't Lose to Booze*. In November Years 10 and 11 drama students had a wonderful time presenting *Betsy's Dilemmas*, an amusing satire of *The Red Barn*, a Victorian Melodrama, to a responsive audience, as part of *Girard's Follies*, the OE fund raising review at St James.

Towards the end of the Michaelmas Term Miss Flood directed the College production of *42nd Street*. Mrs Maher led the orchestra and trained the singers. Mrs Coubrough choreographed the dance numbers and Mr James was the producer. Musicals are always popular with audiences, and Elizabeth College audiences are no exception. The production was a four night sell out. With the exception of one Ladies' College girl, the female cast were from Blancheland. James Robson, as the juvenile lead, performed with great panache: he was well supported by his female lead Hannah McLaughlin. Josh Langlois gave an aggressive performance as Julian Marsh, and Tom Stephenson and Anna Blower formed a superb comic partnership. The production was brilliantly lit by OE Alex Strachan.

In the Lent Term Mrs Campbell directed a cast of 40 two boys and six girls in *Pravda*, a savage Fleet Street comedy which satirizes media arrogance, and the rise of Murdoch in Thatcherite Britain. The play also has direct parallels with media spin in Blairite Britain. In total over 60 students were involved in the production. Mrs Thackeray trained five Ladies' College dancers to perform a cabaret in the finale. Peter Hall, of the U6th, whose South African accent was faultless, gave an outstanding performance as the monster Lambert Le Roux. Jack Heywood, Year 8, whose Australian accent was equally faultless, supported Peter with an excellent performance as his business manager and fixer, Eaton Sylvester. Tom Monkhouse and Kate Sproule, both in the Upper Sixth, were totally convincing as Andrew May and Rebecca Foley. There was not a weak link in the remaining cast, comprising boys from Year Seven to U6th. A Year 9 boy, Daniel Gosselin, designed and took charge of the lighting for the production. An Elizabeth College parent, Mrs Christopher, took charge of the wardrobe: a daunting task for such a huge cast with many costume changes.

The College students who were entered for the competitive duologues in the *Eisteddfod* were disappointed to miss the top score of 88 by one mark. Boys were also entered for the *One Act Play Festival* in Trinity Term, the only non-Gadoc entry, and were much praised by audience and adjudicator. It is hoped to extend our involvement in both of these events this coming academic year.

This was the first year College entered students for GCSE in Drama, all of whom achieved either A or A* grades in the examination.

EDUCATION DEPARTMENT

AMHERST PRIMARY SCHOOL – VALIDATION REPORT

The Chief Minister
Policy Council
Sir Charles Frossard House
La Charroterie
St Peter Port

10th October 2007

Dear Sir

I enclose a summary of the Amherst Primary School Validation Report, together with the Education Department's response and would be grateful if you would arrange for them to be published as an appendix to the Billet d'État for November 2007.

Copies of the full report will be made available for any member of the public to inspect at the school or the Education Department.

Yours faithfully

M A Ozanne
Minister

Enc

**ISLANDS' FEDERATION FOR THE EVALUATION OF SCHOOLS
(IFES)**

Summary of the Validation Report

AMHERST PRIMARY SCHOOL

GUERNSEY

June 2007

SUMMARY OF THE JUNE 2007 VALIDATION REPORT

AMHERST PRIMARY SCHOOL

Amherst is a two form entry school, taking children mainly from the north of St Peter Port, and has a diverse and mixed catchment area.

There are 335 pupils on roll, 159 boys and 176 girls, aged from 4 to 11.

They are taught by 19 full time staff, including the headteacher, and one part time teacher.

There are 16 classes, with an average class size of 20.2 and a pupil teacher ratio of 17:1.

Background

The validation team consisted of six inspectors. Five were Ofsted inspectors from the UK and one was an IFES trained headteacher from Jersey. The team met informally with staff at the school on Sunday and then spent four days inspecting the school.

The school provided comprehensive documentation and its self-review report in advance of the visit, having spent a year working on its self-evaluation activities. Additional information, such as children's work, DVDs, photographs and portfolios of other evidence, was made available to the team during the week. All staff had attended the Education Department's IFES Internal Evaluator training course on how to carry out a self-review.

The evidence base to validate the school's findings was collected through:

- scrutiny of a range of whole school and subject documentation, including School Improvement Plans since the last inspection, portfolios, minutes of meetings and SATs results; information and evidence about standards and progress had been provided from the last three years;
- observation of 100 whole or part lessons;
- examination and discussion of teachers' planning;
- attendance at assemblies and some extra curricular activities;
- examination of pupils' current and previous work;
- approximately 16 hours of planned discussions with teachers and other staff, pupils and parents;
- observation of pupils on arrival and departure from the school and at other times around the buildings and grounds;

- scrutiny of 101 returns and 20 additional written comments from the confidential parental questionnaire.

At the end of the week, subject co-ordinators received an oral feedback on their areas of responsibility, and the team's main findings were reported to the headteacher and her deputy, and then to the Education Department.

Main Findings

- The headteacher is commended for her work in successfully uniting the former junior and infant schools into one cohesive and purposeful primary school.
- Teaching and non-teaching staff alike have supported the head and deputy well in managing and effecting the changes and in sustaining morale.
- The school has made significant advancements and progress since the last inspections in 1999(Infant School) and 2002 (Junior School).
- The headteacher, senior management team (SMT) and staff have established a warm, caring and purposeful ethos within the school where children feel secure and are encouraged to learn.
- The inspection team observed 100 lessons during the week. Of these, a pleasing 92% were judged to be of at least satisfactory standard, and a commendable 52% contained good or excellent features. This compares favourably with the previous inspections when the respective figures were 85% and 17% for the Infant School and 88% and 40% for the Junior School.
- Factors contributing to the improvements include better year group planning, strengthened monitoring and subject co-ordinator roles, the introduction of Assessment for Learning (AfL) and the more widespread application of ICT resources.
- Particular strengths were seen in the teaching of mathematics, literacy, PSHCE and PE, and in some aspects of science, ICT, history, DT, RE, art and music.
- The school is ably led and managed. The self-evaluation exercise was well organised, with appropriate support from relevant Education Department officers. It has led to the production of a largely accurate internal report which will greatly assist in the development of the next School Improvement Plan (SIP).
- Documentation in the school is comprehensive and up-to-date, with several new policies, schemes of work and job descriptions.

- The school offers a broad and balanced curriculum, which now meets all the requirements of the National Curriculum (Guernsey). Considerable emphasis is being placed on the development of English and mathematics.
- Features of the good teaching and learning observed included careful preparation, the sharing of learning objectives with the children, opportunities for creative and investigative work, good relationships, planned work for different ability levels, helpful marking and assessment, high expectations and praise, and effective support from teaching assistants. The few unsatisfactory features generally related to lack of pace, unclear purpose and some off-task behaviour.
- A high percentage of pupils are on the school's register as having special educational needs. Nevertheless, many children are reaching levels of attainment which are appropriate for their age, and good progress has been made since the last inspections in English and mathematics, particularly at KS1. The school is rightly focusing upon continuing to raise standards in writing, reading and numeracy.
- The school generally makes good provision for its SEN children, from the nurture group and reception through to the end of KS2. The SEN policy complements the Island Code of Practice. A newly appointed SENCO from next September will need to focus upon strengthening the co-ordination of work across the school, assisting staff with the production of differentiated materials, and with writing individual education plans (IEPs).
- The school has an agreed assessment policy. Assessments are regularly undertaken in English, mathematics and science. Revised and updated reports provide helpful information for parents. The analysis of available assessment data is being used increasingly effectively to set appropriate targets for children.
- Children benefit from a well planned induction to the Foundation Stage, and there is effective transition into KS1. A valuable nurture group provides support for some vulnerable children and adults.
- Most children are making steady progress towards the early learning goals. They should benefit from the school's intended closer analysis of the foundation Stage Profile (FSP), more opportunities for outside play, and more structured support for self-chosen play.
- The school makes good provision for the spiritual, moral and social development of the children. Provision for cultural development is sound. School assemblies are well organised and conducted, with frequent contributions from the children.
- The programme of personal, social, health and citizenship education (PSHCE) is a great strength of the school, and is well co-ordinated by the deputy head. It

has contributed to the school's recent success in being awarded enhanced status in the National Healthy Schools Standard (NHSS). Children make a lively contribution to their school council. There are effective systems for children's welfare, support and guidance.

- Children's behaviour throughout the inspection week was exemplary. They were pleased to show and discuss their work and are proud of their school. Attendance is good at around 93% and computerised registration is operating well.
- The school has forged good relationships with parents and the local community. Responses from the parental questionnaire (Appendix A) show widespread support for the work of the headteacher and her staff. A supportive PTA raises additional funds for the school each year in the region of £4.5K.
- Despite the spread site, communications are generally good. Regular minuted meetings are held at SMT, year group and whole staff levels, and staff contribute to the drawing up of the School Improvement Plan (SIP) which effectively guides the work of the school. The head and deputy meet regularly with subject co-ordinators to review progress and draw up action plans.
- The school's computerised financial systems are efficiently administered and overseen by the secretary/administrator and the headteacher. Subject co-ordinators take due responsibility for their own delegated budgets. The school office is well run and provides a welcoming first point of contact for parents and visitors.
- The school is well staffed, although temporary difficulties have been caused by some long term absences. Staff are hard working and undertake their duties conscientiously. Many have availed themselves of appropriate in-service training.
- Planning, preparation and administration (PPA) time is well organised. The school also complies with the Island requirements for performance management and the induction of newly qualified teachers (NQTs).
- The school is well resourced to meet the requirements of the Guernsey Curriculum. Children are benefiting from the great increase in ICT resources, and inter-active whiteboards are in regular use in most classrooms.
- The accommodation and grounds are well cleaned and maintained, and the hard working caretaker makes valuable contributions to a wide range of school activities.
- Given the particular pressures brought about by school amalgamation, absences of key staff, and new Island initiatives in ICT and AfL, the headteacher deserves

particular praise for her leadership skills and for the positive outcomes of the VSSE process.

- The school's internal report recommends a number of issues for attention, and these are endorsed by the validation team. They include raising standards in literacy and numeracy, improving assessment, developing a policy for homework, and embedding the new ICT framework.

Key Issues that the School Needs to Address

In the next School Improvement Plan the headteacher and her staff should:

- build upon recent improvements to further establish a whole school community and vision;
- continue to provide training and support for the development of AfL and ICT;
- strengthen the co-ordination of SEN, including providing help for staff in the production of differentiated materials and writing IEPs;
- ensure greater consistency in teaching, learning, marking and assessment through continued monitoring by the SMT and subject co-ordinators to identify and share good practice;
- develop the use of available assessment data, including the Foundation Stage Profile, to identify trends and to set appropriate targets, particularly in reading and writing.

The school is responsible for drawing up an action plan after receiving the Report, showing what it is going to do about the issues raised and how it will incorporate them in the school's Improvement Plan.

*A follow-up visit to the school will be made in **Autumn 2008** in order to monitor and discuss the progress the school has made, and a written report will be made to the Director of Education.*

Response to the Validation Report on Amherst Primary School

The Education Board and staff of Amherst Primary School welcome and accept the Validation Report of June 2007. The Report commends the Headteacher for her work in successfully uniting the former junior and infant schools into one cohesive and purposeful primary school.

The self-evaluation exercise was well organised and led to the production of a largely accurate internal report which will greatly assist in the planning of future developments. The school has made significant advancements and progress since the last inspections in 1999 (Infant School) and 2002 (Junior School). Both teaching and non-teaching staff alike have supported the head and deputy well in managing and effecting positive changes and in sustaining morale. Together the staff have established a warm, caring ethos within the school where children feel secure and are encouraged to learn. The Board is extremely pleased with the outstanding strengthening in the quality of teaching and learning. 52% of lessons observed were of good or excellent quality (1999 Infant School 17%, 2002 Junior School 40%) and an overall 92% were judged to be of at least satisfactory standard (1999 Infant School 85%, 2002 Junior School 88%). This is a commendable rise from previous inspections. The Board especially recognises the high quality of teaching and learning in Key Stage One.

The Board is pleased to acknowledge that Amherst is a proactively inclusive school and makes provision for pupils with a very wide range of need. This philosophy and the delivery of personal, social, health and citizenship education are great strengths of the school. It is laudable that pupils are willing to take responsibility, behave very well and work effectively together. The relationships between pupils and staff are good. The staff are excellent role models and the Board is appreciative of their commitment, dedication, hard work and conscientiousness. Attendance rates are good and there is a high level of support from parents for the Headteacher and her staff. Relationships with parents and the community are good with many parents providing valuable assistance in a variety of areas. The Board recognises that children make appropriate progress at Amherst including those with special needs of whom there is a significant percentage. It is extremely pleasing to report on the development of the high quality of provision within the Nursery Nurture Group and its subsequent success.

The school is efficiently administered, well resourced and maintained. The Board is delighted to confirm that since her appointment in 2003, the Headteacher has competently led the introduction of new Island initiatives of Assessment for Learning, and ICT, clarified roles and responsibilities, updated policies and strengthened planning all of which have greatly assisted the school in making significant and rewarding progress.

The school's self-evaluation and the validation report have clearly identified its strengths and areas for development.

Key areas identified are:

- continue to provide training and support for the development of AfL and ICT

- strengthen the co-ordination of SEN, including providing help for staff in the production of differentiated materials
- ensure greater consistency in teaching, learning, marking and assessment through continued monitoring by the SMT and subject co-ordinators to identify and share good practice
- develop the use of available assessment data, to identify trends and to set appropriate targets.

Guernsey Retail Prices Index²⁴⁰⁰

Quarter 3 - 30 September 2007



POLICY COUNCIL
THE STATES OF GUERNSEY

Issue Date - 19 October 2007

Introduction

The Guernsey Retail Prices Index (GRPI) is the measure of inflation used in Guernsey. It measures the change in the prices of goods and services bought for the purpose of consumption or use by households in Guernsey. It is published quarterly by the States of Guernsey Policy and Research Unit. The calculation of the GRPI is based on the price change of items within a 'shopping basket'. Whilst some prices rise over time, others will fall or fluctuate and the Index represents the average change in these prices. More detailed information on the RPI and its calculation can be found at the end of this handout.

Headlines

- At the end of September 2007 Guernsey's annual rate of inflation was **4.9%**. This is 0.2 percentage points higher than the figure at the end of June 2007, which was 4.7%. The equivalent figure for the UK is 3.9%. The Jersey figure is due to be released on 24th October.
- Guernsey's RPIX (inflation excluding mortgage interest payments) is 0.2 percentage points lower than last quarter at **2.9%**
- The **Housing** group, which has the largest weight within the Index, contributed **2.6%** of the overall increase, which is the same as last quarter.
- The Index increased to **134.9** (1999 base).

Overview

The Guernsey RPI increased by 4.9% for all items ending 30th September 2007. This is higher than in June 2007, when the increase was 4.7%. Despite a relatively low quarterly increase (0.6%), there were large increases during the previous three quarters (*see Table 7*), resulting in a comparably large overall figure.

The Housing group continued to be the largest contributor to the RPI at 2.6% out of the overall figure. The continuing rise in this group is mainly due to the increasing cost of servicing a mortgage. This is a result of the combined effects of rising average house prices and interest rates, with another increase set by the Bank of England during the quarter.

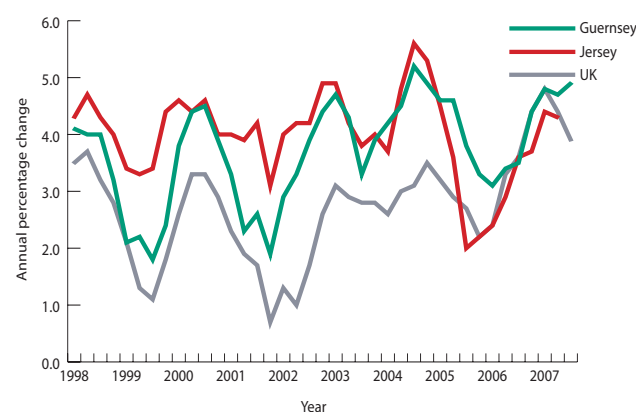
The next highest contributors were Food and Alcohol at 0.5%, followed by Fuel, Light and Power and Personal Goods at 0.3%.

The Clothing and Footwear group was the only group to have a downward effect on the Index over the year, contributing -0.3%.

Table 1: Annual Rates of Inflation

Year	March	June	September	December
2002	2.9	3.3	3.9	4.4
2003	4.7	4.3	3.3	3.9
2004	4.2	4.5	5.2	4.9
2005	4.6	4.6	3.8	3.3
2006	3.1	3.4	3.5	4.4
2007	4.8	4.7	4.9	

Figure 1: Annual Rates of Inflation



IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 29th NOVEMBER, 2007

The States resolved as follows concerning Billet d'État No XXIV
dated 9th November 2007

PROJET DE LOI

entitled

THE INCOME TAX (ZERO 10) (GUERNSEY) (No. 2) LAW, 2007

I.- To approve, subject to the following amendments, the Projet de Loi entitled "The Income Tax (Zero 10) (Guernsey) (No. 2) Law, 2007" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

AMENDMENTS

1. For section 47C(3)(a) of the Income Tax (Guernsey) Law 1975 (inserted by clause 11 of the Projet and printed at page 7 of the Brochure) substitute the following paragraph-
 - "(a) any sums representing income tax deducted from the non-resident individual's disregarded individual income for the year of charge (see section 47D),".
2. For section 47H(3)(a) of the Income Tax (Guernsey) Law 1975 (inserted by clause 11 of the Projet and printed at page 11 of the Brochure) substitute the following paragraph-
 - "(a) any amounts representing income tax deducted from the non-resident company's disregarded company income for the year of charge (see section 47I),".
3. For clause 20(a) of the Projet (printed at page 17 of the Brochure) substitute the following paragraph-
 - "(a) for "beneficially entitled to a dividend from which tax is authorised to be deducted under the provisions of section fifty-seven of this Law shall, on receiving the said dividend and" substitute "the beneficial member in respect of a distribution from which tax is required to be deducted under the provisions of sections 81B and 81BB, shall", and"
4. In section 62AB(2) of the Income Tax (Guernsey) Law, 1975 (inserted by clause 22 of the Projet and printed at page 19 of the Brochure) delete the words "(within the meaning of section 62D)".

5. In section 62D(1) of the Income Tax (Guernsey) Law, 1975 (inserted by clause 23 of the Projet and printed at page 26 of the Brochure) for the word “Chapter” substitute the word “Law”.

6. For clause 31(a) of the Projet (printed at page 41 of the Brochure) substitute the following paragraph –

"(a) for subsection (3) substitute the following –

"(3) Tax shall be deducted at -

(a) where the person to whom the distribution is made is an individual -

(i) where the income from which the distribution was made has been taxed or is taxable at the company standard rate, the individual standard rate,

(ii) where the income from which the distribution was made has been taxed or is taxable at the company intermediate rate, or where section 62A(6) applies, a rate equivalent to the difference between the company intermediate rate and the individual standard rate, and

(iii) where the income from which the distribution was made has been taxed or is taxable at the company higher rate, the company standard rate,

(b) where the person to whom the distribution is made is a company, the company standard rate."

PROJET DE LOI

entitled

THE EVIDENCE IN CIVIL PROCEEDINGS (BAILIWICK OF GUERNSEY) LAW, 2007

II.- To approve the Projet de Loi entitled “The Evidence in Civil Proceedings (Bailiwick of Guernsey) Law, 2007” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE CRIMINAL JUSTICE (COMMUNITY SERVICE ORDERS)
(BAILIWICK OF GUERNSEY) (AMENDMENT) ORDINANCE, 2007**

III.- To approve the draft Ordinance entitled “The Criminal Justice (Community Service Orders) (Bailiwick of Guernsey) (Amendment) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

THE DOCUMENT DUTY (AMENDMENT) (No. 2) ORDINANCE, 2007

IV.- To approve the draft Ordinance entitled “The Document Duty (Amendment) (No. 2) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE ATTENDANCE AND INVALID CARE ALLOWANCES ORDINANCE,
2007**

V.- To approve the draft Ordinance entitled “The Attendance and Invalid Care Allowances Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

THE FAMILY ALLOWANCES ORDINANCE, 2007

VI.- To approve the draft Ordinance entitled “The Family Allowances Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE LONG-TERM CARE INSURANCE (GUERNSEY)
(ANNUAL GRANT AND RATES) ORDINANCE, 2007**

VII.- To approve the draft Ordinance entitled “The Long-term Care Insurance (Guernsey) (Annual Grant and Rates) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE HEALTH SERVICE (BENEFIT)
(ANNUAL GRANT AND AMENDMENT) ORDINANCE, 2007**

VIII.- To approve the draft Ordinance entitled “The Health Service (Benefit) (Annual Grant and Amendment) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE SOCIAL INSURANCE (RATES OF CONTRIBUTIONS
AND BENEFITS, ETC.) (AMENDMENT) ORDINANCE, 2007**

IX.- To approve the draft Ordinance entitled “The Social Insurance (Rates of Contributions and Benefits, etc.) (Amendment) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

**THE SUPPLEMENTARY BENEFIT (IMPLEMENTATION)
(AMENDMENT) ORDINANCE, 2007**

X.- To approve the draft Ordinance entitled “The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2007” and to direct that the same shall have effect as an Ordinance of the States.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

**THE SOCIAL INSURANCE (CLASSIFICATION) (AMENDMENT)
(GUERNSEY) REGULATIONS, 2007**

In pursuance of Section 117 of the Social Insurance (Guernsey) Law, 1978, as amended, the Social Insurance (Classification) (Amendment) (Guernsey) Regulations, 2007, made by the Social Security Department on 3rd October 2007 were laid before the States.

**THE SOCIAL INSURANCE (CONTRIBUTIONS) (AMENDMENT)
REGULATIONS, 2007**

In pursuance of Section 117 of the Social Insurance (Guernsey) Law, 1978, as amended, the Social Insurance (Contributions) (Amendment) Regulations, 2007, made by the Social Security Department on 3rd October 2007 were laid before the States.

**K H TOUGH
HER MAJESTY’S GREFFIER**

IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 30th NOVEMBER, 2007

(Meeting adjourned from 29th November 2007)

**The States resolved as follows concerning Billet d'État No XXIV
dated 9th November 2007**

TREASURY AND RESOURCES DEPARTMENT

STATES PROPERTY RATIONALISATION

XI.- After consideration of the Report dated 25th October, 2007, of the Treasury and Resources Department:-

1. To note the progress made on the Rationalisation Strategy to date as set out in that Report.
2. To approve the disposal by sale or lease, as set out in Section 2 of that Report, of:
 - (a) Vale Mill;
 - (b) Fort Richmond;
 - (c) Nelson Place.
3. To direct the Housing Department, in conjunction with the Treasury and Resources Department, to review all the issues, advantages and disadvantages of expanding the Open Market by inscribing States-owned properties and to report back to the States with their findings and any recommended policy changes by not later than September 2008.
- 4.(a) To direct that an Ordinance be prepared to enable the Housing Department to inscribe in Part A of the Housing Register by virtue of Section 52 of the Housing (Control of Occupation) (Guernsey) Law, 1994 one dwelling only at Belvedere House, subject to the States-owned property known as "Longacre", Les Baissieres, St Peter Port, being deleted from Part A of the Housing Register.
- 4.(b) To agree that no other proposals to inscribe States-owned properties in Part A of the Housing Register shall be approved by the States until such time as the States have considered the aforementioned report from the Housing Department.
5. TO NEGATIVE THE PROPOSITION to direct that an Ordinance be prepared to suspend the provisions of Section 65(1) of the Housing (Control of Occupation) (Guernsey) Law, 1994 in relation to specified properties in the possession or ownership of the States of Guernsey, as set out in that Report.

6. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

ENVIRONMENT DEPARTMENT

WASTE ARISING, RECYCLING AND GROWTH

XII.- After consideration of the Report dated 25th September, 2007, of the Environment Department:-

1. To endorse Waste Arisings as set out in Table 1 of that Report.
2. To endorse recycling as set out in section 10 of that Report.
3. To adopt 45,000 tonnes p.a. as a lower design plant capacity and 70,000 tonnes p.a. as an upper capacity, as set out in paragraph 14.7 of that Report.

HOUSE COMMITTEE

STATES EMPLOYEES – POLITICAL ACTIVITIES

XIII.- TO ADJOURN CONSIDERATION of this Article until the December sitting of the States.

K H TOUGH
HER MAJESTY'S GREFFIER

IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 12th DECEMBER, 2007

(Meeting adjourned from 30th November 2007)

**The States further resolved as follows concerning Billet d'État No XXIV
dated 9th November 2007**

HOUSE COMMITTEE

STATES EMPLOYEES – POLITICAL ACTIVITIES

XIII.- After consideration of the report dated 15th October, 2007, of the House Committee:-

That paragraph 4 of Rule 11 of the Constitution and Operation of States Departments and Committees, which is to come into force from 1st May, 2008, shall be further amended by substituting the words “States employees” for “Civil Servants”.

**K H TOUGH
HER MAJESTY'S GREFFIER**