



BILLET D'ÉTAT

WEDNESDAY, 25th FEBRUARY 2009

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- "The Evidence in Civil Proceedings (Guernsey and Alderney) Law, 2009",
- "The Competition and Trading Standards (Enabling Provisions) (Guernsey) Law, 2009",
- "The Road Traffic (Parking Fees and Charges) (Enabling Provisions) (Guernsey) Law, 2009",
- "Fraud (Bailiwick of Guernsey) Law, 2009",
- "The Sexual Offences (Incitement, Jurisdiction and Protected Material) (Bailiwick of Guernsey) Law, 2009"
- "The Education (Guernsey) (Amendment) Law, 2009"

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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 25th FEBRUARY, 2009,** immediately after the meeting of the States of Election already convened for that day, to consider the items contained in this Billet d'État which have been submitted for debate.

G. R. ROWLAND
Bailiff and Presiding Officer

The Royal Court House
Guernsey
6 February 2009

POLICY COUNCIL

LEGISLATION – PROJETS DE LOI ('LAWS') AWAITING ROYAL SANCTION

1. Executive Summary

This report proposes that two Projets de Loi, which are currently with the Ministry of Justice awaiting the Sanction of Her Majesty in Council, should be resubmitted with revisions. The first modification affects the provisions containing powers to make amendments to those Laws, and consequentially to other Laws, by Ordinance of the States (commonly referred to as “Henry VIII” clauses). The second change involves the introduction of limitations on the scope of penalties capable of being included in the Ordinances to be made under those Laws.

The report also proposes that four other Projets de Loi, which were approved by the States of Deliberation in March and May 2008, but which have not yet been transmitted to the Ministry of Justice for the purpose of obtaining Her Majesty’s Sanction, should be modified so as to revise or remove the Henry VIII clauses contained therein and re-approved by the States before being presented for Royal Sanction.

2. Report

Her Majesty’s Procureur has written to the Policy Council in the following terms:

“You will be aware that over the course of the last two years or so, there has been some lengthening of the time taken for Laws approved by the States to receive Royal Assent. Whilst similar delays have previously occurred, the current reasons are different from those of the past. For the reasons and in the circumstances set out in this letter, I believe the stage has been reached where, in order to remove the current 'backlog', the States should be recommended to rescind recent Resolutions to approve six Laws, and at that time to pass revised Resolutions, effectively approving those Laws as slightly revised.

1. Background

At the beginning of 2007, following a review undertaken by a lawyer seconded to the Department for Constitutional Affairs – then the UK Government Department responsible for Crown Dependencies' affairs – the Department indicated that they had concerns about certain provisions contained within a small number of Guernsey Laws. (In this letter, reference to 'Guernsey Laws' where the context admits, includes reference to Laws applying throughout the Bailiwick or its constituent parts.) These concerns had not been expressed to Guernsey before, and some time was spent in discussion with the Department trying fully to understand the precise nature of, and basis for, them. During the course of those exchanges, I was informed by a representative of the Department that, until the concerns of the Department were resolved, no Guernsey

legislation would be progressed or recommended for Royal Assent.

Following a further series of meetings and exchanges of communications between St James' Chambers and representatives of the Ministry of Justice (which had, by then, taken over responsibility for the Crown Dependencies), the Ministry wrote on 19 September 2007 identifying four specific issues relating to Laws which I summarise as follows, together with some comments upon those issues –

(1) Enabling Laws

The Ministry was concerned about the use of Laws to enable the States by Ordinance to legislate unrestrictedly in and for an entire area. It was argued that the Ministry's legislative scrutiny and Privy Council approval of Crown Dependencies' primary legislation was the principal means by which the UK carried out its responsibility for our good government. If unlimited powers were conceded to Crown Dependencies' legislatures to legislate in and for an entire area without such scrutiny, the Ministry claimed that that could create risks for the UK's responsibility for good government, including compliance with international obligations and standards. Laws falling into this category included the Animal Welfare (Enabling Provisions) (Guernsey) Law, 2006 and the Road Traffic (Parking Fees and Charges) (Enabling Provisions) (Guernsey) Law, 2007, and St James' Chambers were informed that these might not be recommended for Royal Assent, because they created broad enabling powers of the type that the Ministry had come to regard as inappropriate.

St James' Chambers had pointed out to the Ministry's lawyers that the use of enabling provisions Laws was well established in Guernsey, and that there were many examples of this technique none of which had ever caused the slightest difficulty for the UK. This type of Law is extremely useful where the States do not wish to enact all legislation in the particular field at the same time, but to do so incrementally – a good recent example is the Prevention of Discrimination (Enabling Provisions) (Guernsey) Law, 2004, which the States used to enact the Sex Discrimination (Employment) Ordinance, 2005; and the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994, which the States can use whenever necessary or expedient to implement European Union regulations and directives. Earlier examples include the Borrowing (Control) (Bailiwick of Guernsey) Law, 1946 and the Milk and Milk Products (Guernsey) Law, 1955, so the Ministry's objections were novel and contrary to long standing practice.

(2) Laws empowering the States by Ordinance to amend or disapply UK legislation

The Ministry took the view that it would be constitutionally improper for an Ordinance to purport to amend UK legislation which applied in the Bailiwick. St James' Chambers explained at length to the Ministry's lawyers that powers to

disapply UK legislation were useful where the States wished to enact legislation in an area where an Act of Parliament already applied to Guernsey and would need to be replaced by the new Guernsey legislation. Such cases usually arise where the Act is an old and outdated one, which has already been replaced in the UK. This has been done in recent years with (for example) the Merchant Shipping (Bailiwick of Guernsey) Law, 2002, where powers to disapply the Merchant Shipping Act 1894 (and other obsolete UK legislation) were included with the express agreement of the lawyers in the Department for Constitutional Affairs; and with the Copyright Ordinance, 2005, which disapplied the Copyright Act 1911 (which had ceased to have effect in the UK in 1956). Again, therefore, the Ministry's objections were at odds with the previous express position of their predecessors.

Nevertheless, the Ministry indicated it would consider recommending refusal of Royal Assent to any Laws containing such a power, and cited by way of example the Animal Welfare (Enabling Provisions) (Guernsey) Law, 2006 which contained a power to amend any enactment, including an Act of Parliament, to the extent that it had force of law in Guernsey, even though there were, to the best of our knowledge, and as pointed out to the Ministry, no Acts of Parliament applicable to Guernsey in this area.

(3) *Laws empowering the States by Ordinance to amend the Law itself or any other Law*

The third issue raised by the Ministry concerned the creation and use of powers to amend Laws by Ordinance (referred to colloquially as 'Henry VIII' powers, in recognition of that King claiming the power to amend, suspend or dispense with statutes passed by Parliament). The Ministry explained that when exercising a power to amend by Ordinance, the States might amend a Law in such manner as to cause the UK to be in breach of its international obligations, or that the power might be exercised in such a manner that the originally intended ambit of the Law extended beyond that contemplated when it received Royal Assent. The Ministry also sought assurances as to the manner in which such powers contained in Laws that had at that time been passed by the States, but which had not then received Royal Assent, would be used.

The original Ministry objections to 'Henry VIII' clauses appeared to stem from a misunderstanding on the part of their lawyers as to the precise nature of an Ordinance. In the UK use of 'Henry VIII' clauses can be controversial – although the technique is used frequently – whereby a Minister is given power to amend an Act of Parliament by ministerial instrument. But that is because the Minister is part of the executive, and Parliament, as the legislature, is quite properly protective of its legislative powers. But the same objections do not arise in Guernsey where an Ordinance is used to amend a Law, because the Ordinance, like the Law itself, is enacted by the States of Deliberation, i.e. the legislature. The constitutional issues that may arise in the UK do not therefore arise in Guernsey.

(4) Laws empowering the States by Ordinance to create criminal offences

This issue related to the creation of powers under Laws for the States by Ordinance to create new criminal offences. The Ministry indicated it would expect to see some limitation placed upon the extent of such powers, for example, as to the type of offences and/or the maximum penalties that could be created. St James' Chambers indicated that the States already have extensive Ordinance making powers, and much of our legislation comprises Ordinances rather than Laws, and that if the Ministry's argument were carried to its logical conclusion, then, in theory, no Ordinance could (safely) ever create a criminal offence. However, on balance, and in the interests of moving matters forward, I do not believe that this is a significant issue, and it will not damage Guernsey's legislative competence to include in future Laws some broad guidelines on the scope of the offences and the maximum penalties – especially in trials on indictment (i.e. for the more serious criminal offences) – that can be created by Ordinances made under them.

*In response to the Ministry, I wrote stressing the urgency that attached to the progression of Guernsey's legislation, and indicating that both your predecessor and the Chief Executive shared my concerns. I pointed out that, at that time (27 September 2007) twenty six Laws which had been sent to the Ministry were awaiting Royal Assent, and that many were urgently required to be put into force. I requested an assurance that thirteen of the most urgently required Laws then awaiting Royal Assent would be progressed, and gave some assurances and made some suggestions as to how it would be possible to agree and adopt practices and procedures for the future that should allay the concerns that the Ministry had raised. **I also prefaced my letter by emphasising that nothing in whatever agreement or arrangement that might emerge from Guernsey's dealings with the Ministry on these issues would, or was intended to, change the constitutional relationship between the Bailiwick or its constituent jurisdictions and the UK.***

2. Progress following September 2007

Following the September 2007 exchange of letters, progress has been made in clearing the backlog of Laws and agreeing working practices and procedures designed to smooth and speed up the progress of legislation awaiting Royal Assent or to be submitted in the future. By way of illustration of the progress achieved –

- (1) *Twelve of the thirteen Laws that I identified in my letter as being particularly urgent in September 2007 have now received Royal Assent (the one exception being the Road Traffic (Parking Fees and Charges) (Enabling Provisions) (Guernsey) Law, 2007, which was re-enacted by the States following a Resolution approved in March this year).*

- (2) *Of the seventeen Laws which have been sent to the Ministry and currently await Royal Sanction, five are Alderney or Sark Laws, leaving just twelve Guernsey or Guernsey and Alderney or Bailiwick Laws now awaiting Royal Assent (a list of the relevant Laws together with such other Laws which have been approved by the States but not yet transmitted for Royal Assent, is enclosed for ease of reference).*
 - (3) *Working practices and procedures have been agreed between members of the Legislative Drafting Directorate at St James' Chambers and the Ministry in relation to advance consultation on enabling Laws.*
 - (4) *An understanding between the Directorate and the Ministry's lawyers has been reached concerning general principles applicable to wording of provisions containing powers to amend by Ordinance and the circumstances in which powers to amend by Ordinance might be created in future Laws.*
 - (5) *Assurances have been received from the Ministry in relation to progressing Laws for Royal Assent in a timely manner (in this regard it should be noted that all Laws approved by the States since the end of May which have been sent for Royal Assent have already been approved, with the exception of item 12 on the attached list which was only sent off in December).*
 - (6) *Agreement in principle has been reached upon progression of all outstanding Laws received by the Ministry with the exception of two enabling Laws approved by the States earlier this year (see paragraph 3(1) below) and item 6 on the attached list.*
- 3. *Laws which have been approved by the States but which may not be recommended for Royal Sanction***

Whilst some good progress that has been made in clearing the backlog of legislation and putting in place procedures for ensuring that any new legislation proceeds in a timely manner, there are six Laws that the States have approved that I am given to understand almost certainly will not be recommended for Royal Assent by the Ministry. The Laws in question all contain broad powers to amend their provisions by Ordinance of a type now known to be unacceptable. These Laws may conveniently be grouped into 2 categories.

- (1) *the Competition and Trading Standards (Enabling Provisions) (Guernsey) Law, 2008 and the Road Traffic (Parking Fees and Charges) (Enabling Provisions) (Guernsey) Law, 2008 – see items 8 and 10 on attached list*

The Ministry drew to our attention shortly after they were transmitted for Royal Assent earlier this year certain provisions of the above two Guernsey enabling

Laws which contain broad powers for the States by Ordinance to amend the Laws themselves and other Laws. You may recall that these Laws effectively replaced earlier versions (from 2007) to which the Ministry had also objected because they contained powers enabling the States to disapply Acts of Parliament that applied in Guernsey in relation to, or concerning, competition and trading standards and parking, respectively. In the light of those objections and given that the provisions to which the Ministry were objecting were never likely to be used anyway, the States agreed in March this year to rescind their earlier decisions to approve the 2007 versions of the Laws, and approved replacement Laws that did not contain the particular powers to which the Ministry was objecting. Unfortunately, the Ministry did not at the time raise objection on the basis that the Laws also contained 'Henry VIII' Ordinance making powers of the type that the Ministry had identified in the September 2007 letter as likely to be objectionable to the Ministry. As this secondary issue was not raised specifically, it had been assumed that the powers to amend by Ordinance were not objectionable in these cases. (I should point out that if the States were to resolve to approve certain Propositions on the forthcoming (January 2009) Report of the Environment Department on Paid Parking, as they relate to legislation, the recall of the Road Traffic (Parking Fees and Charges) (Guernsey) Law, 2008, may be required in any event).

- (2) *the Evidence in Civil Proceedings (Guernsey and Alderney) Law, 2008, the Fraud (Bailiwick of Guernsey) Law, 2008, the Sexual Offences (Incitement, Jurisdiction and Protected Material) (Bailiwick of Guernsey) Law, 2008 and the Education (Guernsey) (Amendment) Law, 2008 – see items 13 and 15 to 17 on attached list.*

For a variety of reasons, including a change of legal personnel within the Ministry, an understanding between members of the Directorate and the Ministry's lawyers upon the precise wording of provisions creating powers to amend by Ordinance, and the circumstances in which powers to amend by Ordinance might be created in future Laws was not reached until July this year. The delay is regrettable, but was not of Guernsey's doing. At that time it was established that, in the normal course of events, powers to amend by Ordinance should be targeted at specific sections or parts of Laws, and expressed to be exercisable for specific purposes. These new principles are now recognised, and inform the members of the Directorate whenever there is a need to include in a Law any power to amend its provisions by Ordinance.

Whilst the principles were not fully established until July, it had become apparent at the beginning of June 2008 that unless powers to amend by Ordinance were consistent with the principles referred to above, it was probable that the Ministry would refuse to recommend Laws containing very broad powers to amend by Ordinance for Royal Sanction. In the light of this knowledge, I requested the Bailiff's Office to refrain from sending the Evidence in Civil Proceedings (Guernsey and Alderney) Law, 2008, the Fraud (Bailiwick of Guernsey) Law, 2008, the Sexual Offences (Incitement, Jurisdiction and

Protected Material) (Bailiwick of Guernsey) Law, 2008 and the Education (Guernsey) (Amendment) Law, 2008 for Royal Assent, as they all contain powers to amend their provisions by Ordinance that are not consistent with the newly established principles.

4. *Proposal to rescind resolutions*

In all the circumstances, and subject to the views of the Departments responsible for promoting and administering the Laws to which I refer in paragraph 3 above, I suggest that the most pragmatic and effective means of ensuring that the Laws there mentioned proceed efficaciously for Royal Assent would be to represent the Laws to the States for approval in a modified format. In practice this would involve requesting the States to rescind the Resolutions made on 12 March 2008 and 28 May 2008 to approve them. I would suggest that, at the same time, they are requested to approve Resolutions approving new Laws containing revised provisions which are consistent with the principles agreed with the Ministry.

If the States approve this proposal, I believe that it should be possible to reach an arrangement which will result in all of the Laws included on the attached list (with the exception of item 6, to which further consideration is being given) being submitted for Royal Sanction early in 2009, and receiving approval very shortly thereafter.”

The list to which HM Procureur’s letter refers is reproduced in the Appendix.

The Policy Council has consulted with the four Departments that sponsored five of these Projets. (The Evidence in Civil Proceedings (Guernsey and Alderney) Law, 2008 is a Policy Council initiative.) Each of the Departments raises no objection to the course of action being proposed and supports action that will result in the Laws in question now receiving Royal Sanction in a timely fashion.

The Commerce and Employment Department has taken further advice from the Law Officers and decided to take the opportunity to progress a Projet confined only to creating enabling provisions in respect of competition, rather than also including elements related to trading standards. This step will enable further consideration to be given about the most appropriate way to enact the enabling powers required for the full range of trading standards measures previously approved by the States. It is envisaged that the Projet dealing with these matters will be placed before the States for approval within months. The Department has agreed that a revised Projet on competition should only enable the definitions contained therein to be amended by Ordinance and that express limitations on the maximum penalties that could be included in any Ordinance made under the Law, fixed at levels proportionate to the type of offending involved, should be added.

The Education Department has opted simply to excise from its Amendment Projet the clause that would have inserted a Henry VIII provision into the Education (Guernsey)

Law, 1970, as amended. The Environment Department has similarly chosen to omit the Henry VIII provision, whilst also introducing limitations on the maximum penalties that could be included in any Ordinance made under the Law, being penalties commensurate with the nature of the offences that could be created, in its parking charges Projet. In relation to the Projet dealing with fraud, the Home Department has decided that the Henry VIII provision can be removed and, in relation to the sexual offences Projet, has agreed that the Henry VIII provision should relate only to definitions and to the ability to change the list of offences that are sexual offences for the purposes of that Law.

In relation to the Projet dealing with evidence in civil proceedings, the Policy Council has concluded that the broad power to amend or disapply primary legislation by Ordinance should be omitted, meaning that what remains as a form of Henry VIII provision is solely the power to effect amendments that are consequential on the making by Ordinance of provisions for and in relation to evidence in civil proceedings.

All of the Departments and the Policy Council acknowledge that the tailoring or removal of the Henry VIII provision in the Projets they have sponsored will not affect the expected circumstances in which such Ordinance-making powers effecting amendments to primary legislation might foreseeably be utilized. Consequently, there is no likelihood that the future legislative will of the States will be adversely affected by the modifications being proposed.

The Policy Council concurs with the view expressed by HM Procureur and, whilst recognising the frustrations associated with this issue, is firmly of the view that a pragmatic approach is the only feasible way forward.

The Policy Council would remind the States that the policies underlying these six Laws have already been considered and approved, and that the only substantive issue to be decided by the States is the modification of the Henry VIII provisions contained in each of the Projets and the introduction of limitations on the level of penalties to be set out in the Ordinances capable of being made under the two Projets currently with the Ministry of Justice, which contain only enabling powers.

The Presiding Officer has kindly agreed to the revised Projets being included in the same Billet d'État as this report.

3. Recommendation

The Policy Council recommends the States

1. to note the contents of this report;
2. (1) to rescind their resolution of 12 March 2008 (on Article I of Billet d'État No. III of 2008) "to approve the Projet de Loi entitled "The Evidence in Civil Proceedings (Guernsey and Alderney) Law, 2008" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto";

- (2) to approve the *Projet de Loi* entitled “The Evidence in Civil Proceedings (Guernsey and Alderney) Law, 2009” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto;
- 3.
 - (1) to rescind their resolution of 12 March 2008 (on Article IX of *Billet d’État* No. III of 2008) “to approve the *Projet de Loi* entitled “The Competition and Trading Standards (Enabling Provisions) (Guernsey) Law, 2008” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto”;
 - (2) to approve the *Projet de Loi* entitled “The Competition (Enabling Provisions) (Guernsey) Law, 2009” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto;
- 4.
 - (1) to rescind their resolution of 12 March 2008 (on Article IX of *Billet d’État* No. III of 2008) “to approve the *Projet de Loi* entitled “The Road Traffic (Parking Fees and Charges) (Enabling Provisions) (Guernsey) Law, 2008” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto”;
 - (2) to approve the *Projet de Loi* entitled “The Road Traffic (Parking Fees and Charges) (Enabling Provisions) (Guernsey) Law, 2009” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto;
- 5.
 - (1) to rescind their resolution of 28 May 2008 (on Article I of *Billet d’État* No. VII of 2008) “to approve the *Projet de Loi* entitled “Fraud (Bailiwick of Guernsey) Law, 2008” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto”;
 - (2) to approve the *Projet de Loi* entitled “Fraud (Bailiwick of Guernsey) Law, 2009” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto;
- 6.
 - (1) to rescind their resolution of 28 May 2008 (on Article II of *Billet d’État* No. VII of 2008) “to approve the *Projet de Loi* entitled “The Sexual Offences (Incitement, Jurisdiction and Protected Material) (Bailiwick of Guernsey) Law, 2008” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto”;
 - (2) to approve the *Projet de Loi* entitled “The Sexual Offences (Incitement, Jurisdiction and Protected Material) (Bailiwick of Guernsey) Law, 2009”

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

7. (1) to rescind their resolution of 28 May 2008 (on Article V of Billet d'État No. VII of 2008) "to approve the Projet de Loi entitled "The Education (Guernsey) (Amendment) Law, 2008" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto";
- (2) to approve the Projet de Loi entitled "The Education (Guernsey) (Amendment) Law, 2009" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

L S Trott
Chief Minister

19th January 2009

APPENDIX: PROJET DE LOI SUMMARY AS AT 23 DECEMBER 2008

	Projets (<i>Guernsey, Guernsey & Alderney and Bailiwick-wide only</i>) approved by States and awaiting Royal Sanction	Broad power to amend by Ordinance	Approved by States, Alderney (A) and Sark (S)	Sent to MoJ under Report to HE
1.	Forgery and Counterfeiting (Bailiwick of Guernsey) Law, 2006	Yes	26.07.06	10.08.06
2.	Homicide and Suicide (Bailiwick of Guernsey) Law, 2006	Yes	29.11.06	20.12.06
3.	Public Order (Bailiwick of Guernsey) Law, 2006	Yes	29.11.06	20.12.06
4.	Regulation of Utilities (Bailiwick of Guernsey) (Amendment) Law, 2007	Yes	28.03.07 A 23.05.07 S 5.07.07	30.07.07
5.	Income Tax (Zero-10) (Guernsey) Law, 2007	Yes	26.09.07	09.11.07
6.	Company Securities (Insider Dealing) (Bailiwick of Guernsey) (Amendment) Law, 2007	Yes	12.12.07	10.01.08
7.	Income Tax (Zero-10) (Guernsey) (No.2) Law, 2007	No	12.12.07	16.01.08
8.	Competition and Trading Standards (Enabling Provisions) (Guernsey) Law, 2008	Yes	12.03.08	27.03.08
9.	Magistrate's Court (Guernsey) Law, 2008	Yes	12.03.08 A 19.03.08 S 26.03.08	02.04.08
10.	Road Traffic (Parking Fees and Charges) (Enabling Provisions) (Guernsey) Law, 2008	Yes	12.03.08	14.04.08
11.	Children (Guernsey and Alderney) Law, 2008	Yes	30.01.08 A 19.03.08	16.04.08
12.	Income Tax (Guernsey) (Amendment) Law, 2008	No	26.11.08	11.12.08

13.	Evidence in Civil Proceedings (Guernsey and Alderney) Law, 2008	Yes	A 12.03.08 23.04.08	<i>Not yet sent</i>
14.	Charities and Non Profit Organisations (Enabling Provisions) (Bailiwick of Guernsey) Law, 2008 [NB <i>Not approved by Sark</i>]	Yes	28.05.08	<i>Not yet sent</i>
15.	Fraud (Bailiwick of Guernsey) Law, 2008	Yes	28.05.08	<i>Not yet sent</i>
16.	Sexual Offences (Incitement, Jurisdiction and Protected Material) (Bailiwick of Guernsey) Law, 2008	Yes	28.05.08	<i>Not yet sent</i>
17.	Education (Guernsey) (Amendment) Law, 2008	Yes	28.05.08	<i>Not yet sent</i>
18.	Charities and Non Profit Organisations (Investigatory Powers) (Bailiwick of Guernsey) Law, 2008 [NB <i>Still to be approved by Alderney and Sark</i>]	No	25.06.08	<i>Not yet sent</i>
19.	Prescribed Businesses (Bailiwick of Guernsey) Law, 2008 [NB <i>Still to be approved by Sark</i>]	No	A 26.10.08 17.12.08	<i>Not yet sent</i>
20.	Police Complaints (Guernsey) Law, 2008	No	10.12.08	<i>Not yet sent</i>

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

The States are asked to decide:-

I.- Whether, after consideration of the Report dated 19th January, 2009, of the Policy Council, they are of the opinion:-

1. To note the contents of that Report.
2. (1) To rescind their resolution of 12 March 2008 (on Article I of Billet d'État No. III of 2008) "to approve the Projet de Loi entitled "The Evidence in Civil Proceedings (Guernsey and Alderney) Law, 2008" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto";
- (2) To approve the Projet de Loi entitled "The Evidence in Civil Proceedings (Guernsey and Alderney) Law, 2009" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.
3. (1) To rescind their resolution of 12 March 2008 (on Article IX of Billet d'État No. III of 2008) "to approve the Projet de Loi entitled "The Competition and Trading Standards (Enabling Provisions) (Guernsey) Law, 2008" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto";
- (2) To approve the Projet de Loi entitled "The Competition (Enabling Provisions) (Guernsey) Law, 2009" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.
4. (1) To rescind their resolution of 12 March 2008 (on Article IX of Billet d'État No. III of 2008) "to approve the Projet de Loi entitled "The Road Traffic (Parking Fees and Charges) (Enabling Provisions) (Guernsey) Law, 2008" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto";
- (2) To approve the Projet de Loi entitled "The Road Traffic (Parking Fees and Charges) (Enabling Provisions) (Guernsey) Law, 2009" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.
5. (1) To rescind their resolution of 28 May 2008 (on Article I of Billet d'État No. VII of 2008) "to approve the Projet de Loi entitled "Fraud (Bailiwick of Guernsey) Law, 2008" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto";

- (2) To approve the Projet de Loi entitled “Fraud (Bailiwick of Guernsey) Law, 2009” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.
- 6. (1) To rescind their resolution of 28 May 2008 (on Article II of Billet d’État No. VII of 2008) “to approve the Projet de Loi entitled “The Sexual Offences (Incitement, Jurisdiction and Protected Material) (Bailiwick of Guernsey) Law, 2008” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto”;
- (2) To approve the Projet de Loi entitled “The Sexual Offences (Incitement, Jurisdiction and Protected Material) (Bailiwick of Guernsey) Law, 2009” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.
- 7. (1) To rescind their resolution of 28 May 2008 (on Article V of Billet d’État No. VII of 2008) “to approve the Projet de Loi entitled “The Education (Guernsey) (Amendment) Law, 2008” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto”;
- (2) To approve the Projet de Loi entitled “The Education (Guernsey) (Amendment) Law, 2009” 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 COURT OF CHIEF PLEAS (GUERNSEY) (AMENDMENT) LAW, 2009

The States are asked to decide:-

II.- Whether they are of the opinion to approve the Projet de Loi entitled “The Court of Chief Pleas (Guernsey) (Amendment) Law, 2009” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE ADMINISTRATOR OF INCOME TAX
(TRANSFER OF FUNCTIONS) (GUERNSEY) ORDINANCE, 2009**

The States are asked to decide:-

III.- Whether they are of the opinion to approve the draft Ordinance entitled “The Administrator of Income Tax (Transfer of Functions) (Guernsey) Ordinance, 2009” and to direct that the same shall have effect as an Ordinance of the States.

**THE LAND PLANNING AND DEVELOPMENT (COMMENCEMENT,
TRANSITIONAL PROVISIONS AND SAVINGS (PLANS)) ORDINANCE, 2009**

The States are asked to decide:-

IV.- Whether they are of the opinion to approve the draft Ordinance entitled “The Land Planning and Development (Commencement, Transitional Provisions and Savings (Plans)) Ordinance, 2009” and to direct that the same shall have effect as an Ordinance of the States.

**THE BANKING SUPERVISION (BAILIWICK OF GUERNSEY)
(AMENDMENT) (NO.2) LAW, 2008 (COMMENCEMENT) ORDINANCE, 2009**

The States are asked to decide:-

V.- Whether they are of the opinion to approve the draft Ordinance entitled “The Banking Supervision (Bailiwick of Guernsey) (Amendment) (No.2) Law, 2008 (Commencement) Ordinance, 2009” and to direct that the same shall have effect as an Ordinance of the States.

**THE PREFERRED DEBTS, DÉSASTRE PROCEEDINGS AND
MISCELLANEOUS PROVISIONS (GUERNSEY AND ALDERNEY) LAW, 2006
(COMMENCEMENT) ORDINANCE, 2009**

The States are asked to decide:-

VI.- Whether they are of the opinion to approve the draft Ordinance entitled “The Preferred Debts, Désastre Proceedings and Miscellaneous Provisions (Guernsey and Alderney) Law, 2006 (Commencement) Ordinance, 2009” and to direct that the same shall have effect as an Ordinance of the States.

POLICY COUNCIL

CHANGE IN TIME ZONE

1. Executive Summary

This report recommends that the States take no further action in respect to adopting Central European Time (CET) in Guernsey. This recommendation is principally based on the results of Policy Council investigations into the benefits and disadvantages of adopting CET locally, including consultation with the governments of Alderney and Sark; and liaison with the States of Jersey on their intentions in this matter.

2. Introduction and Background

- 2.1. In February 2008, Deputy Peter Roffey submitted a requête to the States, asking Members to decide whether they were of the opinion that Guernsey should change time zone to be in harmony with CET rather than that of the UK. That proposal was amended, with the States ultimately resolving:

“To instruct the Policy Council to investigate the advantages and disadvantages of Guernsey adopting Central European Time; to consult with the States of Alderney and the Chief Pleas of Sark; to explore with the States of Jersey their intentions in this matter; and to report back to the States by February 2009.”

[Resolution XVII of Billet d’État No II, dated 8th February 2008]

- 2.2. Subsequently, the Policy Council commenced its investigations into this matter.
- 2.3. On 18 June 2008, following a successful proposition by Jersey Senator J L Perchard, that island’s States Assembly resolved to hold a referendum on 15 October 2008, on whether Jersey should adopt CET.
- 2.4. Ahead of the referendum, Jersey’s Council of Ministers undertook research into the benefits and disadvantages of adopting CET, producing the report *“The Benefits and Disadvantages of Adopting Central European Time in Jersey”*. This investigation, which hereafter is referred to as “the Jersey Report”, was produced to inform public debate on the matter, by suggesting the areas in which the effects of the time change would most strongly be felt. The principal findings of the Jersey Report are appended to this paper.
- 2.5. Following the decision by the States of Jersey to hold a referendum, the Policy Council resolved to halt its investigations into this matter, until the result of the Jersey vote was known. The Policy Council made this decision, principally on the grounds that, should the Jersey referendum return a result against adopting CET, it would be highly unlikely that: (a) the States of Jersey would pursue that

workstream further; and (b) that Guernsey would wish to act unilaterally, in adopting CET.

- 2.6. Whilst the Jersey Report is necessarily specific to that island, significant aspects of its findings can be seen to also apply to Guernsey. For example, close parallels can be drawn between both islands, in terms of the identified benefits and disadvantages relating to, for example, travel and freight, communications, and the finance industry.

- 2.7. The Jersey Report concluded that:

“A change to Central European Time is a relatively simple change to implement. It has the potential to improve the overall quality of life in the Island at very little cost to the States of Jersey. As such, it might be considered a, ‘quick win’ in policy terms. However, it would not be wise to underestimate the pervasive nature of this change. On the face of the issues discussed in this report the benefits could be significant. In many areas, such as quality of life, health, road safety and the effect on the tourism industry, a change to Central European Time could bring considerable benefits to the Island. In some areas, such as travel and entertainment, there could be some significant disadvantages. In other areas, such as energy use, communications and the effect on the finance industry, the consequences are neutral or difficult to quantify without further extensive analysis...”

- 2.8. Of those Jersey residents who took part in the 15 October 2008 CET referendum, the overwhelming majority voted against changing time zone. The breakdown of results was as follows:

FOR	(adopting CET):	6,564
AGAINST	(adopting CET):	17, 230

- 2.9. As the referendum is not binding, the States of Jersey may still determine whether that island should adopt CET. However, it is understood that, in view of the overwhelming vote against change, there is currently no political interest in taking the matter further.

- 2.10. The principal findings of Jersey’s investigation are set out as **Appendix A** of this States Report. The full report is available to download at:
<http://www.statesassembly.gov.je/documents/reports/20558-35674-1762008.htm>

3. Consultation with Alderney and Sark

- 3.1. As directed, the Policy Council consulted with the States of Alderney and the Chief Pleas of Sark.

- 3.2. Sark's General Purposes and Advisory Committee (GP&A) consulted residents and businesses and concluded that neither Sark nor the Bailiwick as a whole should switch to CET.
- 3.3. Due to the Alderney general election in December 2008, the views of the new Policy & Finance Committee are not yet known. However, the Alderney Chief Executive reported in December 2008 that when the matter was last discussed, there was little enthusiasm for adopting CET.

4. Previous Channel Island investigations into CET

- 4.1. In deciding upon a way forward on this matter, it is worthwhile to consider the conclusions of the most recent formal Channel Island investigations into CET.
- 4.2. In 1992/93, the governments of both Guernsey and Jersey undertook research into the benefits and disadvantages of adopting CET.
- 4.3. The States of Jersey was advised by its then Policy & Resources Committee that it could not recommend any change to CET in advance of the United Kingdom, as to do so would not be in that island's best economic interests.
- 4.4. In Guernsey, the then Advisory and Finance Committee (A&F) consulted widely on the matter, finding that whilst there was considerable support in some quarters for a change to CET, particularly from tourism and recreation, there was widespread concern, especially from the business and finance sectors, about the effect on the economy of being out of step with the United Kingdom.
- 4.5. A&F also reported that *"...whatever the merits or otherwise of the Channel Islands moving as a unit to Central European Time, there is no support for Guernsey to move to Central European Time independently from Jersey."*

[Appendix II, Billet D État XVIII, 1993]

- 4.6. Taking into account the Guernsey consultation results and the Jersey decision of 1993, A&F concluded that there would be little point in making any recommendation to the States with regard to a possible move by the Island to CET.
- 4.7. More than a decade on, it is the view of the present Policy Council that the conclusions reached by A&F in 1993, in regard to moving to CET independently of Jersey, remain largely applicable today.

5. Conclusions

- 5.1. Based on the results of the Jersey referendum and the current position of its government in terms of changing time zone, the Policy Council considers that, were Guernsey to change time zone independently of Jersey, it is unlikely that

Jersey would seek to follow that lead.

- 5.2. It is also clear that the governments of Alderney and Sark would be unlikely to support any move by Guernsey to adopt CET.
- 5.3. The Policy Council considers that, whilst the prospect of moving to CET is not in itself necessarily undesirable, it would be disadvantageous for Guernsey to change time zone independently of Jersey and without the support of the other islands of the Bailiwick.
- 5.4. The Policy Council also considers that to continue work investigating whether to adopt CET in Guernsey would not represent a valuable use of limited staff resources and should cease.

6. Recommendation

- 6.1. The Policy Council recommends the States to take no further action in respect to resolution XVII of Billet d'État No II dated 8th February 2008.

L S Trott
Chief Minister

12th January 2008

APPENDIX A

SUMMARY OF FINDINGS FROM THE STATES OF JERSEY COUNCIL OF MINISTERS REPORT – “THE BENEFITS AND DISADVANTAGES OF ADOPTING CENTRAL EUROPEAN TIME IN JERSEY”

Consideration	Benefits	Disadvantages
Quality of Life	Moving an hour of daylight from the morning to the evening will allow people to spend more leisure time outdoors; particularly in the summer (Latest sunset would be 22.18 on 21st June.)	Negative impact of lower amount of daylight in the winter mornings. (Latest sunrise in Jersey would be 09.04 on 3rd January).
Road Safety	A traditional argument has been that less daylight in the morning would increase accidents. However, several in depth studies have demonstrated that overall accident levels would reduce. The Royal Society for the Prevention of Accidents supports a move to CET for the UK. The Department for transport estimates a net reduction of between 104 and 138 fatalities on UK roads. However, it is difficult to infer any similarities with the situation on Jersey roads without further analysis.	Despite the offset of fewer accidents in the evening, there may still be increased accidents in the darker mornings. Further analysis would be required to determine the effects on road safety in Jersey.
Health	<p>Potential benefits to public health from increasing exercise levels due to longer evenings.</p> <p>Some studies on Depression conclude that later sunrises can actually have a positive effect on the mental health of a population.</p>	Most negative health effects from changing time zones appear to be related to the impact of actually changing the arrangement. This would be mitigated by an autumn change to CET (not putting the clocks back and then putting them forward as normal the following spring).

		Reduced morning light levels may have a negative effect on sufferers of Seasonally Affected Depression (SAD). The situation would need to be carefully monitored.
Energy	There have been no major studies on this for areas with a similar energy profile and latitude to Jersey. However, a common argument is that energy would be saved as a result of increased daylight in the evening and spreading peak demand over a longer period.	<p>The counter-argument is that more energy would be expended by people leaving lights and appliances switched on when they leave a dark house in the winter.</p> <p>A major study by the University of California has concluded that a move to daylight saving time in Illinois would result in a cost to the economy of increase in energy use due to higher air-conditioning costs on hot afternoons and increased heating costs on cool mornings.</p>
Travel and Freight	<p>Harbour and Airport schedules would stay at the same time Western European Time (WET) so flights and ferry departures from the Island would leave later in the Jersey working day (later start for morning flights to the UK).</p> <p>Aviation noise would be noticed later in the morning.</p>	<p>Flights and scheduled maritime traffic to the Island would arrive one hour later in the Jersey working day – possibly resulting in later supply of goods.</p> <p>Timetables would have to be changed and republished.</p> <p>Aviation noise would continue later into the evening.</p>
Communications	Communications with countries to the east would benefit from increased overlap of the working days.	Communications with the United Kingdoms and countries to the west would be disadvantaged by less overlap of the working days.

Television and Radio		Television programmes would be an hour later in the Jersey working day (News at 10 would be at 11:00 p.m. Jersey time). The spread of new technologies such as Internet television on demand and playback machines such as Sky+ and Virgin+ could reduce this problem over time.
Finance Industry	Businesses that trade mainly to the east would benefit from closer synchronicity to European and Asian markets.	Businesses that trade to the west or primarily through London (most of the Island's business) would have to alter certain working hours.
Tourism	Benefits of portraying Jersey as a more 'continental' destination.	Some disruption due to timetable changes (slots would remain at the same time in WET so they would be one hour later in the Jersey working day).
Agriculture	Increased amount of daylight in the evening would benefit producers who carry out work during this time.	A decreased amount of daylight in the morning would lengthen the amount of time producers would need to work in darkness in order to meet the market opening times.
Leisure	Businesses would benefit from an increased number of people participating in leisure activities during the evening daylight hours.	
Other Industries	Businesses that have later trading hours would benefit.	Businesses that rely on early daylight would be adversely affected, such as construction, postal deliveries.

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

The States are asked to decide:-

VII.- Whether, after consideration of the Report dated 12th January, 2009, of the Policy Council, they are of the opinion:-

That no further action be taken in respect to resolution XVII of Billet d'État No II dated 8th February 2008.

POLICY COUNCIL

A PROGRESS REPORT ON THE DEVELOPMENT OF THE GOVERNMENT BUSINESS PLAN (GBP)

1. Executive summary

This report provides the States with an interim update on the progress being made to develop the Government Business Plan so that it receives the support of the present assembly.

It explains that the fifteen States Priority Action Plans developed during the 2004-2008 States term are now being superseded by the formulation of draft strategic plans (Islands Identity, Fiscal & Economic, Social Policy, Environmental and Change Management) and the island resource utilisation strategies (Population/Employment, Land Use, Energy and Water & Stone). These plans and strategies form part of the 5 phase GBP process previously noted by the States as a basis for better corporate planning.

The draft strategic plans (but not the resource utilisation strategies), will be presented to the States in July 2009 and arrangements have been made to enable the debate to take place on additional States days on 15th and 16th July with the possibility of a continuation over to 17th July.

Each strategic plan will include a prioritised set of objectives for action during the next five year period. These will focus on substantial new projects/service developments that the relevant policy group and its constituent States Departments wish to progress.

In addition, the Policy Council will submit an ‘over-arching’ report to the States to accompany the suite of draft plans. This report will recommend a consolidated set of priorities based on the Policy Council’s appraisal of all the plans. The list will only be drawn from the priorities identified in the plans. It will represent a further refinement of those priorities to provide the States with a recommended programme that is realistic and practical in terms of timescale and resources.

2. The July 2008 States Debate

Appendix I briefly summarises the significant steps taken since 2004 to develop a government business planning process. The GBP is intended to generate a stronger sense of shared political direction within Guernsey’s consensus form of government and to create an interrelationship between corporate strategy and departmental policymaking and service delivery. In what has become a hackneyed phrase, it is a process for ‘joining up’ government within a system which has traditionally worked more as a group of departments than as a single coordinated body.

In accordance with the timeline set out in the March 2008 ‘handover’ States Report from the previous Policy Council, the new States assembly was given an early

opportunity this July to review the GBP it had inherited. In the course of that debate, the States noted that there would be a further progress report to the February 2009 States meeting. The progress report would follow a set of interactive seminars during the autumn to engage with all States Members and to begin to establish the majority consensus within the new assembly to inform the development of a new suite of strategic plans and resource strategies. **Please see Appendix 2.**

Given the large number of new States Members elected in April 2008, it was recognised that the States needed to review government priorities.

3. Reporting back on the States Priority Action Plans

In the July 2008 States Report, the Policy Council undertook to provide a progress report on the implementation of the fifteen States Priority Action Plans. The purpose of doing this is to give States Members and the public an overview of what has been achieved across a broad front since the action plans were developed and published in July 2007.

The attached schedule (**Appendix 3**) focuses on Level 3 of the action plans which are the major items of work carried out as part of each workstream. The update does not get into the detailed contributory tasks at Level 4 which are defined as matters of departmental responsibility and discretion.

Following this progress report, the old-style Priority Action Plans are terminated and will be replaced by the new strategic plans and resource utilisation strategies referred to in Appendix 2. These are now in the process of being developed.

Although the scope of the Priority Action Plans was ambitious and they existed for less than 2 years, the schedule records worthwhile progress in pursuing States objectives.

4. Policy ‘workshops’

Three meetings were organised during October and November to begin to enable States Members to think about and share their views on the development of three of the new strategic plans (Environmental, Social Policy and Fiscal & Economic). The meetings were organised as informal workshops under the auspices of the Government Business Plan Team who continue to act as ‘guardians’ of the process but they were actively led by the corporate policy group responsible for the area of work concerned. All the workshops were well-attended and the comments received from members afterwards were generally positive. In each case, all States Members were sent feedback about the results of exercises and discussions that had taken place.

It is not intended to provide a detailed commentary on each workshop as part of this report but a brief description of each meeting is provided below.

○ **Environmental Workshop**

The exercises were organised to draw out States Members views about environmental issues both as individuals and in groups.

The environmental topics which were identified as of greatest importance were:

- Population
- The development of renewable energy
- Solid and liquid waste management
- Land use policy (urban/rural balance)
- Sustainability (but members wanted this to be clearly defined)
- Countryside protection
- Coastal defences.

○ **Social Policy Workshop**

The first exercise asked States Members to review a list of core values for social policy in Guernsey that had originally been discussed by the Social Policy Group.

This proved to be a very useful means of exploring members' views about the purpose of social policy and how it should be targeted. Detailed feedback was sent to every States Member after the meeting.

The next exercise reviewed a list of 23 future projects identified by the Social Policy Group and asked States Members whether additional projects should be added.

The following list was suggested:

- Review of disincentives to maximising the workforce
- Increase vocational training/adult literacy
- Improve community recreational facilities
- Review of voluntary sector role in promoting social inclusion
- Greater self sufficiency for local food production
- Review causes and responses to long term sickness.

Members were then asked to consider the extended list of projects individually and in groups to begin to identify relative priorities for action.

The five highest scoring projects in descending order of priority were as follows:

- New initiatives and training aimed at assisting people into employment/up-skilling including increase vocational training/adult literacy
- Improve mental health services including primary psychological care and the treatment of addictions
- Review/overhaul the benefits/contributions system for providing financial assistance for low income households
- Develop and progress an integrated care and support strategy for older people
- Progress Education Development Programme Phase one (EDP1).

The need to review disincentives to maximising the (local) workforce also received a high score from individual members.

○ **Fiscal & Economic Workshop (Part 1)**

Rather than trying to cover fiscal and economic matters in a single meeting, the Fiscal & Economic Policy Group and GBP Team agreed that it would be more productive to hold two meetings in the first phase of consultation with States Members.

The purpose of workshop 1 was to provide States Members with an insight into fiscal and economic policy and the means available to the States to influence the local economy. At the time of writing, the second workshop is scheduled for early February and this will build on the knowledge gained from the first session. The overall goal is to identify a direction for strategic policy that can be further developed and incorporated into the draft Fiscal and Economic Plan.

The autumn meetings were, however, only a start towards engaging members of the new States assembly in corporate policy making. As States Members already know, a further series of meetings will be taking place during the winter and spring again led by the relevant policy groups, to enable all Members to have further input to the preparation of the Strategic Plans. This will include input to the Islands Identity Plan (External Relations Group) and the Change Management Plan (Government Business Plan Team) as well as a second round of meetings about the Environmental, Social Policy and Fiscal & Economic Plans.

5. Island Resource Utilisation Strategies

When the previous Policy Council outlined its indicative timeline for the development of the government business planning process beyond 2008, it envisaged that the Island Resource Strategies (Land Use; Population/Employment; Energy Use and Water & Stone) would be developed broadly in parallel with the new Strategic Plans. This was always an extremely ambitious programme and it could only have been feasible if the

new States assembly had been content simply to develop the policies it had inherited without a substantial review which is not the case.

In any event, the processes by which population policy are implemented are currently under review. This is a complex matter in itself. The production of a **Population/Employment** Strategy will be informed by this process and, in due course, by the development of the strategic plans.

The Strategic **Land Use** Plan is being reviewed with extensive public consultation under the Policy Council led 'Guernsey Tomorrow' banner.

At the time of writing, the States Report on future **energy** policy which was approved in June 2008 is being translated into a set of workstreams. Each workstream will be led by the appropriate States department. A Renewable Energy Commission is also being established.

Finally, there is a States strategy for **water and stone** resources which was approved in 2006. There is no current need for an urgent review but public infrastructure is a focus of increasing concern involving, as it does, major investment in the airport, harbours, waste management etc. **There may be a case for absorbing the water and stone strategy into a broader 'Island Infrastructure Strategy' to assist long-term planning for these vital facilities.**

6. The format of the new Strategic Plans

It was noted in the July 2008 States Report that this interim progress report would include a description of the intended format of the new GBP strategic plans and resource utilisation strategies showing how the Priority Action Plans would be assimilated into the new structure.

As has been explained, however, the ongoing review of political objectives by the new States assisted by the informal States Member meetings, will now determine the degree to which the previous fifteen States Priorities will be reflected in the new suite of plans. The format of the resource utilisation strategies (Population/Employment; Strategic Land Use; Energy Use and Water & Stone) will also emerge from further research and policy formulation as has been outlined. This leaves only the format of the five Strategic Plans to be considered at this stage.

The new strategic plans need to be:

- Concise
- Readable
- Flexible enough to deal with widely different areas of government policy
- Consistent enough in form to relate to each other as part of a suite/family of documents

- Capable of setting realistic targets
- Capable of being monitored

The strategic plans are the means for setting out the States longer term objectives informed by the specialised knowledge and operational experience of States departments. They are of key importance to the success of the 5 phase approach to corporate planning (Appendix 2), and will be the level at which the effectiveness of the GBP in meeting States' objectives is monitored.

To meet the criteria bullet-pointed above the Policy Council considers that each plan should include certain consistent elements (where appropriate) but that they should not conform to a rigid format for the sake of 'tidy-mindedness'. The consistent elements are as follows:

- **A short overview section**
 - Core values underpinning policy.
 - Current issues and challenges to be tackled (ie the context in which the plan has been developed).
- **Political Priorities and Areas of Concern**
 - The majority political consensus amongst States Members which provides a 'steer' for the direction taken in the plan.
- **Strategic Objectives**
 - 5 to 25 year horizon.
- **Objectives for a rolling period of 5 years**
 - A set of practical objectives for action developed by the relevant policy group and taking into account the views expressed by States members and the relevant States departments. These objectives will focus on new initiatives and service development rather than on the continued delivery of current services.
- **Island Resources Implications**
 - An explanation of the implications of the strategic plan for the development of the island resource utilisation strategies.
- **States Resources Prioritisation**
 - The implications of the strategic plan for States financial and human resources planning.

7. States Resources Management

The GBP process can only be successful if it builds a strong interrelationship between corporate policy making and the management of public resources. In its March 2008 States Report the previous Policy Council explained its proposals as follows:

“The importance of integrating financial planning within the Government Business Plan is highlighted in the introduction to this report.

The process recommended as part of the 5 phase approach to resource prioritisation envisages that costing will take place in two stages:

- *First, broad costings will be applied to the potential corporate projects and initiatives being promoted through the suite of Strategic Plans. Undoubtedly, the most complex and high spending proposals for expenditure will arise in the area of social policy. By being presented with costed options for expenditure across the full range of government activity represented in the Strategic Plans, the States will have a far clearer context than before for prioritising spending.*

(Phase 2 of the 5 phase process.)

- *Second, once the States have debated and determined their corporate spending priorities through the July GBP debate, the costing of the Operational Plans (Policy Council/Departments/Committees) will be finalised. The financial arrangements which would need to be put in place to enable the expenditure envisaged in the Operational Plans will then be fully explained in the States Financial Plans and presented to the States for consideration in October. In this way, the States will be able to determine their financial priorities in relation to their public service objectives.*

(Phase 4 of the 5 phase process.)

Although it is anticipated that there will be a 2 year cycle for States financial planning in the future; annual reviews and adjustments will be necessary. The process of integrating policymaking and financial planning will inevitably be very demanding at first but should become easier as the States become more experienced in the new way of working. The 2008-2012 States term will be very much a period of learning and refining the process of integration through practical action.”

Since that report was written there have been further developments in terms of capital prioritisation and the commissioning of Fundamental Spending Reviews. The GBP Team has also given further thought to the content of the strategic plans as outlined in this report. The picture now emerging is that the process of resource allocation will consist of the following elements:-

1. **Setting objectives**

The Strategic Plans will describe the priorities for action in each policy area and give a very broad-brush indication of the cost of the proposed projects / service improvements being recommended for action. A process of cost 'banding' is being considered.

2. **Revenue spending**

The Fundamental Spending Reviews will establish base budgets for States Departments. By determining what is essential revenue spending, the FSRs will assist the States to decide in future where to allocate their non-essential/discretionary spending (informed by the strategic plans).

3. **Capital spending**

The new process of capital prioritisation that is currently being developed takes GBP objectives into account. This year, project appraisals have necessarily referred to the GBP in its current form, ie to the fifteen States Priority Action Plans. As these are superseded by the strategic plans, future rounds of capital prioritisation in 2010 and beyond will be guided by plans as approved by the States.

Ideally, the development of the strategic plans would have followed the Fundamental Spending Reviews and preceded capital prioritisation. As it is, it will be 2010/11 before a more logical planning sequence as envisaged by the 5 phase GBP process can be achieved but the process is moving in the right direction.

8. **The July 2009 States debate on the GBP.**

Following the further round of consultations with States Members during spring, the draft strategic plans will be formally presented to the States in July 2009. To provide adequate time for debate the Policy Council has agreed with the Presiding Officer that 15th and 16th July will be set aside as an additional States meeting for the consideration of the Government Business Plan. Given the volume of material to be considered, the debate may also continue into 17th July.

Recognising that the plans have connections to and implications for one another, the Policy Council considers that the plans should be debated in sequence but that voting on all propositions should be left to the end of the process. In this way, the States will have the benefit of considering the whole picture before making decisions.

The Policy Council proposes to collate the propositions at the end of a short covering report to accompany the individual plans. Importantly, this 'over-arching' report will recommend a consolidated set of priorities to the States based on the Policy Council's

appraisal of all the plans.

It has become apparent to the Policy Council through the States Member ‘workshop’ sessions and through feedback from the policy groups that corporate leadership is required to bring the process of prioritisation together in an effective way. The Policy Council considers that it should provide this advice in presenting recommendations to the States but *decisions* on those recommendations will be taken by the States as a whole.

The Policy Council will base its recommendations solely on the priorities identified in the plans. It will not put forward different projects of its own choosing but will further refine the identified priorities to present the States with a recommended programme of action that is realistic and practical to achieve in a five year period given the constraints on public resources.

It is recommended that the draft plans be submitted to the States in standard Billet format rather than as separately printed documents. Once approved, however, each plan will be reproduced in booklet form to a common house style clearly identifying it as part of the overall GBP.

In July 2007 the Government Business Plan report (Billet D’Etat XVIII, 2007) included an appendix in which States Departments and non-parliamentary committees provided **Operational Plan** summaries. These provided a concise explanation of what departments and committees do and how they allocate public resources that is a useful complement to the presentation of corporate and cross departmental policy in the GBP.

The Policy Council considers that updated versions of the summaries should be presented to the States in September 2009 as an appendix to a forthcoming Billet D’Etat.

9. Recommendations

The Policy Council recommends the States:

- a) To approve the further development of the Government Business Plan as described in this report including, in particular, the formulation of draft strategic plans for consideration at the July 2009 States meeting and the preparation of an ‘over-arching’ report by the Policy Council to accompany the draft strategic plans.
- b) To resolve that the development of the strategic plans and island resource utilisation strategies supersedes the fifteen States Priority Action Plans.
- c) To approve the ‘consistent elements’ to be included in each strategic plan to ensure that the plans relate to each other and fulfil the objectives of the government business planning process.

- d) To approve the proposed arrangements for the July 2009 States debate on the Government Business Plan including the additional dates commencing on 15th July.
- e) To direct all States Departments and non-parliamentary Committees to update their Operational Plan summaries for submission to the States in September 2009 as an appendix to a forthcoming Billet D'État.

L S Trott
Chief Minister

19th January 2009

Appendix 1

Milestones in the evolution of States strategic & corporate planning

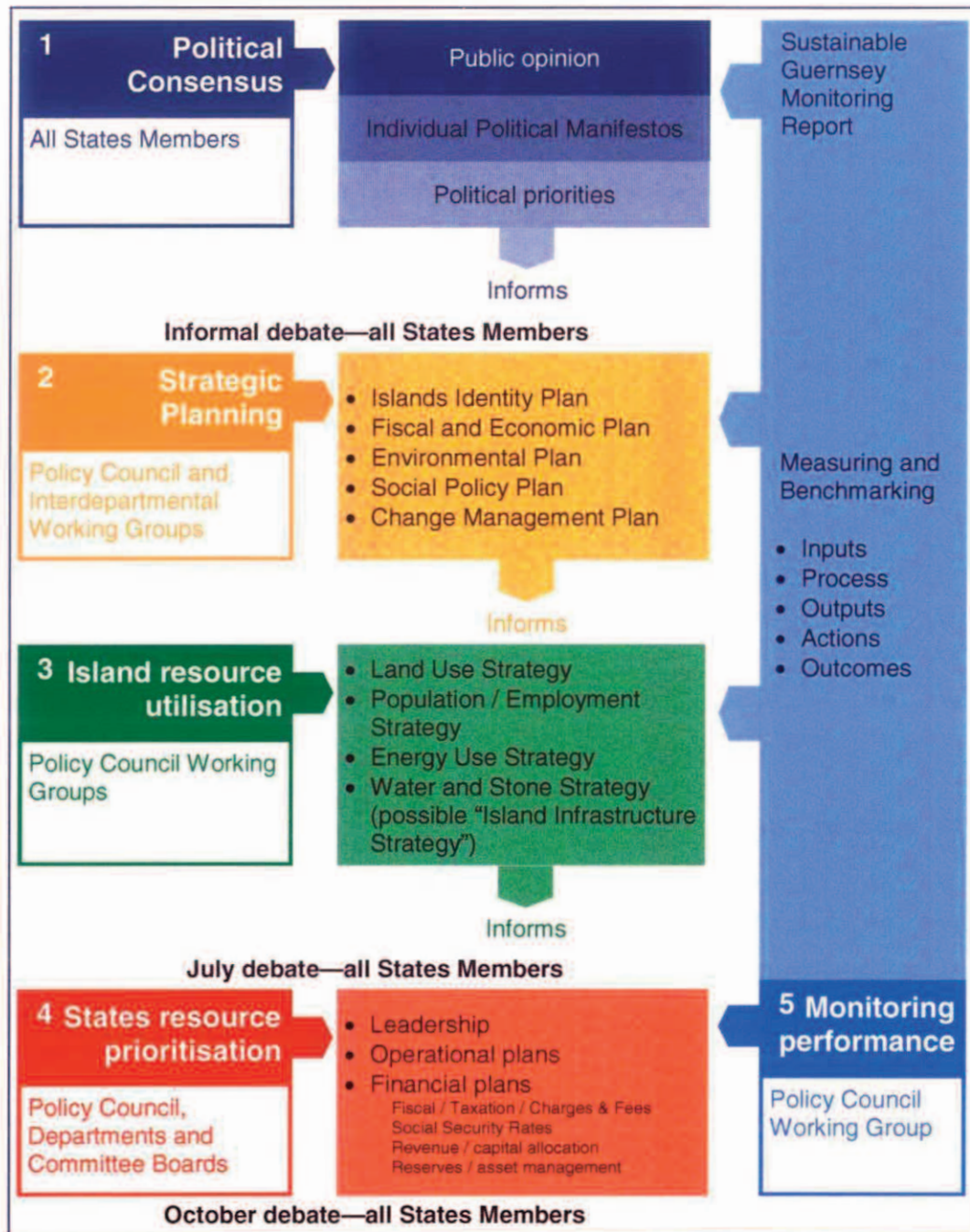
It is approximately 20 years since the States embarked on a process to achieve better long term planning and integrated working within the public sector.

- 1990 – 2004
 - Annual Policy & Resource Planning Report (incorporating a Strategic & Corporate Plan primarily setting out the policy framework for land planning).
 - The Policy & Resource Planning system has limited success in coordinating government action.
- 2000
 - The Harwood Report reviews the ‘machinery of government’ recommending, amongst other things, a stronger political focus on strategic policymaking.
 - The States subsequently decide to streamline the organisation of government but reject the introduction of an executive system.
- 2004
 - April 2004 general election elects a new States assembly. The States choose Guernsey’s first Chief Minister and Policy Council.
- 2004
 - In December 2004 (2005 Policy & Resource Plan), the Policy Council recommends 8 Key Themes as a preliminary stage in developing a ‘Corporate Agenda’ to be agreed by a majority of States Members.
- 2006/7
 - In December 2006 and July 2007 the States approve the development of a Government Business Plan (as the expression of a Corporate Agenda). The GBP is based on 14 (later 15) political priorities action plan.
 - The plans are designed to demonstrate how a strategic policy objective can be pursued through a practical programme of action.
- 2008
 - In March 2008 the States approve the restructuring of the GBP to supersede the States Priority Action Plans with a 5 phase process for corporate planning and resource prioritisation.
 - April 2008 general election.
 - July 2008 interim GBP report to the new States assembly. The States are advised that members will be invited to participate in policy ‘workshop’ meetings during the autumn as part of the development of the 5 phase GBP process. A further progress report is promised for February 2009.

Appendix 2

Corporate Planning for Government Business

A five phase approach to resource prioritisation



GBP Priorities: Level 3 Updates – This information was collated between November 2008 and January 2009

Priority 1: Assert Guernsey's Identity			
Level 1	Level 2	Level 3	Level 3 Update
<p>To assert and develop Guernsey's independent right to self-government, in a responsible and determined way. The States will reinforce this strong sense of local identity both internally and externally, through policies designed to promote and respect the island's distinctive local culture and traditions and its independent mindedness.</p>	<p>Self Government <i>Take all appropriate steps to preserve Guernsey's responsible, stable and mature democracy with its fiscal independence, legislative competence and independent judiciary which together contribute to Guernsey's long standing history of domestic autonomy and self-government.</i> [External Relations Group]</p>	<p>A. Maintain confidence in the States ability to govern Guernsey through the development of appropriate fiscal strategies which maintain fiscal independence and the development of legislative programmes which adequately demonstrate good government.</p>	<p>The legislative programme is included as Priority 14 of the GBP.</p> <p>It is not within the mandate of the External Relations Group (ERG) to assess Fiscal Policy – this is done by the Fiscal and Economic Policy Steering Group. The ERG does promote the island's independence. One of the clearest demonstrations is the island's ability to set its own fiscal policy. The Terms of reference for HM Treasury review of British Offshore Financial Centre reinforces this point and states that:</p> <p><i>"The Government has been clear that the variety of constitutional arrangements in place across these territories will continue to be respected including their independence in fiscal matters and the setting of their own rates of taxation."</i></p>
		<p>B. Engage and confer with the international community on a wide range of issues. However, legislative programmes will only</p>	<p>The Chief Minister, as the Chairman of the ERG has undertaken several trips and met with visiting foreign dignitaries, including China, Brussels, the Netherlands, the</p>

		be developed to conform with international interests if the island's best interests and long term policy objectives are met	<p>Nordic Countries, and Germany as well as meeting many influential UK politicians.</p> <p>The Island is also undertaking a number of negotiations for Tax Information Exchange Agreements. Guernsey already has 10 agreements with the UK, the USA, the Netherlands and seven of the Nordic Countries. This is in line with a political commitment made to the OECD in 2002 to co-operate with its initiative on transparency and exchange of information.</p>
		C. Promote the value of self-determination and self-government to local residents and consider a status of local citizenship.	No Update
		D. Ensure that the integrity of Guernsey's courts and legal system is maintained and reflects the eight hundred years of history that supports an independent judiciary.	No Update
	<p>Bailiwick Identity <i>Develop and establish a formal statement which expresses the Bailiwick's</i></p>	A. Create a political and executive team which is charged with progressing these matters and bringing forward recommendations for action to the External Relations Group and the Policy Council.	<p>The ERG appointed a Constitutional Advisory Panel (CAP) to look at constitutional matters.</p> <p>The executive team has been bolstered in 2007/2008 with the appointment of an</p>

	<p><i>independence and which reflects the islands' legitimate concerns, understanding and history. This statement is intended to underpin the Bailiwick's internal and external relations.</i></p> <p>[External Relations Group]</p>		<p>External Relations Policy and Legal Adviser, Senior Advisor – External Affairs and a Principal External Affairs Officer; in addition the team includes an External Affairs Officer and Executive Assistant.</p> <p>The ERG have increased the frequency of meetings to twice a month, and the new executive team are well placed to service the Group</p> <p>No Update</p> <p>The CAP was appointed by the ERG in 2007 to consider these matters. The Panel have met with a number of influential stakeholders to hear a range of views and is working steadily towards the publication of an interim report.</p> <p>The States debated the International Identity Framework Document in November 2008 and resolved to approve the signing of this document with the UK. The document was signed in December 2008.</p>
		<p>B. Recognise and consolidate the interests and concerns of those who represent the island at civic, political and departmental levels.</p> <p>C. Articulate the constitutional context in which the Bailiwick (principally Guernsey, Alderney and Sark) is currently placed.</p>	

		<p>D. Clarify the existing relationships within the Bailiwick and explore how these might affect relationships with Jersey and the UK.</p>	<p>Elections have been held in Jersey, Alderney and Sark during November and December 2008. The executive are looking into hosting a meeting of Bailiwick Parliamentarians in 2009 to look into ways to strengthen relationships between the States of Alderney, Chief Pleas and States of Guernsey.</p>
		<p>E. Explore various options for constitutional cooperation which might underpin the Bailiwick's and the Channel Islands' approach to their external affairs over the next 25 years.</p>	<p>The CAP was appointed by the ERG in 2007 to discuss these matters and look into options. The Panel have met with a number of influential stakeholders to hear a range of views and is working steadily towards the publication of an interim report.</p> <p><i>The second interim report from Jersey's Constitution Review Group recommends that discussions should be held with Guernsey on one level or another to discuss the constitutional position and options for the future</i></p>
		<p>F. Further develop the existing relationship with the UK and identify new initiatives which could be taken to reinforce the Bailiwick's international personality and help inform the development of its external relations.</p>	<p>The States debated the International Identity Framework Document in November 2008 and resolved to approve the signing of this document with the UK. The document was signed in December 2008.</p>

			The Ministry of Justice has agreed that as and when the need arises Guernsey can be issued an appropriate Letter of Entrustment to conclude reciprocal social security agreements.
		G. Ensure that Guernsey's interests are effectively articulated, widely understood and accepted by the international community.	No specific update, but see entries above for interaction with external persons and bodies.
Cultural Heritage <i>Preserve, enhance and promote those things which the community values and which reflect the Bailiwick's unique cultural identity and rich heritage</i> [Culture and Leisure Department]	A. Increase awareness, protection and continued development of Guernsey's identity and differentiation, as expressed through the built environment and other physical elements of the island	Historic Sites Strategy agreed and implemented with Treasury and Resources and Environment. Improvements to Victoria Tower, Vale Mill, Rousse Tower, Mont Chinchon Battery, Fort Pezerries, Burton Battery and at Castle Cornet – Sutlers House and Militia Museum. Increased staff numbers in Archaeology department advising on planning and protection.	
	B. Nurture expression and encourage development of Guernsey's cultural identity to ensure that a sustainable legacy is passed to future generations.	Appointed the Island's first Language Support Officer.	
	C. Assist in the other islands in the Bailiwick wherever possible and	Liaised with Alderney, Jethou and Sark on archaeological matters. Exhibition of	

		practicable in upholding their own unique cultural identities.	Toplis paintings and an exhibition was held on 'The Book of Sark'.
Distinctive Identity <i>Represent and display the island's pride in its uniqueness, achievements, traditions and independent mindedness through representation, wherever possible, by political, cultural and sporting teams and individuals and by preserving and illuminating those icons which express the island's self determination and uniqueness.</i> [Culture and Leisure Department]	A.	Attend international political events and functions which provide value for money and where both politicians and senior public servants can articulate Guernsey's unique independent identity.	Minister and Language Development Officer attended British-Irish Council meetings.
	B.	Participate in and stage international musical festivals, art events and major sporting events where private sponsorship can augment public funding and provide value for money.	Through its Events Group provided grants and underwriting to a wide range of events through its groups: Floral Guernsey, Sports Guernsey, Culture Guernsey, Good Food Guernsey, Nautical Guernsey, Sea Guernsey. Provided venue for Guernsey Live.
	C.	Encourage, support and celebrate individuals who excel in their chosen field and whose off-island achievements reflect positively on Guernsey and can be identified as positive local role models.	Provided Guernsey's Sporting Heroes permanent display at Beau Sejour Centre. Assisted Guernsey Sports Commission in staging Guernsey Sporting Awards and Channel TV in staging C.I. Sporting Personality of the Year.
	D.	Preserve and illuminate those icons which differentiate Guernsey as having a heritage of which it can be justifiably proud.	Exhibition 'Design Matters' celebrating the Guernsey Can, Guernsey Jumper and Guernsey Greenhouse as design icons.

		<p>E. Recognise that the island's distinctive identity is reinforced if visitors choose to visit the Islands because they also value the Bailiwick's unique cultural identity and rich heritage</p>	<p>Managed Visitor Information Centre. Policy of selling Guernsey sourced and produced gifts. Provision of wide range of books and information on the island's heritage. Provided site (Castle Cornet) for Antony Gormley installation and venue for international conference 'Art and Islands'</p>
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Priority 2: Plan for sustainable economic growth			
Level 1	Level 2	Level 3	Level 3 Update
To develop, adopt and promote policies which maintain a vibrant and sustainable economy which generates corporate profits, offers well-paid job opportunities and makes a positive contribution to the continued prosperity of the island.	Fiscal Policy <i>Develop and implement policies, processes and actions designed to support the successful implementation of the Economic and Taxation Strategy approved by the States.</i> [Fiscal and Economic Policy Group]	A. Develop and implement fiscal, tax and social security policies for stage 1 measures included in the Economic and Taxation Strategy, which are simple, equitable and administratively efficient to operate.	<ul style="list-style-type: none"> • Report being prepared for debate by the States in January 2009 for improvements to the Income Tax Law and changes to the Zero-10 regime. • The 2009 Budget Report has been prepared within the parameters of the GBP. • Fundamental Spending Review due to commence shortly to identify possible areas for efficiency savings within States expenditure.
		B. Evaluate anti-avoidance measures required to support stage 1 proposals whilst balancing competitiveness for business and for jobs.	<ul style="list-style-type: none"> • Changes to Income Tax Law being proposed in January 2009 which will also reduce bureaucracy. • Extensive anti-avoidance measures already introduced. It is too early for a review of those measures.
		C. Confirm the detail within the strategy supporting stage 1 measures, with regard to the effect that these policies will have on the growth in States revenues and the economic wellbeing of the island.	<ul style="list-style-type: none"> • Performance indicators show that public sector revenues have held up well during the first 9 months of 2008. • Actual revenue anticipated to exceed forecasts for 2008. • Predicted downturn in States revenues in 2009 likely to be associated with the global financial crisis.

		D. Investigate and prepare for stage 2 measures of the strategy.	<ul style="list-style-type: none">• Early work has commenced on options for stage 2 measures.• GST Legislation deferred until 2009; not seen as the best option if additional revenue is required.
		E. Establish consultation and feedback systems to ensure views of industry, commerce, self-employed and employed are balanced with the interests of all general tax payers.	<ul style="list-style-type: none">• Industry has been consulted on proposed changes to Zero-10 regime.• Too early to implement wide reaching consultation process.• Interests of general taxpayers are at forefront of workstreams being developed by the Treasury and Resources Department.
Economic Balance <i>Identify initiatives and develop practical proposals, favourable to the development of all economic sectors, specifically to redress any perceived or real imbalance in the island's economic base and thus minimise fragility or volatility in States revenues.</i>	A. Establish procedures to better understand the dynamics of the economy through detailed monitoring and modelling.	<ul style="list-style-type: none">• Regular meetings with industry through Business Guernsey Group.• Hosting visits from Bank of England Southern Agent to meet with businesses and gauge business activity and confidence levels.• Revising Industry Construction Model.• Implementation of new methodology for assessing housing licence applications using primary and secondary economic benefit criteria.	
	B. Create, monitor and coordinate the delivery of a Strategic Economic Programme to highlight actions required to redress any level of	<ul style="list-style-type: none">• First Strategic Economic Plan published in 2007. FEPSG has held first workshop on the next iteration with a second workshop to be held towards end of January early February 2009.	

	[Commerce and Employment Department]	<p>economic imbalance and promote “economic substitution” in the economy.</p> <p>C. Initiate an evaluation of the effectiveness of the Strategic Land Use Plan in setting the appropriate balance between often competing demands for land.</p> <p>D. Create a Strategic Workforce Development Plan which can be coordinated through both Priorities 4 and 5 in the Government Business Plan.</p>	<ul style="list-style-type: none"> • Assessment of Shepley Report recommendations. • New joint Environment / Commerce and Employment Department initiative on land for ‘small workshops and open storage.’ • Ongoing input to Strategic Land Planning Group. <ul style="list-style-type: none"> • A survey of employers has been conducted to ascertain the current availability of, and the potential for further, flexible and family friendly employment opportunities. • An analysis of non-participants in the workforce is under way – completion by end of 1st quarter 2009. • Survey of some non-participants groups planned for first half of 2009. • A high level analysis of skills gaps across 19 economic sectors has been carried out; Phase 2 (analysis involving in depth consultation with employers) due to commence early in 1st quarter 2009. • In conjunction with private sector partner,
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			<p>feasibility of developing a 'one stop shop' for employment opportunities is currently being examined.</p>
		<p>E. Monitor the effectiveness of the current legislative, regulatory and general interventionist environment, established by the States in the local economy, to address any level of economic imbalance.</p>	<ul style="list-style-type: none"> • Preparation of legislation for the introduction of Competition. Mergers and Acquisition will be taken to the States in 2009. Institutional arrangements also due to be finalised in early 2009.

Priority 3: Contain public finances and maintain economic growth	
Level 1	Update
<p>To increase revenue income by 3% above RPI and contain expenditure to RPI or less. Invest £20m per year in capital expenditure and implement the States capital Prioritisation and Rationalisation Programme. In order to do this, the Capital Reserve will be effectively depleted and up to half of the Contingency Reserve may be utilised as a short-term measure to fund any deficit.</p> <p><i>The above Level 1 statement refers to the underlying financial objectives during the first phase of the Future Economic and Taxation Strategy.</i></p>	<p><i>Priority 3 is expressed as a 'stand alone' statement of intent in relation to the management of public finances. It does not need to be implemented through an action plan.</i></p> <ul style="list-style-type: none"> • Efforts being made to maintain real increases in revenue income but global financial crisis likely to impact in 2009. • 2009 Budget Report proposes to contain non formula-led expenditure within the RPI target. • The Treasury and Resources Department has clarified the position in relation to capital expenditure and taken steps to ensure that £20 million per year is identified for capital projects. • The Treasury and Resources Department has published a detailed programme for the capital prioritisation process leading up to the debate in March 2009 when the States will establish the capital programme for this term. • The States property rationalisation programme is underway with recent sales including Belvedere House and Vale Mill (and Nelson Place is in hand). • The 2009 Budget Report envisages a draw down from the Contingency Reserve Fund of £8 million – less than was previously anticipated. However, early indications of States expenditure plans for 2010 are for significant increases with a requirement to transfer up to £40 million from the Contingency Reserve Fund unless real terms growth in income exceeds the GBP target of 3%.

Priority 4: Redistribute wealth wisely in the community			
Level 1	Level 2	Level 3	Level 3 Update
To consolidate and develop policies to help and empower those on low incomes and vulnerable members of the community to share in the advantages of a largely prosperous economy.	Tax and Benefits <i>Investigate a more integrated tax and benefit system which targets those who are vulnerable to or suffering most from relative poverty in order that Guernsey and Alderney residents are able to afford and benefit from essential services and essential personal items.</i> [Social Security Department]	A. Research and develop proposals for the introduction of an income related family allowance scheme.	A range of scenarios were modelled to determine a new, increased rate of family allowance and a possible means to distribute it in a more equitable manner based on family size and income. An Island-wide consultation was completed 16-Jul-07 to 31-Aug-07. The Social Security Department concluded that it was not possible to design a scheme within the current budget that would not adversely impact upon 'middle income' families while providing sufficient additional income for low income families to warrant the increased administrative costs and complexities. The development of an income related family allowance scheme has been abandoned. This was reported to the States within the Social Security Department's benefit up-rating proposals for 2009 (Billet d'Etat XII of 2008). Other options to assist low income families such as tax credits, income support, etc. will be investigated instead.
		B. Review existing tax allowances and non-contributory benefits and consider new allowances and benefits or reconfigurations to target assistance towards those who are vulnerable to, or	This is a major piece of work requiring the joint input at both political and officer levels of the Treasury and Resources Department's Income Tax Office and the Social Security Department. Some early research is being undertaken by the Income Tax Office, which will be shared with the Social Security Department and used as a basis for determining the extent of the problems, some options and costings. That data will help inform discussions at a political level so that the

		<p>suffering from, relative poverty and away from those who do not require such assistance.</p>	<p>two Boards can give directions on how matters are to be taken forward. Meanwhile, the two Departments have received presentations from expert speakers on Guernsey supplementary benefit, Jersey Income support and UK tax credits in order to inform discussion on the future direction of social welfare in Guernsey.</p> <p>The adequacy of the Requirement Rates and the current arrangements for a single upper limit on the amount of income available from Supplementary Benefit and other sources need to be reviewed to ensure that benefit rates are sufficient to meet the minimum requirements of people on low incomes across all family profiles</p> <p>In 2008 the benefit limitation was increased and a rent cap introduced for single householders on supplementary benefit to ensure that they are not unduly advantaged by the increase in the benefit limitation;</p> <p>The Social Policy Group will, in 2009, submit a report to the States on commissioning a project to establish minimum income requirements in Guernsey for various family profiles. The results of this work will inform the consideration of the adequacy of the current supplementary benefit requirement rates.</p> <p>A non-statutory, means-tested scheme of assistance for tax on rateable property modelled on the Medical</p>
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			<p>Expenses Assistance Scheme, was implemented w.e.f. 01-Jan-08.</p> <p>The Social Security Department will be introducing an allowance of income on non-employed contributions for over 65s, to take effect from 1 January 2010.</p> <p>A series of joint Social Security Department/Treasury and Resources Department meetings has been undertaken to identify areas of functional similarity or overlap and to investigate opportunities for rationalising services and resources. While some small efficiencies can be made through such things as adopting the same rules on benefits in kind, it is clear that the more substantial gains would come through having a joint IT system for the collection systems of both Departments. The two Departments have submitted a proposal for a joint IT system within the prioritisation of capital spending.</p> <p>No action to be taken in 2009, as release of funds dependent on the previous item.</p>
		<p>C. Consider how savings might be achieved by merging and consolidating the collection, payment and treasury systems which, at times, overlap in the respective mandates of the Treasury & Resources Department and the Social Security Department.</p> <p>D. Make a case for additional funds from general revenue to provide greater support to those vulnerable to, or suffering most from, relative poverty and particularly for those funds released by savings and greater</p>	

		targeting outlined above.	
Health and Social Services <i>Take steps to ensure that no residents of Guernsey and Alderney are denied access to health and/or social services through their lack of financial resources.</i> [Health and Social Services Department]	A. Analyse those services for which residents are charged and research those who are vulnerable to, or suffering from, relative poverty.	A Graduate Officer has been appointed to undertake this research.	
	B. Ensure those who lack financial resources do not avoid accessing health or social services because of their fear of being unable to settle any charges.	The Graduate Officer will also assist with research, together with a temporary health promotion officer on a short term contract. The Health and Social Services Department and Social Security Department researched the options for relief of prescription charges for those with chronic conditions in 2007. It was agreed to retain the existing system, but to publicise the fact that help with medical costs was available for low income families through the Medical Expenses Assistance Scheme.	
Housing <i>Take steps to ensure that no residents, who are legally housed in Guernsey, are denied access to housing</i>	A. Consider and identify the impact of the new Corporate Tax Strategy, new Tax on Real Property and other new fiscal policy measures on the	The Housing Department is reviewing initiatives designed to assist first-time buyers and other households who would struggle to obtain a commercial mortgage to purchase a home. An 'expressions of interest' exercise was carried out in November 2008, which invited private sector	

	<p><i>accommodation of sufficient quality which is commensurate to their needs, through their lack of financial resources.</i></p> <p>[Housing Department]</p>	<p>Guernsey housing market and the housing choices available to low and middle income earners.</p> <p>B. Work with the Landlords' Forum and other private sector landlords to help improve the standards of accommodation in the private rental sector, lodging houses and staff accommodation, including the adoption of a common tenancy agreement.</p>	<p>organisations to submit outline proposals for how they envisage a new Homebuyers Scheme could operate. This Scheme will replace the current States Home Loans Scheme, which would be closed to new borrowers.</p> <p>It is hoped that combining the use of the Housing Development and Loans Fund with private lending will open up opportunities for outright ownership to people who would otherwise never be able to achieve this type of tenure.</p> <p>The Housing Department continues to support the Guernsey Private Residential Landlords' Association (GPRLA) to progress the self-regulation of the private rented sector. The GPRLA has developed a common tenancy agreement and continues to explore the possibility of establishing an accreditation scheme for its members.</p> <p>A staff-level cross-departmental working group has been established to research the introduction of minimum standards or a licensing system for rental properties at the bottom end of the market, e.g. lodging houses and staff quarters. The view is that some of this accommodation is of poor quality and there is an associated vulnerability of those persons living in such properties. Regulation will involve the introduction of new legislation.</p>
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			<p>The Housing Department has also been reviewing the relevance of Rent Control in the private rental sector. Only a handful of properties are now rent controlled. The Department will report to States on the future of Rent Control in 2009.</p>
	<p>C. Review the pilot Partial Ownership scheme developed jointly with the Guernsey Housing Association and extend its application as appropriate.</p>	<p>34 Partial Ownership (PO) units have been sold to date. There are a further 26 PO units at Hougue a la Perre, which are due for completion in July 2009. 9 x 2-bed properties for PO will become available at Sir John Leale Avenue at the end of September 2009 and 30% of the new units of accommodation to be provided on the Grand Bouet Phase 1 redevelopment will be for PO.</p>	
	<p>D. Consider a detailed social housing development plan and the further progress of the work of the Guernsey Housing Association in providing social housing.</p>	<p>In December 2007, the States considered and approved a report outlining proposals for a five-year development plan for the provision of social housing, and the continued modernisation of the existing social housing stock. This is a high priority for the Housing Department and an important part of Action Area C of the Corporate Housing Programme.</p> <p>This Report, which was informed by the findings of the 2006 Housing Needs Survey, included a timetable and funding mechanism to enable the Department to:</p> <ul style="list-style-type: none"> • complete the rationalisation of its housing stock and address the replacement of the last of its 	

		<p>estates that are uneconomic to retain and refurbish;</p> <ul style="list-style-type: none"> • continue and complete the modernisation and upgrading of the remainder of the housing stock that is being retained; • address the under-occupation of larger family houses by older couples and single people, by building suitable properties that match their requirements and are in the area where they have developed links and associations over the years of their tenancy; • increase the size of the social housing stock to meet the needs identified by the 2006 Housing Needs Survey; and • continue to provide a supply of Partial Ownership properties that provide alternative tenure choices for first-time buyers and tenants displaced under Tenancy Review procedures. This is a level 4 workstream under Priority 4 of the GBP. <p>The report demonstrated that by combining income received from the rationalisation of the housing stock with reduced levels of States' grant required to fund new development, the Housing Department could deliver this comprehensive five-year plan, for so long as it continued to receive the full value of its rents (including the refunding of rent rebates).</p>
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		<p>E. Maintain and improve the quality of States-owned housing stock and provide quality tenancy services to the occupiers of those dwellings, in order to foster communities which are pleasant and safe to live in.</p>	<p>The Housing Department has continued its programme of modernising the States housing stock, which is being delivered in partnership with RG Falla/Amalgamated Facilities Management Limited, together with States Property Services (Treasury and Resources Department.) The modernisation programme focuses on rewiring/ electrical upgrading, installation of central heating, replacement/upgrading the loft insulation and the installation of cavity insulation.</p> <p>The results of a tenant satisfaction survey carried out in 2008 are being analysed to identify any gaps in service provision and to enable the Department to focus its services towards the needs of its tenants.</p> <p>The Housing Department's front line staff in Tenancy Management and Allocations, together with staff from the Guernsey Housing Association, have also undertaken specialist training in social housing management. A foundation course tailored for Guernsey was delivered locally by the UK's Chartered Institute of Housing (CIH). Some members of staff have chosen to enrol in a Level 2 NVQ course being delivered by the CIH, which started in January 2009.</p>
		<p>F. Develop options for supported accommodation for</p>	<p>In 15 years there will be a 38% increase in the number of people aged 60+ in Guernsey and the numbers of people aged 80+ will increase by over a</p>

		<p>third. Current provision of housing, care and support services are inadequate to meet the future needs of older people. It is essential to plan how the island will respond to the needs of its ageing population including new housing forms, increased community care capacity and new funding models.</p> <p>The Housing Department, in partnership with the Health and Social Services Department, is leading on the development of an integrated strategy for older people. Other key stakeholders are the Social Security and Treasury and Resources Departments.</p> <p>The strategy will identify the need to promote the independence of older islanders and enable more choices of how housing, care and support are provided. The strategy will also acknowledge the constraints of providing housing for older people within finite land resources and will seek to identify innovative ways to ensure that the housing, health and social care needs of older islanders are met and that funding capacity is managed. Partnership working with the private, not for profit and voluntary sectors will be explored and developed to enable the delivery of capital projects and services which are effective and which provide value for money.</p> <p>Work is also underway to identify the housing needs of other vulnerable user groups (the physically disabled, people with learning disabilities, people</p>	<p>persons including older persons, young people, people with a learning disability, persons with a mental illness, ex-offenders, etc.</p>
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			<p>opportunities for the self-employed and small businesses and where the priority for such activity lies. A similar review is taking place with the Guernsey Enterprise Agency which will also produce an SLA. The Commerce and Employment Department liaises extensively at political and senior staff level with a wide variety of employers' representative groups, and directly with major employers. Through these contacts, the opportunity is always taken to encourage employers to devote sufficient priority to training and up-skilling staff. High profile events, such as the Annual Awards for Achievement, which the Commerce and Employment Department jointly sponsors, are used to highlight the benefits both to employer and employee of continuous skills development.</p>
		<p>B. Ensure that all persons in the workforce are able to increase their potential to meet the needs of a developing economy irrespective of their early educational attainment or their financial resources.</p>	<p>See also: GBP Priority 5 (Population) Level 2: Increase Effectiveness; Level 3 (B)</p> <p>During May/June 2008 the Commerce and Employment Department carried out a postal survey of all Guernsey employers to establish their attitudes to family friendly employment policies, flexible working and employing people at or around retirement age and other issues mentioned further on in this update. It also gathered factual evidence about existing practices. The Commerce and Employment Department's employer survey seeks their views on the concept of incentivising residentially qualified persons of all skill levels to return to the Island. The</p>

		<p>development of this work stream will be influenced by the survey outputs.</p> <p>A staff level group has met to discuss how to take work on childcare research forward. It was felt that survey of childcare needs would be required. A proposal was presented to the Social Policy Group in November re carrying out such a survey in 2009. Education is also examining the provision of nursery education.</p> <p>The Education Department has carried out a research programme of present school leavers not in employment and a young people's survey phase 2 of those who have left school will be completed shortly.</p> <p>The Commerce and Employment Department is represented at political and staff level on the Education Department's Lifelong Learning Advisory Committee and the Apprenticeship and Youth Employment Committee. Through its contacts with industry, the Commerce and Employment Department has made an open ended commitment to these Education Department sub-groups to 'open doors' and facilitate access to employers in regard to any needs identified.</p> <p>The Commerce and Employment Department has contracted with ODL to carry out an analysis of skills needs amongst the 19 most relevant local employment sectors - the Guernsey Industry Skills Project (GISP). The technique being used is similar to that employed in similar analyses by UK sector</p>
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		<p>skills councils.</p> <p>The Education Department has introduced a range of initiatives to support this workstream and is carrying out the following actions: -</p> <ul style="list-style-type: none"> • The School leaving age has been raised to 16 years and the 14-19 curriculum has been revised • Post-16 education and training has continued to see an increase in participation levels year on year • A Work-Related Learning Co-ordinator has been appointed to improve the opportunities for work-related learning in all schools • The island's work experience programme has been revised to expand work related learning opportunities for young people • The Education Department is in the process of formalising a number of partnerships to promote links between employers and education • A group has been established to review all elements of vocational education
	<p>C. Provide access to financial literacy education to all Guernsey residents so that they may become more financially aware,</p>	<p>Financial literacy is now embedded in the new PSHE schemes of work. Discussion is underway with a local finance institution to deliver bespoke finance literacy lessons.</p> <p>GALP (the Guernsey Adult Literacy Project) which will use financial literacy as part of its core</p>

		<p>take better decisions with their own money and gain control of their personal financial circumstances</p>	<p>curriculum has been established. The Citizen's Advice Bureau money skills and counselling service to support those individuals who are vulnerable to poverty through financial difficulties has been established. This is a two year pilot project that is due to come to an end around August/September 2009.</p>
		<p>D. Encourage and create effective support schemes for all those Guernsey residents who have yet to enter the workforce, or have been out of the workforce for some time, to make that transition easily and learn to appreciate the value of full time employment to themselves and to the community.</p>	<p>A 'support scheme' example is the Institute of Directors' Management Shadowing Programme that is available to young people. The Commerce and Employment Department also has a long standing relationship with the IoD, as well as the Chamber of Commerce, Confederation of Guernsey Industry and other employers' representative bodies. If required, the Commerce and Employment Department would be able to work collaboratively with these organisations along with other stakeholder States Departments, (principally, SSD and Education), to attempt to access further work experience opportunities for people of all ages.</p> <p>The Health and Social Services Department is hoping to introduce Cognitive Behaviour Therapy for low level mental health patients to assist them back into work.</p> <p>The apprenticeship scheme, Higher Education funding and 14-19 curriculum have all been reviewed.</p>

		<p>E. Provide access to specialist advice and guidance on training and on employment opportunities.</p>	<p>An Adult Guidance Service has been established.</p> <p>The Education Department has undertaken research to investigate the attitudes to employment of Guernsey undergraduates, apprentices, pupils aged 11-19 years and apprentices</p> <p>A new Careers and Employment show, which combines the Careers Convention and Graduate Recruitment Fair, was held in January 2009. Over 90 local employers attended the exhibition. This new style event will be sponsored by the Education and Commerce and Employment Departments.</p> <p>A pilot programme of new transition arrangements for pupils with special needs is to run for the academic year 2008/9.</p>
		<p>F. Introduce Minimum Wage legislation which respects Guernsey's small economy whilst protecting and improving the prospects of employment for Guernsey residents.</p>	<p>The Commerce and Employment Department's States Report was debated and endorsed at The October 2007 States meeting. A first draft of the Law is currently being reviewed at officer level at the Commerce and Employment Department.</p> <p>Following consultation in respect of the rate that will apply it is hoped that full implementation will take place during the third quarter of 2009.</p>

Priority 5: Control and monitor population growth			
Level 1	Level 2	Level 3	Level 3 Update
<p>To adopt policies consistent with maintaining Guernsey's population at approximately its current level.</p>	<p>Increased Participation</p> <p><i>Develop policies and take actions to ensure that all persons who are legally housed in Guernsey are encouraged and permitted to be economically active.</i></p> <p>[Population Policy Group]</p>	<p>A. Investigate and develop “family friendly” policies designed to encourage residentially qualified parents to enter or re-enter the workforce.</p>	<p>The Commerce and Employment Department has undertaken an employers’ survey to gather information on current practice and employers attitudes to flexible working, family friendly employment policies and recruitment issues.</p> <p>Further work will be undertaken in 2009 to establish the availability of potential sources of labour.</p>
		<p>B. Consider the social and economic implications of increasing the state pension age.</p>	<p>Whilst not a GBP 5 work stream, Social Security Department has issued a green paper consultation document on contribution rates, States Grants and pension age, to be followed by a white paper.</p>
		<p>C. Research and develop policies to remove those barriers which prevent residentially qualified people from remaining or becoming economically active through age or for any other reason.</p>	<p>The Commerce and Employment Department has undertaken an analysis of skills gaps within the 19 most prominent economic sectors. Work on a second more detailed phase of research will commence during the first quarter 2009. This data combined with that obtained through the Employers’ Survey (see Increased Participation, Level 3: [A], above) will help to provide data for the formulation of policies within the Workforce Development Programme (WDP).</p>

		D. Provide advice, guidance and information, as required, to all those who are, or wish to be, economically active which detail opportunities which exist to increase participation and increase effectiveness.	No update
Increase Effectiveness <i>Ensure that all persons legally working in Guernsey benefit from the opportunities afforded to them through training and development to assist them in being more effective and productive.</i> [Population Policy Group]	A. Identify and establish a coordinating steering group which takes responsibility for creating a Workforce Development Programme, coordinates its delivery and evangelises the benefits of learning, training and personal development to the Island.	See also: GBP Priority 4 (Redistribution of Wealth) Level 2: Employment; Level 3 (A) The Policy Council's Population Policy Group (PPG) was established following the 2008 General Election. The PPG replaced the former Demographics Policy Group and Labour Utilisation Strategy Group. The PPG has responsibility for the Workforce Development Programme (WDP), with the Commerce and Employment Department leading work in this area. The three principal aims of the WDP are to: <ul style="list-style-type: none">▪ Increase participation in the workforce▪ Increase the effectiveness of the workforce▪ Optimise balance – maximising the benefit of housing licences As at December 2008, the WDP remains under development, however, progress has been made	

			<p>in several areas, including the Industry Skills Project and the Employers' Survey (see Increased Participation, Level 3: [A] & [C], above).</p> <p>See also: GBP Priority 4 (Redistribution of Wealth) Level 2: Employment; Level 3 (B) Will be informed by skills needs research – (see Increased Participation Level 3 [C] above).</p>
		<p>B. Ensure that all persons in the workforce are able to increase their potential to meet the needs of a developing economy, irrespective of their early educational attainment or their financial resources (see Priority 4).</p>	
		<p>A. Investigate and develop fiscal or other policies to encourage residually qualified persons to return to work in Guernsey.</p> <p>B. Ensure that those who leave the Island to further their education or to gain experience are fully aware of the employment opportunities which exist in Guernsey to facilitate their return.</p>	<p>Preliminary research is underway to investigate the feasibility of providing an on line 'one stop shop' for the display of employment vacancies which could be accessed by residually qualified persons living both on and off Island.</p>
	<p>Optimise Balance <i>Develop policies to ensure that the social and economic employment needs of the Island are met largely by residually qualified employees, so that the issue of employment-related housing licences can be used to achieve maximum benefit for Guernsey and keep to a minimum any</i></p>		<p>See 'Optimise Balance', Level 3 [A] above.</p>

<p><i>environmental or social consequences arising from their issue.</i></p> <p>[Population Policy Group]</p>	C. Research and develop policies to encourage residually qualified persons to consider employment in those service industries which have historically relied upon imported labour.	No update
	D. Review the provisions of the Housing Control and Right to Work Laws, and the policies and procedures which apply to their administration, to assist in the fulfilment of strategic population policy.	The PPG is currently conducting research into establishing a new population management regime for Guernsey. The findings of this research will be presented in a Green Paper to be produced for public consultation and consideration by the States in 2009.
	E. Research the feasibility of favouring those candidates applying for housing licences who are either single or do not have any dependent relatives.	The DPG was advised that such measures could not be introduced lawfully.
	F. Research the feasibility of implementing policies which will enable employment-related	This is the subject of ongoing dialogue between the Housing Department and the Commerce and Employment Department.

		housing licences to be used to bring maximum benefit to the economy	In the meantime, the Housing Department is considering the merits of employment-related licence applications based on consideration of primary and secondary benefits and bearing in mind the zero-ten fiscal strategy.
		G. Establish a joint working group between appropriate departments to review housing licence policies as they apply to public sector employees who are hard to recruit and retain (see also Priority 12).	The work of this group is ongoing. Arising from its work, a number of policy changes have already been introduced to the benefit of employing departments.
	Monitor and Evaluate <i>Maintain and develop a framework for monitoring and evaluating the effectiveness of any controls imposed on population growth.</i> [Population Policy Group]	A. Investigate the various methods employed in other jurisdictions for monitoring population levels and evaluate their effectiveness, reliability and resource implications. B. Investigate the benefits of establishing a Population Office.	The PPG is currently conducting research into how other jurisdictions manage immigration and population numbers. The findings of this research will be presented in a Green Paper to be produced for public consultation and consideration by the States. It is not envisaged that the investigation will commence until after the States has considered and agreed what population management regime is to be adopted.

		<p>C. Investigate where inaccuracies might occur in current methods of monitoring population levels and identify methods of eradicating such inaccuracies.</p>	<p>The Policy Council's Policy & Research Unit (P&RU) is currently preparing a paper on monitoring population and migration, for the PPG. The P&RU paper considers where improvements can be made to current monitoring methods. <i>As at December 2008, the paper remains in the draft stage and has not yet been discussed by the PPG.</i></p>
		<p>D. Improve the real-time reporting of housing licence statistics.</p>	<p>The Housing Control database is currently being enhanced. A specific module in this project will address current deficiencies in the reporting of housing licence statistics. This module is due to come on stream at the end of January 2009 but the full benefits of the module will not be realised until the project is completed in October 2009.</p>
		<p>E. Build confidence in the method ultimately employed to monitor population levels to ensure that it can be relied upon to evaluate the effectiveness of controls on growth and act as a guide to future decisions concerning population.</p>	<p>The P&RU paper (see Monitor and Evaluate: Level 3 [C] above) considers the limitations of current methods used to gather population statistics, and suggests alternatives. <i>As at December 2008, the paper remains in the draft stage and has not yet been discussed by the PPG.</i></p>

	<p>Assess Alternatives <i>Assess and examine alternative or additional options for controls designed to maintain Guernsey's population at specified levels.</i> [Population Policy Group]</p>	<p>A. Investigate the advantages and disadvantages of introducing work permits or residence permits as alternatives, or in addition, to the Housing Control and Right to Work Laws.</p>	<p>The PPG is currently conducting research into establishing a new population management regime for Guernsey. The PPG is investigating all forms of population management and this includes work permits and residence permits. The findings of this research will be presented in a Green Paper to be produced for public consultation and consideration by the States in 2009.</p>
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Priority 6: Determine waste management strategies			
Level 1	Level 2	Level 3	Level 3 Update
To enable progress to be made in the management of Guernsey's waste, the States will debate and determine strategies for both solid and liquid waste	Solid Waste Facilities <i>Implement the approved 25 year Waste Disposal Plan, interim recycling measures and identify and procure the preferred long term solid waste management facilities, once the volumes of residual waste to be treated have been finally determined.</i> [Public Services Department]	A. Determine volumes of waste for treatment, evaluate alternative long term waste treatment solutions and procure the preferred long term solid waste treatment facilities, at the earliest practical opportunity, in accordance with strategy approved by the States.	<p>In November 2007 the States agreed the waste arisings figures put forward by the Environment Department. In January 2008 the Public Services Department sought Expressions of Interest in the Official Journal of the European Union (OJEU); the magazine of the Chartered Institution of Wastes Management; and the Guernsey Evening Press from companies interested in tendering for a long-term waste management solution.</p> <p>In July 2008 the States accepted the Department's recommended shortlist of eight companies, who were duly invited to tender against criteria approved by the States at that time. The deadline for tender submission was 16 January 2009.</p>
		B. Develop and implement interim measures to achieve an increase in recycling to 50% by 2010, in accordance with States resolutions.	<p>In March 2008 the Public Services Department reported to the States the progress it had made in taking forward a number of recycling initiatives. Since then it has continued to develop and implement different recycling routes, including:</p> <ul style="list-style-type: none"> • Subsidised compost bins for home use • Tetra-pak recycling • Polystyrene recycling • Increasing the number of bring bank sites in the north of the Island

	<p>C. Develop and implement other solid waste facilities in accordance with the approved Waste Disposal Plan.</p>	<p>Progress on this has been limited in view of the fact that the end solution is not yet known. However, discussions with the Environment Department concerning possible sites for various facilities are ongoing.</p> <p>In February 2009 there will be a planning Inquiry in respect of the Longue Hougue site, the aim of which is to ensure that a range of technologies could, in principle, be located there.</p>
<p>Liquid Waste Strategy</p> <p><i>Develop and consider various strategic options to be put to the States which will help determine the future funding, treatment and disposal of liquid waste on the island.</i></p> <p>[Public Services Department]</p>	<p>A. Planning infrastructure improvements to sustain the existing sewerage and wastewater disposal facilities, including urgent refurbishment of the Belle Greve Waste Water Disposal Facility.</p>	<p>In October 2007 the States approved a report concerning the interim measures required at the Belle Greve Wastewater Disposal Facility at a cost of £1.27m. The auxiliary pumping station was commissioned in October 2008.</p> <p>In November 2008 the States agreed the next stage of the refurbishment of the facility, namely the refurbishment of the existing pumping station, at a cost of £2.5m. It also agreed a budget of £500,000 to investigate the outfall refurbishment.</p>
	<p>B. Options for extending the existing sewerage network to connect properties currently served by cesspit drainage with consequent revision of the previous Network Extension Plan.</p>	<p>The Department has identified and prioritised a list of projects, both major and minor, where the sewerage network could be extended.</p>

		<p>C. Review of the Environmental Quality Objectives and updating standards for the marine environment previously approved by the States [Resolution 5 of Billet XIII, June 1997] after further investigation of the factors that reduce bathing water quality.</p>	<p>A tracer study has been carried out to ascertain the effect of the main outfalls on bathing water quality. The results of the study showed that the outfalls are not the primary cause of poor bathing water quality around the Island. It is therefore necessary to look at other potential causes, which will need to be undertaken in conjunction with other key stakeholders, including the Environment and Environmental Health Departments.</p>
		<p>D. Review of the previous in principle agreement for the introduction of wastewater treatment as soon as is practicable [Resolution 6 of Billet XIII, June 1997] to include a range of options for the treatment and disposal of liquid waste which might involve selection of a Waste Water Treatment Site and the need for a full Environmental Impact Assessment and a Site Specific Planning Inquiry.</p>	<p>The Department submitted a green paper on this subject to the States in January 2006, followed by a detailed report in October 2007. The States did not direct the Department to proceed with the introduction of wastewater treatment at that time.</p>

		E. A range of funding options, which might include a Waste Water Charge, to cover the cost of these works.	The Department is putting proposals to the States in January 2009 for funding investigations into improved sewage treatment facilities.
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Priority 7: Take firm action against crime and the causes and effects of crime			
Level 1	Level 2	Level 3	Level 3 Update
<p>To promote and support policies which keep the Bailiwick a safe and secure place to live. This means taking firm action against crime and tackling the situations which give rise to criminal behaviour through strategies to tackle drug and alcohol abuse and social problems in the community.</p>	<p>Law Enforcement</p> <p><i>Take firm action by providing an economic, proactive and effective law enforcement resource to combat all levels of crime and confiscate the proceeds of crime.</i></p> <p>[Home Department]</p>	A. Target anti-social behaviour.	As part of a wider Community Safety Strategy and in accordance with the States Report in September 2008, "The Future of Law Enforcement", combating anti-social behaviour will be given a high priority by the Police from 2009.
		B. Combat Volume Crime (e.g. Criminal Damage).	A Community Policing model is being developed and introduced. Community Service Orders have been increasingly used by the Courts during 2008.
		C. Introduce a proactive street crime unit.	As A above.
		D. Develop Community Policing.	This is being actively considered as part of the current review of the Police Force.
		E. Secure Bailiwick borders.	As A above.
			E-Borders initiatives are being introduced in cooperation with the UK. New Legislation (20 items) has been introduced to combat serious and financial crime and additional staff resources are to be allocated to this area from 2009. An International Monetary Fund Review will be carried out during 2009.

		F. Target serious criminal activity including drug trafficking.	The Future of Law Enforcement States Report, September 2008, lays the foundation for improved targeting of serious criminal activity, including the move by Customs and Immigration to a Cross Border Crime Agency.
		G. Increase coordinated Law Enforcement activity.	A report was taken to the States in September 2008 to introduce a Law Enforcement Commission and provide a transparent structure, separating the strategic responsibilities of the Home Department from operational matters. It will change Customs and Immigration to a Cross Border Crime Agency and introduce new legislation. Work has begun on a project to ensure a more coordinated delivery of law enforcement services. A report back to the States will be required. In order to enhance joined up working and avoid duplication of effort a single site headquarters for all Law Enforcement resources will be sought.
		H. Attack money laundering and confiscate the proceeds of crime.	New Legislation which will allow the confiscation of assets was introduced during 2008. Additional staff resource has been allocated to this task from January 2009.
	Criminal Justice <i>Develop the</i>	A. Work with the Judiciary and Law Officers to develop an integrated Criminal Justice System	The Criminal Justice Working Group is compiling a Criminal Justice Strategy for consideration by the States at the end of 2009.

<p><i>recommendations of the Criminal Justice Policy Working Group, in consultation with the Judiciary and Law Officers of the Crown, and monitor and measure outcomes.</i></p> <p>[Home Department]</p>	B.	Develop a comprehensive Community Safety Strategy, integrating policies on drugs and alcohol, domestic abuse and anti-social behaviour.	A Fear of Crime Survey is to be progressed in 2009. The Community Safety Strategy will be included in work to be progressed during 2009 by the Criminal Justice Working Group. A Domestic Abuse Strategy is being taken to the States in 2009.
	C.	Introduce a Community Service Scheme as an alternative to custodial sentences.	A pilot scheme has been set up for a three-year period. A report on this will be taken to the States at the end of 2009 to recommend that this becomes permanent.
	D.	Investigate other sentencing options such as electronic monitoring, curfew orders, weekend sentencing and deferred sentencing.	This will be progressed from now until end of 2009 by the Criminal Justice Working Group.
	E.	Develop a multi agency offender management programme.	Work on this commenced in 2008. It includes education and life skills work in the Prison and the introduction of an "end to end" offender management model. A progress report is due during 2009.
	F.	Develop schemes to ensure that victims and witnesses are properly cared for and managed throughout the Criminal Justice System.	Systems have been improved in 2008, in conjunction with the Courts and Victim & Witness Support Schemes.

		<p>G. Strengthen links with other social policy areas such as the Corporate Anti-Poverty Programme and Priority 4 of the Government Business Plan (Redistribution of Wealth).</p> <p>The Minister of the Home Department is a member of the Social Policy Group. Work with States Housing / Planning Department is being carried out with the objective of reducing crime. Agency skills-testing for all prisoners will be introduced to ensure that their needs are fully met.</p> <p>A Head of Learning Skills for the Prison has recently been appointed. Work is being carried out with Housing/CHP on securing housing for ex-offenders. The Prison Chaplain is working on life-skills development with prisoners.</p>	
		<p>H. Introduce a system of monitoring and evaluating Criminal Justice initiatives.</p> <p>A workshop on the development of a criminal justice database was held in January 2009. Considerable research has already taken place in this area and it is hoped to introduce an integrated database in 2010. A database is already operating in basic form.</p>	
		<p>I. Recommend new criminal justice legislation.</p> <p>Financial crime legislation linked to an I.M.F. review has been introduced during 2008.</p>	
	<p>Drug and Alcohol Strategy <i>Promote and lead on the delivery of the Drug and Alcohol Strategy including monitoring</i></p>	<p>A. Reduce the demand for, and acceptability of, drugs and the excessive use of alcohol by raising awareness and increasing knowledge of the consequences of problem use.</p> <p>A summer drink drive campaign was introduced in 2008, as well as the annual Christmas campaign. Drug and Alcohol awareness week now takes place each year. A Guernsey alcohol conference took place in November 2008.</p>	

	<i>and measuring outcomes.</i> [Social Policy Group]	B. Prevent and minimise experimentation with drugs and alcohol, enabling young people and families to make positive choices about their lives.	A primary alcohol worker has been appointed for a three year pilot to offer alcohol education to children in years 5 and 6. Youth Service programme of activities for young people will take place in the summer holidays- SPLAT. Schools are involved in drug and alcohol awareness week.
		C. Provide treatment services including advice, information, counselling and support for people with drug and alcohol problems.	CDAT scheme back to previous strength. Research is under way into a young people's treatment service and on island rehabilitation services. A drunk and incapable unit is being developed within St Julian's House.
		D. Reduce drug and alcohol related crime, disorder and drink/drug driving.	A Criminal Justice Alcohol Service is being established. Drug and alcohol education to be incorporated and developed in the Offender Management Plan.
		E. Encourage those who drink to do so safely and within established safe limits.	Implementation of liquor licensing law is being reviewed. Citizen Card proof of age scheme has been introduced.
		F. Ensure a joined up approach in delivery of the Drug and Alcohol Strategy, strengthen links	Social Policy Coordinator in post. Development of databases is ongoing.

		with other social policy areas and provide a monitoring framework to ensure quality and value for money.	
Public Safety <i>Provide a coordinated service, to keep the Bailiwick a secure and safe place to live, and supply an efficient and effective response to any major emergency.</i> [Home Department]	A.	Reduce the public fear of crime.	A crime survey was undertaken during 2007 and will be repeated in 2009. Various policing initiatives are being introduced to reduce the public's fear of crime including the introduction of a Community Policing model and a Community safety Strategy.
	B.	Ensure the effective management of offenders.	<p>Progress is being made on the introduction of an offender management model for Guernsey, which provides case based supervision of offenders, pre custody, custodial and post custody. In order to achieve this, assistance will be required from other States Departments. e.g. the Health and Social Services Department in respect of mental health care.</p> <p>(Multi-agency Public Protection Arrangements (MAPPA) have been used for some time and Multi-agency Risk Assessment Conferences (MARAC) for victims of domestic abuse will be introduced at the beginning of 2009.</p>
	C.	Develop and implement an appropriate response and maintain essential	Training took place during 2008 for officers, political representatives and volunteers, including

		services to the public, in times of major emergency.	a one day desk top exercise in December 2008. Further exercises are planned for 2009. A Community Risk Register which will provide planning and resilience in the event of a major emergency will be produced during 2009.
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Priority 8: Provide best value health care			
Level 1	Level 2	Level 3	Level 3 Update
<p>To pursue a strategy for health and social services which promotes the attainment and maintenance of optimum health and which supports and safeguards the vulnerable members of the community. This requires the direction of resources to those areas which provide the best return on investments.</p>	<p><i>Promote healthy lifestyle choices intended to reduce the incidence of illness and develop screening programmes which identify the need for treatment at an early stage. Such prevention and screening will not only improve the quality of life but also reduce the need for more costly services at a later date.</i></p> <p>[Health and Social Services Department]</p>	<p>A. Promote healthy individual lifestyle choices to reduce the need for treatment services at a later date.</p>	<p>A green paper on obesity was taken to the States in autumn 2007. A States report plus the strategy is due to go back to the States in 2009.</p>
		<p>B. Promote healthy environmental choices to reduce the need for treatment services at a later date.</p>	<p>Approval of solid and liquid waste strategies is planned in 2009.</p>
		<p>C. Introduce additional screening for cancer so that tumours are detected at an early stage, which reduces the treatment required and increases its effectiveness.</p>	<p>It is hoped that a colorectal cancer screening programme will be introduced in 2009 but this is subject to the recruitment of suitable additional staff at both the HSSD and the MSG.</p>
		<p>D. Introduce diabetic retinopathy screening to prevent blindness in people suffering from diabetes, which would affect their continuing to be economically active</p>	<p>Diabetic retinopathy screening was introduced in 2007.</p>

		members of the community.	
		E. Ensure easy access to family planning services to prevent unwanted pregnancies and the costs thereof.	The family planning service is working with the HSSD to ensure continued easy access to the services.
		F. Target sexual health services at those most at risk to ensure that greatest value is achieved from the resources employed	An external review of sexual health services has been undertaken and implementation of recommendations will go ahead in 2008 and 2009.
		G. Support implementation of the Bailiwick Drug and Alcohol Strategy to reduce substance misuse and the consequential costs of treatment, law enforcement and social support.	There was a campaign in 2008 to encourage bars and clubs to display information about safer drinking at the points of sale.
		A. Improve service delivery and co-ordination to reduce the need for residential care and/or the continuation of people not achieving their potential contribution to society.	Speech and language therapy for adults with a disability was introduced in 2007. Enhancement of provision of social care services in Alderney is being considered and discussions are in hand with Alderney to determine the most appropriate way forward. The Health and Social Services Department would like to see the opening hours
	Community and Social Care <i>Change the focus of caring for children and adults in institutions to caring</i>		

	<p><i>for those same people in their own homes. This will reduce the need for more costly institutional care and treatment which will be reserved for those with the most complex needs.</i></p> <p>[Health and Social Services Department]</p>		<p>of Family Centres extended to 7 days a week from 2009 subject to resource availability.</p> <p>Development of community homes to allow closure of Oberlands House will take place in 2009/10 (subject to capital prioritisation in March 2009). It is hoped that increased provision of bedsits will be made to meet need for adults with a disability (2009) if sufficient resources are available. Consideration is being given to the introduction of a wheelchair service during 2009 again depending on resource availability.</p> <p>Outreach service to support children and their families is being developed in 2009. It is hoped that respite services for children and adults with a disability will be enhanced in 2009/10. A review of speech and language therapy for children to meet need took place in 2008. Provision of accommodation for adults with a disability and with challenging behaviour returning from the UK or from children's placements is planned for 2009/10 (subject to capital prioritisation in March 2009).</p>
		<p>B. Provide 24 hour services to people in their own homes to reduce the need for residential services.</p>	<p>There will be a review of shift patterns to facilitate 24 hour cover in community services for older people in 2009.</p>
		<p>C. Introduce services for people in their own</p>	<p>Improvements to maintenance and transport services for older people and Extra Care at Home</p>

		homes to reduce the need for hospital admission.	for older people is desired but budgetary provision is not currently available.
	D. Enhance community mental health services to reduce the need for hospital admission and/or enable people to make an effective contribution to society.	The level of services provided by the Community Mental Health Team will be increased in 2008-10. An Advocacy service for people with mental health problems is being developed, initially with MIND for three years, and thereafter funded by the Health and Social Services Department. A Psychological treatment service is being developed in 2009.	
	E. Together with the Housing Department, support the development of 'extra care' sheltered housing to reduce the need for residential care.	A care contract at Rosaire Avenue extra care housing scheme was funded from 2007 onwards. A review of the long-term care insurance scheme will be undertaken with Social Security Department in 2008/9, following completion of the Strategy for Care and Accommodation of Older People.	
	F. Improve the outcomes for children and young people, enabling them to be healthy, stay safe, enjoy and achieve, make a positive contribution and achieve economic well-being.	A report will be taken to the States on the Children's Services Plan in 2009. New legislation affecting children and young people will be introduced in 2009.	

		G. Develop supported living services for adults with a disability to reduce the need for residential care.	To be progressed in 2010 if resources allow.
		H. Use community facilities which are available to the whole population as an alternative to specialist facilities, in order to minimise the premises required.	A Disability Forum has been established, which will consider the use of community facilities by adults with a disability and met for the first time in December 2008.
		I. In co-operation with the Housing Department, develop services for homeless people and support implementation of the Bailiwick Drug and Alcohol Strategy to improve the health status of homeless people and substance misusers, which will reduce their healthcare requirements.	Work commenced on enhancing the services in St Julian's House in 2008 and will continue into 2009. Part of this work included providing accommodation for Drug Concern and for a unit for people who are drunk and incapable.
		J. Support the development of services and strategies to safeguard vulnerable adults in order to reduce	A policy on Safeguarding vulnerable adults was introduced in 2008 and will continue to be implemented in 2009.

		the later demand for services.	
		K. Monitor and regulate the provision of care services to ensure good quality services are received in return for the expenditure.	Updated Care home and Care services legislation was agreed by the States in 2007 but is subject to drafting pressure in St James' Chambers.
		L. Provide day services for older people, including those with dementia, to reduce the need for residential care.	Services at the Castel Hospital will be expanded to meet increasing need in 2009/10. Dementia day services will be moved to the Duchess of Kent House when Phase 5 of the PEH development is commissioned.
Diagnosis and Treatment <i>Improve the range of diagnostic services which can be easily accessed and determine which diagnostic and treatment services can be provided most cost effectively on island within facilities which are fit for purpose.</i>	A. Provide a range of on-island diagnostic services, including CT and MRI, to reduce off-island referrals.	In 2007, an on-island MRI service and replacement CT scanner were introduced. Neuro-Rehabilitation Services are being developed in 2008-9 and will be further developed in 2010 if resources allow.	
	B. Rationalise and improve services through the implementation of the HSSD site development plan to eliminate unnecessary expenditure caused by facilities which are sub-optimal and/or inappropriately sited.	A Commissioning Manager was appointed in 2007. The Mignot Memorial Hospital was redeveloped in 2008. The PEH clinical block is being developed in 2007-9. Adult mental health services will be developed in 2010-11 (subject to the capital prioritisation debate in March 2009).	

	[Health and Social Services Department]	C. Improve service delivery and co-ordination to eliminate inefficiency.	Electronic Health and Social Care records are being developed (2007-10). A report on ensuring that clinical care meets GMC requirements has been completed.
		D. Develop mental health treatment options to reduce the need for hospital admission.	Acute adult mental health services are being improved and consolidated and physical improvements were made to the acute admission ward in 2008.
		E. Progress implementation of the cancer strategy, including palliative care, in order to reduce hospital admissions.	Further implementation of the cancer strategy will be carried out in 2007-9 and the strategy is currently being reviewed and updated.
		F. Provide treatment services, including advice, information, counselling and support, for people with drug and alcohol problems to enable them to be economically active members of the community.	The costs and benefits of local residential rehabilitation are being investigated in 2008/09. The Community Drug and Alcohol Services will be enhanced in 2009. Addiction Services for young people will be researched and developed in 2008/9.
		G. Ensure the safe and effective use of medicines and therapeutic	The Medicines Law was due to be implemented in 2008 but did not receive royal assent until December 2008 and will, therefore, be brought

		substances to ensure safety of patients, thereby reducing the need for treatment services, and to minimise prescribing costs.	into force in 2009.
Cost Base <i>Review those elements which contribute towards the cost base of providing essential health and social services.</i> [Health and Social Services Department]	A. Review the funding of health and social care to ensure that the mix of revenue, insurance and individual funding is logically determined and efficiently administered.	Consider, with the Social Security Department and Treasury and Resources Department, which health and social services should be funded from general revenue and which from social insurance. A review of the appropriateness of fees and charges for services is being carried out in 2008/9. A review of the Social Security Department and Health and Social Services Department contract with the Medical Specialist Group to ensure that services provided are appropriate and in line with remuneration was carried out in 2007/8. Psychiatric outpatient dispensing is being transferred to the retail pharmacies from 2009. All aspects of private practice are being reviewed in 2008/9.	A review of which services should not be provided by the Health and Social Services Department because they are not core business will be carried out in 2008/9. The mix of on-island and off-island services to obtain best value for money is being reviewed in 2007/9.
		B. Consider who is the most appropriate provider of services to ensure that public funding is used to best effect.	

		C. Review costs associated with the employment of staff to ensure the most effective use of resources.	Leased staff accommodation will be replaced with owned premises for key worker housing in 2007/10 as resources and the demand for accommodation allow.
		D. Improve the infrastructure to reduce annual costs through the use of more efficient process.	Development of an electronic health and social care record is in progress.

Priority 9: Maximise the return on investment in education provisions			
Level 1	Level 2	Level 3	Level 3 Update
<p>To consolidate and develop best value policies for education and lifelong learning which promote equality of educational opportunity and which are directed to ensure the best quality of education is obtained for the individual and for the community as a whole.</p>	<p>Equality of Opportunity</p> <p><i>Develop the statutory structure of education in order to raise achievement standards and to provide equality of educational opportunity such that no student be denied access to education or lifelong learning through disability, disadvantage or for financial reasons and so that their potential be maximised.</i></p> <p>[Education Department]</p>	A. Progress the remaining construction projects within the EDP1 site development plan	Planning for Les Beaucamps School site is well-advanced but the building programme is funding dependent. Work on La Mare de Carteret School is at the planning stage. The master planning of the College of Further Education (CFE) campus at the St. Peter Port Secondary site is underway.
		B. Complete the reorganisation of Special Education services and institutions.	The redesign and development of Oakvale as a Centre for pupils with social, emotional and behavioural difficulties (SEBD) is on target to be completed at Easter 2009.
		C. Complete the reorganisation of Secondary Education.	See A above
		D. Complete the rationalisation and reorganisation of Primary Education (including EDP2).	The Education Board report is to be discussed by the States of Deliberation in January 2009.
		E. Finish the Curriculum Review and produce a revised Guernsey Curriculum including a new 14-19 curriculum.	The school leaving age has now been changed to 16 and the revised curriculum statement was presented to the Board in November 2008

<p>Regulatory Framework</p> <p><i>Review local education and training legislation and regulation to ensure equality of educational opportunity and compliance with Human Rights and Data Protection legislation. Evaluate the possible expansion of statutory education provision at pre-school and post-16 (15) levels and consider the anticipated social and economic benefits of the investment.</i></p> <p>[Education Department]</p>	<p>A. Conduct a review of and implement a revised Education Law to include review of the governance of States schools and the College of Further Education.</p> <p>B. Implement legislation to raise the school leaving age with effect from the school year 2008-2009.</p> <p>C. Progress the development of the Schools and Services Inspection process.</p> <p>D. Progress implementation of the strategies for inter-agency working, human rights, data protection and health and safety.</p> <p>E. Develop pre-compulsory education options in consultation with private sector providers.</p>	<p>This will be undertaken in 2009.</p> <p>This has been implemented.</p> <p>A framework for Phase 3 of the Validated School Self Evaluation Process will be finalised by August 2009</p> <p>The Children's Services Plan will be presented to the States in 2009. The Criminal Justice procedures relating to this will be led by the Child Protection Committee. Legislation and procedures relating to CEDAW will be investigated later in the year.</p> <p>This is on target and recommendations will be taken to the States in 2009.</p>

	<p>Partnerships</p> <p><i>Promote and develop partnerships through which students, parents and businesses join with the States in investing in education and lifelong learning on an equitable basis where shared benefits can be demonstrated.</i></p> <p>[Education Department]</p>	<p>A. Produce a revised strategy for Higher Education funding both on and off Island.</p>	<p>A strategy was produced but will be reviewed again following the outcome of the September 2008 States meeting.</p>
		<p>B. Respond to Workforce Development Plan delivery recommendations and investigate work related learning for 14-19 year olds in partnership with employers.</p>	<p>A range of curriculum initiatives, policy developments and education-employer partnerships have been developed or implemented.</p>
		<p>C. Develop a community use policy for the Education institutions in partnership with other States Departments and charity and commercial users.</p>	<p>A policy is in place for the Baubigny schools. A review will be carried out in 2009 putting in place guidelines for working practices. Health and Safety procedures are being revised.</p>
		<p>D. Contribute to the delivery of the Drug and Alcohol Strategy.</p>	<p>The Education Department is fully involved with the Drug and Alcohol Strategy.</p>
		<p>E. Within the Social Policy Steering Group, develop shared initiatives on the GBP Priority 4</p>	<p>These initiatives have been allocated and are being acted upon according to the agreed timetables.</p>

		Redistribution of Wealth.	
Cost Base <i>Review those elements which contribute towards the cost base of providing efficient and effective education and lifelong learning on the island.</i> [Education Department]	A.	Introduce a planned, preventative maintenance regime for the Education estate.	This has been implemented.
	B.	Renew ICT systems design and infrastructure including renewal of schools local area networks.	PC replacement is on target for 2009. Renewal of local area networks is underway.
	C.	Progress options for workforce remodelling.	A review of primary school staffing was carried out. This has yet to be done in relation to secondary school staff.
	D.	Review recruitment and retention costs.	Key worker housing work is being supported by the Education Department
	E.	Complete the review of governance, funding and monitoring of non States educational institutions (EDP3).	An approach has yet to be agreed with the Catholic schools. A review of the current States policies on the funding of the grant-aided Colleges will take place in 2012 when the current agreements expire.
	F.	Review funding allocations to the College of Further	A review of the supplies and services budget allocations to primary and secondary sector schools has been completed.

	Education, States Schools and Services.	
	G. Review alternative providers for services.	This is carried out annually. Budgeting processes will be changing soon.
	H. Review fees and hiring charges.	The policy is due to be reviewed across the States.
	I. Review the additional costs of services required by States policies such as the Corporate Anti-Poverty Policy, the Staff Number Limitation Policy and the Housing Licence Policy.	These costs will be reviewed as part of the ongoing Fundamental Spending Review.
	J. Review the additional cost of services required by the need to provide an entitlement to post compulsory education in line with participation levels in other jurisdictions.	This will be completed later in 2009.

Priority 10: Meet energy needs more efficiently and sustainably		
<p>NB: Levels 3 and 4 of this GBP Priority action plan were not developed at the time of the GBP debate in July 2007, as the Energy Policy Report, through which the Level 2 aims of Priority 10 are being delivered, was at that stage, still being drafted. Consequently, the individual workstreams within the Energy Policy have not presently been allocated Level 3 or 4 status.</p> <p>Many of the Energy Policy work streams are due to commence over the period 2009 to 2012, and it is therefore not possible to comment on progress made in those areas. Where progress has been made to date within each Level 2 area, a brief summary is included, below.</p> <p>Where progress has been made in an area of work, this is shown below, according to that item's relevant Headline Policy (HP) and individual workstream reference, as set out in the Energy Policy Report. E.g. Headline Policy 2, workstream A (ii) – 'Investigate additional/daisy chain links' – is shown, below, as HP 2: A (ii)</p>		
Level 1	Level 2	Update
<p>To adopt policies w/hich ensure a diverse and robust supply of energy sufficient for Guernsey's needs while also improving energy efficiency both to minimise the need to import energy and to reduce the Island's carbon footprint.</p>	<p>Diverse and Robust Supply</p> <p><i>Identify specific actions to ensure that Guernsey has both a diverse and robust energy supply sufficient for the Island's needs.</i></p> <p>[Energy Policy Group]</p>	<p>Ref: HP2: A (ii) – Investigate additional/daisy chain links</p> <p>Guernsey Electricity Limited (GEL) has reported to the Treasury & Resources Department (T&R) on the benefits and drawbacks of installing additional/daisy chain cable links, connecting Guernsey to France and Jersey. This report has now been forwarded to the Energy Policy Group.</p> <p>Ref: HP2: A (iii) - Maintain on-island generation capacity</p> <p>This workstream is ongoing</p> <p>Ref: HP 2: A (v) – Research buy-back tariffs that would encourage micro-generation of electricity</p> <p>The Office of Utility Regulation has published a consultation paper on setting a buy-back tariff to encourage small-scale renewable energy generation. The OUR and Guernsey Electricity will produce a joint report to the Policy Council.</p>

	<p>Ref HP2: A (vi) – Support the generation of energy from residual waste products. This work stream will be a matter for the States when asked to consider the outcome of the Public Services Department’s tendering exercise for waste treatment facilities.</p> <p>Ref: HP2: A (viii) – Investigate exempting from income tax, income derived from micro-generation</p> <p>T&R have commenced research on this matter. T&R is due to present a Report to the States in January 2009 which, amongst numerous other issues, will recommend an exemption from tax for income derived from micro generation.</p> <p>Ref: HP2: A (ix) – Monitor ‘Peak Oil’ The Commerce and Employment Department has commenced monitoring of Peak Oil and will regularly report back on this matter to the Energy Policy Group.</p>
<p>Energy Reduction <i>Consider the specific actions to be taken to reduce energy consumption from current levels</i> [Energy Policy Group]</p>	<p>Ref: HP1: A (i) – Raise energy standards throughout the States’ estate. This is being taken forward as a joint work stream between the Environment Department and the Treasury and Resources Department. The first stage of which is the appointment of an Energy Conservation officer by the Treasury and Resources Department (see HP 1: A (iii) below)</p> <p>Ref HP1: A (ii) – Lead by example. See HP1: A (i) above</p> <p>Ref HP1: A (iii) – Appoint an Energy Efficiency Officer T&R have agreed to fund the post of Energy Conservation Officer, and are currently [as at December 2008] advertising this post internally and externally.</p>

	<p>Ref HP1: A (iv) – Set energy efficiency public procurement policy. The Treasury and Resources Department's corporate procurement service is currently working on this matter.</p> <p>Ref HP1: A (v) – Adopt spend to save approach for building life cycle energy use. This function will be developed on appointment of the Energy Conservation Officer</p> <p>Ref HP1: A (vi)- Support recycled products See HP1: A (iv) above</p> <p>Ref HP1: B (iii) -Investigate the viability of a loan fund to support energy saving developments. The Environment Department has explored the level of loans and grants offered in the UK for energy saving schemes and is exploring means of administering such schemes. It has also entered into discussions with the Energy Saving Trust to explore the options for joint working. Such financial support is a proven contributor/incentive to energy saving. The creation of a loan and/or grant fund will however be dependent on the release of funds by the Treasury and Resources Department which, in turn, may be dependent on the creation of a carbon tax and a review of the rules on hypothecation.</p> <p>Ref HP1: B (v) - Develop awareness of the importance of design and layout and encourage energy efficient design. The Environment Department has secured the resources to appoint a planning communications officer to take forward a range of planning policy information awareness and promotion initiatives. Energy efficient design will be incorporated into this work.</p>	
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	<p>Ref HP1: B (vi)- Develop Building Regulations that improve energy efficiency The UK is currently consulting on its 2010 regulations and energy codes. Guernsey is monitoring these developments and will seek to reflect the legislative changes within the Guernsey regulations enabling adoption of the relevant codes and practices.</p> <p>Ref HP1: B (vii) – Investigate the feasibility of high energy consuming projects generating a proportion of their own electricity demands. A methodology for this work stream has been agreed and a small project group will commence the work early in 2009.</p> <p>Ref HP1: B (viii) - Establish an Energy Advice Centre. The Environment Department has approached the Energy Saving Trust and the matter is being considered at Board level of that organisation. The Department hopes to make recommendations to the Energy Policy Group early in 2009.</p> <p>Ref HP1: B (ix) - Investigate the feasibility and benefits of setting targets to stabilise energy use by set levels. It is envisaged that consultants will need to be appointed to undertake this work stream, for which funding will need to be released</p> <p>Ref HP1: B (x) – Investigate the feasibility and benefits of introducing an electric fossil fuel public transport fleet. The Environment Department is preparing a States report on the future of public transport services in Guernsey. This work stream will form part of that report and subject to States support be taken forward as part of the wider work streams resulting from that report.</p>	
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	<p>Ref HP1: B (xi) – Investigate the benefits of encouraging a move to low emission vehicles.</p> <p>The Environment Department does not consider that there is a need to investigate the benefits but rather to put in place some practical support elements. The Department is working with GEL to start providing charging points in public car parks. The Treasury and Resources Department's work stream on a carbon tax will be the greatest encouragement towards low emission vehicles.</p> <p>Ref HP1: B (xiii)- Identify key areas of energy leakage (between generation and consumption as opposed to loss through poor efficiency, insulation, recovery)</p> <p>The Environment Department has been in liaison with the energy industry in this respect. A report to the Policy Council Energy Group is nearing completion. The Department is not convinced that this is an area worthy of further priority at this time.</p> <p>Ref: HP 1: B (xiv) – Review differential prices based on volume</p> <p>C&ED has requested that the Office of Utility Regulation produce a report on this matter, with a target completion date of Autumn 2009.</p> <p>Ref HP1: B (xv) – Investigate the feasibility of requiring by 2012 that at least 10% of energy in new building is provided by renewable sources.</p> <p>This work will follow from HP1: B (vii) but it is anticipated that specialist advice/support will be required to complete this work stream for which funding will need to be released.</p>	
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	<p>Switch to Clean Renewable Energy</p> <p><i>Identify steps required to switch progressively to clean renewable energy sources, thus reducing Guernsey's carbon footprint.</i></p> <p>[Energy Policy Group]</p>	<p>HP3: A (i) –Support micro generation through planning policy and building regulations See HP1: B (vi); and HP2: A (v), above</p> <p>HP3: A (ii) – Further develop public transport and encourage low emission transport options See HP1: B (x); and HP1: B (xi) above</p> <p>HP3: A (iv) – Research practical initiatives and examine approaches to energy policy by other island communities. Ongoing</p> <p>HP3: A (vi) – Research reforestation schemes including funding mechanisms. Reputable reforestation schemes are well documented. The issue of funding reforestation as a carbon offsetting means is linked to the Treasury and Resources Departments work stream on carbon tax and hypothecation.</p> <p>HP3: A (vii) - Establish Guernsey Renewable Energy Commission The Shadow Renewable Energy Commission is now established under the auspices of the Commerce and Employment Department. Once the relevant legislation is in place the official Commission will be formed, which will be responsible for progressing the creation of local macro renewable electricity generation through licensing and promotion.</p>
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Priority 11: Investigate the impact of climate change			
Level 1	Level 2	Level 3	Level 3 Update
<p>To investigate the potential local impact of climate change on seawater levels, atmospheric temperature, wind precipitation, wind and extreme weather events.</p>	<p>Scenario Evaluations</p> <p><i>Identify and examine various climate change scenarios and projections on the rate and the extent of climate change over various timescales.</i></p> <p>[Environment Department]</p>	<p>A. Conduct a literature review on global warming drivers and climate change predictions and probabilities over specified timeframes.</p>	<p>Through Guernsey's association with the British Irish Council and the Environment Department's representation on the Environment sectorial working group, Guernsey is contributing to the UK Climate Impact Programme 2008 scenarios. These scenarios which will include probabilistic calculations were due to be released in Autumn 2008 but are being delayed in order to take due account of very recent developments and research in the climate change area.</p>
		<p>B. Identify (international) governmental policies on CO₂ (equivalents) stabilisation targets and pathways.</p>	<p>The States of Guernsey has noted the Energy Policy which reflects government policies and trends in relation to CO₂ (equivalents) targets.</p>
		<p>C. Determine and seek States endorsement of a "future carbon" scenario over defined timeframes, applying a CO₂ (equivalents) stabilisation target and pathway.</p>	<p>The UK CIP 2008 work referred to in A above will assist the states to consider and set its "carbon future".</p>
		<p>D. Assign "climate change probabilities" to the</p>	<p>The probabilities attached to carbon future scenarios are anticipated to be part of the UKCIP</p>

		“future carbon” scenario.	2008 work.
		E. Seek States endorsement of the “climate change probabilities”.	The States will be afforded an opportunity to debate the Climate Change scenarios and probabilities following publication of the UK CIP 2008 report.
		F. Review “climate change probabilities” in light of new and future data.	Ongoing
	Impact and Risk Assessment <i>Consider qualitative and quantitative potential environmental, social and economic impacts, resulting from climate change scenarios. Risk assess and prioritise the potential impacts on the Island’s infrastructure and the most probable climate change outcome.</i> [Environment]	A. Form a cross departmental working group to promulgate information exchange, and co-ordinate actions.	Many States departments are already starting to address climate change issues within their business plans and capital programmes. The formation of a cross departmental group would be most effective after the publication of the UKC CIP 2008 report. The remaining Level 3 workstreams under this priority are largely sequential and are best taken forward in the light of the UK CIP 2008 report.
		B. Applying the “climate change probabilities” scope and risk assess potential local impacts and using standard tools, assign non intervention and adaptation (intervention) costs to identified impacts providing a cost benefit	<i>Due to the sequential nature of this workstream (see Impact and Risk Assessment, A, above) it is best taken forward in the light of the UK CIP 2008 report.</i>

	Department]	<p>analysis in respect of:</p> <ul style="list-style-type: none"> • Key industrial sectors • Potential local environmental impacts • Potential social impacts • Potential health impacts • Potential local infrastructure impacts • Potential local coastal defence impacts. 	
<p>Planning and Adaptation</p> <p><i>Identify and evaluate the costs, timescales and benefits of likely potential adaptation strategies to the Island's infrastructure and the likely funding and implementation impact.</i></p>		<p>A. Through application of risk and cost benefit analysis, prioritise “climate change adaptation actions” over specified timeframes and seek States endorsement of priorities.</p>	<p><i>Due to the sequential nature of this workstream (see Impact and Risk Assessment, A, above) it is best taken forward in the light of the UK CIP 2008 report.</i></p>
		<p>B. Programme States approved “climate change adaptation actions” into the capital programme and departmental operational</p>	<p><i>Due to the sequential nature of this workstream (see Impact and Risk Assessment, A, above) it is best taken forward in the light of the UK CIP 2008 report.</i></p>

[Environment Department]	plans.	
	C. For Climate Change actions impacting on strategic land planning issues, prescribe strategic land use policies within the SLUP.	<i>Due to the sequential nature of this workstream (see Impact and Risk Assessment, A, above) it is best taken forward in the light of the UK CIP 2008 report.</i>
	D. Where necessary amend the policies of the Detailed Development Plans to address new or revised strategic land use policies.	<i>Due to the sequential nature of this workstream (see Impact and Risk Assessment, A, above) it is best taken forward in the light of the UK CIP 2008 report.</i>
	E. Applying standard project management tools in accordance with corporate procedures, generate detailed projects in respect of specified climate change adaptation actions.	<i>Due to the sequential nature of this workstream (see Impact and Risk Assessment, A, above) it is best taken forward in the light of the UK CIP 2008 report.</i>
	F. Seek States approval to commission adaptation projects.	<i>Due to the sequential nature of this workstream (see Impact and Risk Assessment, A, above) it is best taken forward in the light of the UK CIP 2008 report.</i>

Priority 12: Meet the needs of Guernsey citizens as public service clients more effectively through corporate working and streamlined delivery			
Level 1	Level 2	Level 3	Level 3 Update
<p>To rationalise the scope of public services and the manner in which they are delivered by putting the needs of the client in the forefront and ensuring that government departments work together with a strong corporate commitment to meet those needs in a streamlined and responsive way.</p>	<p>Responding to Client Needs</p> <p><i>Promote and stimulate an approach to communication throughout the States organisation which will require all States bodies to engage with their clients and to listen attentively to their views, so that service priorities and means of delivery respond directly to client needs.</i></p> <p>[Government Business Plan Team]</p>	<p>A. Develop an innovative strategy which improves the way that the States informs the public and particular client groups about the development of government policy and the delivery of public services.</p>	<p>Work has started and will develop further as part of the proposed Change Management Plan to be presented to the States in July 2009. The experience gained from pilot projects such as 'Guernsey Tomorrow' will demonstrate different approaches to involving a wide cross-section of people in the policy making process.</p> <p>Although a good start has been made it is acknowledged that much more work is needed on developing a strategy. In terms of progress a culture change is developing among some departments who are increasingly using questionnaires and other forms of communication to gain feedback from service users to inform their work. More effort is also being given to initial and ongoing consultation with customers as part of bringing a project to fruition, the development and establishment of the Guernsey Registry being a recent example.</p> <p>A staff website working party has also been set up to review the States website with the aim of making it more effective and customer focused. A number of user surveys have been carried to assess the clients' views before any changes are made. The group is currently assessing the content management system</p>

			and whether a complete overhaul of the site is required in order to meet customer needs. It should be noted that any significant change to the website will need staff resources and money to ensure successful implementation.
	B. Demonstrate that the States actively listens and responds to the views expressed by the users of public services in determining how these services might be delivered.	See A above.	
	C. Utilise departmental formal complaints processes to collate information which will identify trends in client satisfaction levels and will identify suggestions which could lead to a more streamlined and responsive delivery of public services.	The Scrutiny Committee published a monitoring report on complaints policies and appeals procedures update in November 2007. Complaints systems are in place across departments to varying degrees but a monitoring system has yet to be considered in order to identify trends in client satisfaction. It is acknowledged that this project has not been given a high priority given current resources.	
	Co-ordinating and Improving Service	A. Identify and apply effective encouragement and incentives to assist	A first round of environmental, social policy and economic 'workshop' style meetings were held in the autumn which brought all States Members and

	<p>Delivery</p> <p><i>Develop a stronger commitment amongst States bodies to work together across organisational boundaries to deliver public services more effectively and achieve corporate objectives more determinedly.</i></p> <p>[Government Business Plan Team]</p>	<p>co-ordinated working between States bodies through the process of the Government Business Plan.</p> <p>B. Actively intervene to resolve conflicts, remove obstacles and identify gaps in responsibilities in order to make corporate working more productive and more consistent.</p> <p>C. Establish a data sharing culture within government to provide corporate information and statistics which will, in particular, inform housing, population, migration and economic strategies. This to be coordinated through a corporate information working group which will also take</p>	<p>key senior staff to work together towards the development of new strategic plans. A series of further workshops are due to take place in April 2009 to continue the process of co-ordinated working.</p> <p>The appointment of a Deputy Chief Executive to focus on the inward facing working of the Policy Council and the operation of States Departments and Committees has made significant inroads into identifying gaps in responsibilities and introducing a more corporate form of working. A number of major work streams are underway including the development of the public sector which is referred to in Priority 13. The Chief Officer Group is also being used as a vehicle for better corporate working.</p> <ul style="list-style-type: none"> • The recent appointment of a Housing Research Officer to concentrate on improving corporate housing data will assist progress with developing core monitoring statistics in this important area. • The Social Security Department is also making progress in developing population related data. • The recent appointment of an assistant economist will improve data gathering and analysis to inform the new Fiscal and Economic Plan. As part of this process it is envisaged that corporate economics data will be reported
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		responsibility for Sustainable Guernsey and for producing a Government Business Plan monitoring report.	<p>regularly. Preparatory work has begun to identify the terms and references for improving sharing and security. It should be noted however that the work on data sharing and data security has significant resource implications.</p> <ul style="list-style-type: none"> • The Data Protection Commissioner has produced a report on data sharing and data security. As part of his recommendations it is currently envisaged that a department will carry out a pilot project to address several of the issues addressed in the report.
		<p>D. Establish methods to monitor and measure both the effectiveness of the Government Business Plan approach to corporate working in the delivery of public services and the appropriateness of key performance indicators and timescales which will be introduced in future plans.</p>	<p>A system for progress reporting on the GBP was noted by the States in March 2008. This will be reviewed and an appropriate system will be actioned following States approval of the new Strategic Plans in July 2009.</p>
		<p>E. Advise the States, from a strategic perspective, whether the overall allocation of resources</p>	<p>The related strategic plans and resource strategies that form part of the 5 phase approach to Government Business Planning are intended to enable the States to direct resources towards agreed</p>

		across the States organisation appears to support the successful delivery of the Government Business Plan.	priorities. This will be supported by capital prioritisation and the Fundamental Spending Reviews.
<p>Strengthening Accountability</p> <p><i>Utilise scrutiny processes and budgetary discipline to ensure that the Policy Council, States Departments and Committees are held accountable for the successful implementation of the Government Business Plan.</i></p> <p>[Scrutiny Committee/Public Accounts Committee]</p>	<p>A. Ensure that there is consistency between overall government objectives and the way in which services are delivered to the client, identifying any shortfalls.</p>	<p>The Scrutiny Committee challenges various aspects of government policies and how these are implemented in service delivery through a programme of reviews, questioning or monitoring. Current examples of this work include investigating the causes and effects of vandalism, which checks the delivery of GBP Priority 7 and the stated Level 3 objective of the Home Department to combat volume crime. A further example is the Committee’s active monitoring of the progress of the Policy Council’s Population Policy Group in the implementation of Priority 5.</p> <p>When carrying out its value for money reviews the Public Accounts Committee (PAC) ensures that service delivery is consistent with government objectives. In all of its reviews it will identify shortfalls and make recommendations in order to improve the way that services are delivered in a cost effective and efficient manner.</p> <p>The PAC investigated whether the States of Guernsey was adequately safeguarding its heritage</p>	<p>The Scrutiny Committee challenges various aspects of government policies and how these are implemented in service delivery through a programme of reviews, questioning or monitoring. Current examples of this work include investigating the causes and effects of vandalism, which checks the delivery of GBP Priority 7 and the stated Level 3 objective of the Home Department to combat volume crime. A further example is the Committee’s active monitoring of the progress of the Policy Council’s Population Policy Group in the implementation of Priority 5.</p> <p>When carrying out its value for money reviews the Public Accounts Committee (PAC) ensures that service delivery is consistent with government objectives. In all of its reviews it will identify shortfalls and make recommendations in order to improve the way that services are delivered in a cost effective and efficient manner.</p> <p>The PAC investigated whether the States of Guernsey was adequately safeguarding its heritage</p>

		<p>assets (January 2009) against the background of Cultural Heritage being part of GBP Priority 1, level 2. In its value for money report on Guernsey Water (October 2007), the PAC identified that this important commodity did not feature in the Government Business Plan. In respect of the Implementation of the Guernsey Integrated Social Security System (March 2008), part of Priority 4, the PAC identified that a combined computer system had not been adequately considered against the plans within the GBP.</p>
	<p>B. Ensure that value for public money is consistently obtained.</p>	<p>During the period from July 2007 to February 2009, the Public Accounts Committee has completed six reviews to ensure that value for public money is obtained. These reviews were:</p> <ul style="list-style-type: none"> • Review into Guernsey Water • Controlling Expenditure on Off-Island Placements • Using Consultants Appropriately in the States of Guernsey • Implementation of the Guernsey Integrated Social Security System • Housing Associations in Guernsey • Safeguarding Guernsey's Heritage Assets. <p>The six commissioned reviews covered £53million of expended public money, with 85</p>

			<p>recommendations being made in order to improve processes and achieve better value for public money.</p> <p>In addition the Committee reported on the progress made on the recommendations from the Clinical Block Contract in December 2007.</p>
		<p>C. Continually evaluate the effectiveness of service delivery, so that pressure to improve performance is maintained.</p>	<p>Since May 2008 the Scrutiny Committee has challenged the service delivery of Departments where specific areas of concern have arisen e.g. the Public Services Department (sewage flooding incident, air and sea links, and public engagement) and the Commerce and Employment Department (air and sea links, milk distribution).</p> <p>Pressure for continual improvement is also maintained through the Committee's monitoring of Scrutiny recommendations to check and report on progress made. For example, "The Milk Monitor" report published in October 2008 following up on the Committee's "Milk Distribution Proposals" Review.</p> <p>The role of the Public Accounts Committee is to ensure that service delivery is efficient, effective and economic. Each of its reviews will make recommendations to improve the management of performance. Some examples:</p> <ul style="list-style-type: none"> • Although there was confirmation that Guernsey Water was providing value for money, there are

			<p>opportunities to provide better value for money by measuring performance against other providers and increase regulation.</p> <ul style="list-style-type: none">• When revisiting the review on Off Island Placements, it was found that many recommendations made in 2005 had not been implemented and the opportunity to improve performance had not been taken as quickly as the PAC would recommend.• Clear proposals were made to improve the way that consultants are used within the States of Guernsey, including the way they are appointed, used and evaluated as well as corporate guidance on data entry and tendering.• Reporting on the performance of the implementation of the Guernsey Integrated Social Security System computer project indicated that it was late, over budget, incomplete and had not been evaluated. This review should lead to improvement in the management of ICT projects in the future. <p>The experience of the public private partnerships entered into with Housing Associations will help the States of Guernsey in future as it potentially embarks on similar funding mechanisms.</p>
States Corporate	A. Monitor the effectiveness or	1. CHP - The CHP has achieved considerable success in managing the housing situation and	

	<p>Programmes</p> <p><i>Assist the successful implementation of the Corporate Housing Programme and Corporate Anti-Poverty Programme through the Government Business Planning process.</i></p> <p>[Government Business Plan Team]</p>	<p>shortcomings of changing the approach to implementing the Corporate Programmes.</p> <p>B. Take steps to modify the GBP process should the changes prove less effective than intended.</p>	<p>improving the availability of housing for all. As it becomes part of the broader policy framework - the Social Policy Plan - the effectiveness of the CHP will be monitored to ensure that this success is maintained.</p> <p>2. For CAPP please refer to Priority 4.</p> <p>See point 1 above.</p>
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Priority 13: Create a forward-looking culture amongst all public sector staff			
Level 1	Level 2	Level 3	Level 3 Update
<p>To adopt policies which revitalise public sector working practices which focus on efficiency, quality and innovation. This will include policies which enhance the general working of the public sector, aid recruitment, endorse best practice and help develop staff.</p>	<p>Working Practices and Service Delivery</p> <p><i>Promote integrated, streamlined work practices which are results focused to improve customer service. Enhance service delivery through developing a public sector that is provided with necessary skills, has delegated authority and is encouraged to be innovative in providing services.</i></p> <p>[Government Business Plan Team]</p>	<p>A. Establish innovative ways to provide services in an efficient and cost-effective manner, embracing technology where possible.</p>	<p>Developing our Public Sector initiative is a vehicle for culture change to address revitalising public sector working practices. Its core principles are: meeting agreed customer expectations; continuous employee involvement and reducing non-value added activity.</p> <p>The initiative was rolled out across a wide spectrum of States Departments over the course of 2008 and by early 2009 will have covered 1500 staff. It is important to note that it is an improvement process and not a programme or project. It is designed to continually challenge how we do things.</p>
		<p>B. Become more customer focused by creating an adaptable and flexible workforce which puts the customer first.</p>	<p>See A above.</p>
		<p>C. Become outcome focused by following due process but not being process driven.</p>	<p>See A above.</p>

		D. Encourage improved service delivery by empowering staff at lower levels through delegation.	See A above.
		E. Encourage greater cross-departmental working to make better use of staff skill-sets.	See A above.
	Staff Development and Performance <i>Create a culture of active career development and performance management in the public sector which encourages and rewards excellence.</i> [Government Business Plan Team]	A. Introduce professional career communities within the Civil Service (e.g. Finance, Human Resources, Property Management) and establish dynamic career management/development structures with clear progression criteria.	The appointment of a new Director of Human Resources and Organisational Development to provide effective leadership, direction and management of a modern and customer focused HR service for all States employees is expected to be made early 2009. This is a refocused role with the accent on change management. Part of the role will be to review and develop employment related recommendations arising from the Robinson report and to play a lead role in developing the public sector ensuring it is highly motivated, adaptable and effective.
		B. Promote professional qualifications and develop management skills within staff.	See A above.
		C. Introduce and set criteria to reward good performance.	See A above

		D. Promote the development of a positive and supportive working environment for staff at all levels.	See A above
Employment Practices <i>Develop employment practices which support the recruitment of quality candidates and ensure that conditions applied to staff whilst in service are in line with best public sector practice.</i> [Public Sector Remuneration Committee]	A. Establish more flexible recruitment/selection criteria for the initial appointment and subsequent progression of staff.	This area of work currently crosses the mandates of the Public Sector Remuneration Committee in relation to establishing pay and conditions and the Human Resources Unit of the Policy Council. The Robinson review challenges the delivery of such an objective under such a mandate. A programme of work to address these issues will be developed in 2009.	
	B. Develop performance management processes which facilitate the departure of staff from the Service should their skills and motivation not meet the standards and requirements of the Service.	See A above.	
	A. Promote the image of the Civil Service as a professional organisation by establishing career-based communities.	See Priority 13, Level 2, ‘Working Practices and Service Delivery’ & ‘Staff Development and Performance’.	
	Identity <i>Define the identity and enhance the image of the Civil Service to promote the organisation as an</i>		

	<i>employer of choice.</i> [Government Business Plan Team]	B. Promote the Civil Service as a cohesive and integrated organisation and increase the public's awareness of the achievements and professionalism of employees.	See Priority 13, Level 2, 'Working Practices and Service Delivery' & 'Staff Development and Performance.' .
		C. Develop new recruitment initiatives to attract quality candidates into the Civil Service.	See Priority 13, Level 2, 'Working Practices and Service Delivery' & 'Staff Development and Performance.' .

Priority 14: Actively prioritise legislation	
Level 1	Update
<p>(1) To accelerate the drafting and enactment of the legislation as set out in the following, prioritised schedule.</p>	<p>(1) The Legislation Select Committee and HM Procureur have met to discuss the development of a more effective process for the States' legislative programme. During the last States assembly, it was envisaged that this might include the establishment of a working group with very senior representation from the Law Officers, the Policy Council and the Legislation Select Committee to keep the programme under continual review. At the time of writing, it is expected that a further meeting will take place in early 2009 to examine this possibility and other potential solutions.</p>
<p>(2) To bring forward reports, within this States term, that may lead to the drafting of new legislation.</p>	<p>(2) It was agreed at the States debate in September 2007 that £50K would be allocated to the Social Policy Group to bring forward a report on the enactment of legislation to allow the UN Convention on the Elimination of all forms of Discrimination against Women (CEDAW) to be extended to Guernsey. In working towards this report, initially, States Departments have been asked by the Social Policy Group to outline any areas of their legislation, policy and practice that may discriminate against women. Further investigations will be carried out in 2009 on specific areas of work that are essential for CEDAW ratification. These include looking into the introduction of legislation regarding the right for 'Equal pay for Work of Equal Value', Maternity Leave and Pay Legislation, and protection from discrimination in the field of education and goods, facilities and services.</p>

Priority 15: Protect and Enhance the Environment, Biodiversity and the Countryside			
Level 1	Level 2	Level 3	Level 3 Update
<p>To ensure the protection and enhancement of the environment and of the richness and variety of wildlife and habitat that comprise the islands biodiversity including the wider countryside, natural landscapes and the coastal and marine environment.</p>	<p>Protection through Promotion</p> <p>To promote and implement actions and initiatives to ensure the protection and enhancement of the environment and the islands biodiversity.</p>	<p>A. To promote good management practice on both public and private land, including through education and information dissemination of the principles, policies and regulations.</p>	<p>The Environment Plan being prepared by the Environment sub group of the Policy Council contains policies and key objectives (the strategy) in relation to land management. The Environment Plan – if approved by the States- will be supported by action plans reviewed on a regular basis. Those action plans will constitute the practical steps to deliver the strategy</p>
		<p>B. To identify species and habitats under threat through ongoing monitoring of species and habitats by the biological records centre and promotion of the findings.</p>	<p>See A above</p>
		<p>C. Through habitat survey to compare habitat change and identify trends, threats and opportunities and to promote the findings.</p>	<p>See A above</p>

	<p>Protection through Policy</p> <p>To review and develop policies to ensure the protection and enhancement of the environment and the islands biodiversity.</p>	<p>A. To introduce Coastal and Countryside strategies that support Guernsey's agricultural and horticultural and fishing industries whilst protecting the environment and biodiversity.</p> <p>B. In respect of land under States administration to require controlling departments to ensure land is managed in accordance with habitat protection and enhancement protocols</p> <p>C. Through the drafting of habitat management plans to prescribe management actions which provide for the day to day sustainable management of habitats and the species they accommodate.</p>	<p>The Environment Plan being prepared by the Environment sub group of the Policy Council contains policies and key objectives (the strategy) in relation to coastal and countryside protection. The Environment Plan – if approved by the States- will be supported by action plans reviewed on a regular basis. Those action plans will constitute the practical steps to deliver the strategy.</p> <p>See A above</p> <p>See A above</p>
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		D. Through policy embrace the principles of the Biodiversity Convention	See A above
	Protection through Regulation To review and develop legislative provisions to ensure the protection and enhancement of the environment and the islands biodiversity.	A. To bring into force and implement the Land Planning and Development Law with its enhanced powers for environmental protection	Completed. The commencement date has been approved as 6 April 2009.
		B. To introduce and implement the Ordinances relating to Environmental Impact Assessment and Special Controls (sites of Special Significance and Tree Protection Orders).	See A above
		C. Through a legislative and policy stock take, identify any additional environment and biodiversity protection provisions that may be deemed necessary.	Such reviews would be conducted on a regular basis as part and parcel of the review of the action plans attached to the Environment Plan.

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

The States are asked to decide:-

VIII.- Whether, after consideration of the Report dated 19th January, 2009, of the Policy Council, they are of the opinion:-

1. To approve the further development of the Government Business Plan as described in that Report including, in particular, the formulation of draft strategic plans for consideration at the July 2009 States meeting and the preparation of an 'over-arching' report by the Policy Council to accompany the draft strategic plans.
2. That the development of the strategic plans and island resource utilisation strategies supersedes the fifteen States Priority Action Plans.
3. To approve the 'consistent elements' to be included in each strategic plan to ensure that the plans relate to each other and fulfil the objectives of the government business planning process.
4. To approve the proposed arrangements for the July 2009 States debate on the Government Business Plan including the additional dates commencing on 15th July.
5. To direct all States Departments and non-parliamentary Committees to update their Operational Plan summaries for submission to the States in September 2009 as an appendix to a forthcoming Billet D'État.

COMMERCE AND EMPLOYMENT DEPARTMENT

THE APPOINTMENT OF AN EMPLOYMENT AND DISCRIMINATION TRIBUNAL PANEL, AND THE DESIGNATION OF THE CONVENOR AND DEPUTY CONVENOR, AS REQUIRED UNDER THE EMPLOYMENT AND DISCRIMINATION TRIBUNAL (GUERNSEY) ORDINANCE, 2005.

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

18th December 2008

Dear Sir

1. Executive Summary

- 1.1 Section 1. of The Employment and Discrimination Tribunal (Guernsey) Ordinance, 2005 requires the States, on the recommendation of the Commerce and Employment Department, to draw up and maintain The Employment and Discrimination Panel. The Panel is appointed for a 3 year period.
- 1.2 The Law requires that the panel must consist of such number of persons as in the opinion of the States, is necessary for the purpose of hearing and determining complaints under the provisions of the relevant enactments (Covering Unfair Dismissal and Sex Discrimination in employment and Minimum Wage complaints when the Law comes into force, probably during 2009).
- 1.3 The Law also requires the States to designate one member of the panel as Convenor and another as Deputy Convenor, for the purposes of constituting the Tribunal and nominating one member as the Chair.

2. The Selection Process

- 2.1 To ensure the States maintain a credible and appropriately skilled Panel, the Commerce and Employment Department conducted an extensive local advertising and recruitment campaign to identify suitable candidates with the skills, knowledge, and experience to fulfil the role. 19 people submitted applications and 12 were shortlisted, on the basis of previously agreed objective criteria. Those shortlisted then took part in an independent assessment at an Assessment Centre run by trained staff from the UK Advisory, Conciliation and

Arbitration Service (ACAS). This further reduced the shortlist of 12 candidates to 5 who demonstrated the appropriate skills and competencies for appointment.

- 2.2 The Department considers that a panel of between 12 and 18 would be sufficient to administer the Tribunal process. 11 of the previous panel are willing to be reappointed, although one will be retiring during the next 3 year period of appointment. The Department is recommending the reappointment of the 11 existing panel members and the appointment of 5 new members for approval by the States.

3. The recommended panel members

- 3.1 The names of the 16 candidates along with a brief career history and a short resume of their relevant knowledge and experience is included at Appendix I of this report. Appointment of the Panel Members will be for a 3 year period effective from the 1st March 2009.

4. Appointment of Convenor and Deputy Convenor

- 4.1 It is also a requirement under The Employment & Discrimination Tribunal (Guernsey) Ordinance, 2005, that the States designate one panel member as Convenor and another as Deputy Convenor for the purpose of constituting each Tribunal. Mr Peter Woodward (the current Convenor) would wish to continue in the role and the Department would support his reappointment. Mrs Tina Le Poidevin (a current panel member) is proposed and supported by the Department for appointment as Deputy Convenor.

5. Recommendations

- 5.1 In accordance with the requirements of the Law, the Department recommends the States:
- (a) appoint the 16 people named in Appendix I of this report as members of the Employment and Discrimination Panel, to take effect from 1st March 2009 for a period of 3 years;
 - (b) designate Mr Peter Woodward as Convenor and Mrs Tina Le Poidevin as Deputy Convenor.

Yours faithfully

C S McNulty Bauer
Minister

APPENDIX I

EMPLOYMENT & DISCRIMINATION TRIBUNAL PANEL

Summary of the Career History of Candidates Proposed for Reappointment

Ms Alison J T Anderson

For the past 12 years Ms Anderson has been employed by Specsavers Optical Group, (SOG), as a Manager within the Legal Department. She is responsible for all aspects of employment law covering the Group interests in the UK, Republic of Ireland and Guernsey, including the writing and production of all of the Group's UK employment law material. In addition to advising on and formulating policy and procedures, the role also includes advising on in-house issues and dealing with joint venture partner grievances and disciplinary action. Ms Anderson is also involved as Health & Safety Manager for SOG. Prior to working for Specsavers, Ms Anderson served eight years in the Royal Air Force. Tours of duty included Officer Commanding HR, Accounts, Facilities Management and Project Management respectively. She is also an Associate member of the Chartered Institute of Personnel and Development and has been a member of the Employment and Discrimination Panel for the last three years.

Mr Roger J Brookfield

Prior to his retirement, Mr Brookfield was Fire Safety Manager with the Guernsey Fire & Rescue Service. Throughout his 31 year career, Mr Brookfield has had first-hand experience of managing staff and working closely in a team environment. His training and subsequent Fire Service examinations require a good working knowledge of sex and race discrimination and the Fire Service disciplinary regulations. In recent years his experience extended to dealing with routine staffing matters and in the application of Guernsey's Fire Laws. He is an experienced Fire Service Instructor with responsibility for overseeing both practical and theory examinations. He is a graduate of the Institution of Fire Engineers and currently works as a part-time Fire Consultant. He has been a member of the Employment and Discrimination Panel for the last three years.

Mr John S Guilbert

Mr Guilbert is the retired Transport & General Workers' Union full time Regional Industrial Organiser for Guernsey, a position he held for 25 years. He is Chair of the Sunday Trading Appeals Tribunal, a member of the Housing Appeals Tribunal and a past Chairman of the Public Assistance Appeals Tribunal. As an experienced full-time Trade Union Official, he has dealt with work related problems including grievances and representing staff at disciplinary and unfair dismissal hearings. He is also experienced in

representing union members in pay & conditions disputes at tribunal or arbitration hearings. Mr Guilbert also has experience in pay & conditions negotiations with a variety of companies and organisations in both the private and public sector in Guernsey. He has also held a number of public appointments, including membership of the States Housing Authority, the States Insurance Authority, and the Equal Pay Investigation Committee. He was also a Member of the Harwood Committee on the review of the Machinery of Government and the States Members' Remuneration Working Party, and a member and Deputy Convenor of the Employment and Discrimination Panel for the last three years.

Ms Carol Harvey

Ms Harvey has a wide range of experience in the industrial relations field and in personnel management in the public and private sector. Having worked for four years as an executive officer with Housing and Education, she then worked as an Industrial Relations Officer with the Board of Industry, which included working on the Employment Protection Law 1998 (unfair dismissal), the recruitment of the original Adjudication Panel and the early stages of the Sex Discrimination Law. As an ACAS trained Conciliation Officer she gained experience in dealing with collective conciliation in pay and conditions disputes. Ms Harvey then moved to the private sector in a personnel role with Marks & Spencer and Investec Bank (CI) Ltd. In more recent times she has worked as an independent consultant providing advice, guidance and training for a wide range of employer organisations in Guernsey, Jersey, Ireland and the Isle of Man. Ms Harvey is currently employed as HR Director at the Medical Specialist Group in Guernsey. She is a member of the Jersey Employment Tribunal Panel and has been a member of the Guernsey Employment and Discrimination Panel for the last three years.

Mrs Caroline Latham

Mrs Latham is a Chartered Surveyor who has spent most of her career advising on human resources, training and education within the real estate and construction industry. As well as practising as a Chartered Surveyor, she is involved in two main areas of work. Her training consultancy practice provides advice and delivers services to clients in many parts of the world and she is also a Director of a local firm of Chartered Surveyors. Prior to this she was European Director for human resources with Jones Lang Lasalle (formerly Jones Lang Wootton), with responsibility for strategy and implementation of the Human Resource policy for 1500 European staff. The earlier part of her career was in the Civil Service with her last position being as Principal in the Civil Service Commission, where she was responsible for recruitment and selection of senior staff and sat as Chair on Civil Service Recruitment Boards. Mrs Latham has experience in working with all aspects of employment law ranging from contracts of employment, discipline, redundancy, transfer of undertakings and equal opportunities. Her experience also extends to introducing competency-based assessment for admission to membership of the Royal Institution of Chartered Surveyors and she has been a

member of the Employment and Discrimination Panel for the last three years. She is also Vice Chairman of the TRP Appeals Panel.

Mrs Tina J Le Poidevin

Mrs Le Poidevin is currently employed as Head of Human Resources & Development with a local law firm, Ozannes. She has an extensive career history spanning some 20 years in personnel, office management and training. Her experience has been gained with law firms, the finance industry and in retail. She is a Fellow of the Chartered Institute of Personnel and Development. As HR Director, Mrs Le Poidevin has a wide range of experience in dealing with all aspects of personnel and human resources, including discipline & grievances, recruitment and selection and career development. She has been a member of the Employment and Discrimination Panel for the last three years.

Ms Helen Martin

Mrs Martin initially trained and worked as a teacher before taking up the role of associate lecturer in Communication Skills, Health Education and Psychology at the Guernsey College of Further Education. In 1994 Mrs Martin moved into the finance industry and since 1996 has been Human Resources Director at Credit Suisse where she is also a member of the Executive Board. She is a trustee of the Millennium Foundation (Charitable Trust) and has studied Employment Related Legislation to a high level. She holds a Masters Degree in Professional Studies and is a Chartered Fellow of the Institute of Personnel & Development (CIPD). Her current employment requires taking responsibility for the implementation and maintenance of human resource standards and control, which involves advising senior management on all aspects of employment Law and best practice in employment. She has also been a member of the Employment and Discrimination Panel for the last three years.

Ms Georgette Scott

Ms Scott is currently working as an independent HR Consultant but, until 2007, worked as Director of Human Resources, Channel Islands and Isle of Man for the local telecom operator, Cable and Wireless, and, prior to that as Head of Human Resources with local law firms. A graduate, her experience began in retail management and as Regional Training Co-ordinator with retail outlet Benetton. She subsequently gained experience in both the public and private sector having worked in Education, the Post Office and the (former) Board of Health. Whilst at the Board of Health Ms Scott worked within the Personnel Department where, over a period of nine years, she developed her expertise in employee relations. Since 1996 Ms Scott has worked as Head of Human Resources for Credit Suisse Trust and the GFSC. She is a member of the Chartered Institute of Personnel and Development and was also an Associate Lecturer at the College of Further Education for the Certificate of Personnel Practice for five years. She

has been a member of the Employment and Discrimination Panel for the last three years.

Ms Kathy Tracey

Ms Tracey is a qualified Social Worker; however, since 1999 she has been the Managing Director of The Learning Company, which she established. She has gained an extensive working knowledge of equal opportunities, diversity, staff management, business strategy, marketing and finance, and employment issues through providing training courses for both the public and private sector. As an employer, she has responsibility for recruiting, selecting and employing contract and permanent staff. She is a Chartered Fellow of the CIPD (Chartered Institute of Personnel and Development) and was a member of the Guernsey Ladies Atlantic Rowing Team project. She has been a member of the Employment and Discrimination Panel for the last three years.

Mr Andrew Vernon

Mr Vernon was a bus company executive during a career in public transport of over 30 years. He moved to Guernsey on his early retirement following the sale of his Company. As Commercial Director he was responsible for all aspects of route planning, fares, trade union pay & conditions negotiations, pension schemes and budgeting. He was an Associate of the Institute of Logistics & Transport with a wide range of experience in employment issues, ranging from recruitment of staff to dealing with disciplinary matters from the initial investigations through to the appeals process. He has also represented the employer in Employment Tribunals and in dispute resolution processes, often with ACAS involvement. In addition he negotiated terms and conditions of employment with both local and paid Trade Union Officials. He has also been a member of the Employment and Discrimination Panel for the last three years.

Mr Peter Woodward

Mr Woodward is an independent management consultant, providing training, support, and consultancy, in the fields of management and human resources in Guernsey, Jersey, the Isle of Man and France. His previous employment with Texas Instruments and Intel Corporation provided experience in personnel, training and development and human resources in Europe, Africa, the Middle East and Eire. Mr Woodward has experience in representing his former employers at Employment Tribunals. He is currently a member of the Jersey Employment Tribunal Panel and is a Fellow of the Chartered Institute of Personnel and Development. He has also been a member and Convenor of the Guernsey Employment and Discrimination Panel for the last three years.

Summary of the Career History of Proposed New Candidates

Mrs Paula M Brierley

Mrs Brierley has been employed for the past 16 years as Head of Human Resources, HSBC Securities Services (Guernsey) Limited (formerly Bank of Bermuda (Guernsey) Ltd), where she has been responsible for all areas of HR. She has gained wide experience in this role in dealing with employee relations issues from informal discussions to full formal disciplinary and grievance procedures. When the Bank of Bermuda (Guernsey) Ltd was bought by HSBC Mrs Brierley was responsible for the smooth integration of the Guernsey and Jersey locations from an HR perspective. This involved supporting the various business lines to ensure fair and effective employee integration and overcoming resistance to change. Mrs Brierley has studied for an MA in Strategic and HR Management with the University of East London and is currently studying for a Diploma in Company Direction through the Institute of Directors.

Mr Richard P Hamilton

Mr Hamilton has over 13 years experience working in large businesses in Guernsey including Guernsey Telecoms, Cable and Wireless and Specsavers. Within these companies he has gained valuable knowledge in a number of diverse areas including IT, project management, and HR. His most recent role was that of Consumer Sales Manager for C & W, having previously been Head of HR at Specsavers, a position which he held for three years from 2005. He was Chairman of Connect, the union for five years, representing employees of Cable and Wireless Guernsey, and has been involved in numerous grievance and disciplinary cases. Whilst at Cable and Wireless he led a team of facilitators to develop and implement a business improvement process for all staff. He has an Institute of Management Certificate in Management.

Mr Norson B Harris

Mr Harris has a law degree through Holborn College and the University of Wolverhampton and qualified as a barrister through BPP Law School, Lincoln's Inn in 2007. He was a senior manager in the local finance industry before accepting a number of executive and non-executive board appointments. He has acted as an international private trustee for nearly 20 years and has represented both corporate and private clients in complex commercial and family matters on an international scale. In 1999, he founded The Kensington Group of Companies (including wealth management) and was Managing Director until the companies were sold in 2007. As Managing Director of these companies he was responsible for recruitment and training and has been involved in salary negotiations, pay reviews, staff appraisals and disciplinary and grievance procedures. His professional qualifications include Membership of The Society of Trust and Estate Practitioners, Associate of The Chartered Institute of Bankers, and Fellow of the Securities and Investment Institute.

Mr Harris has also been a member of the Guernsey Transport Users Committee, the Finance Industry Policy and Advisory Group (FIPAG) and sat as a member of the committee that devised and instigated the Government sponsored agency known as Guernsey Finance.

Mr George C S Jennings

Mr Jennings is the Branch Secretary of the Communication Workers Union at Guernsey Post, a position he has held for 19 years. He represents over 200 postmen and women and, as a result, has been involved in a wide range of negotiations and discussions with management. Mr Jennings has been a member of the Employees' Panel set up under the Industrial Disputes and Conditions of Employment (Guernsey) Law, 1993 for the past two years and in June of this year sat as a panel member to hear the dispute in respect of The Generation Engineers and the Control Room Operators, (represented by Prospect Union and Unite the Union) v Guernsey Electricity. He gained a BSc (Hons) in Labour Studies in 2006 through Southampton University.

Miss Katie J Vidamour

Miss Vidamour has gained seven years experience in the Human Resources field since leaving the Grammar School in 2001, six of which were spent working for Kleinwort Benson (Guernsey) Services Limited, where she became involved in a wide range of issues from renewing contracts to disciplinary and grievance procedures. In September 2007, she set up Focus HR Solutions Ltd, with a view to providing small businesses with human resources strategies and solutions. Miss Vidamour is a Chartered Member of the Chartered Institute of Personnel and Development and has gained the Certificate in Personnel Practice. She has also studied for a Post Graduate Certificate in Professional Management and a Post Graduate Diploma in Personnel Management through the University of Portsmouth.

December 2008

(NB The Policy Council has no comment on the proposals.)

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

The States are asked to decide:-

IX.- Whether, after consideration of the Report dated 18th December, 2008, of the Commerce and Employment Department, they are of the opinion:-

1. To appoint the 16 people named in Appendix I of that Report as members of the Employment and Discrimination Panel, to take effect from 1st March 2009 for a period of 3 years.
2. To designate Mr Peter Woodward as Convenor and Mrs Tina Le Poidevin as Deputy Convenor.

ENVIRONMENT DEPARTMENT**PAID PARKING**

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

9th January 2009

Dear Sir

Executive Summary

In the course of the States debate on the Environment Department's Road Transport Strategy in March 2006, Deputy Peter Roffey was successful in putting forward an amendment to introduce paid parking in selected areas of St Peter Port as the principal means for funding the said Strategy.

In March 2007 the Environment Department reported back to the States on the means by which paid parking, as set out in Deputy Roffey's amendment, might be extended to other locations. The States voted not to note that report.

This report sets out the actions carried out in the intervening period and explains why the Environment Department believes it appropriate for this matter to receive further consideration by the States. The Department is concerned that the decision to make paid parking a central source of funding for the Road Transport Strategy was taken without the States being fully informed of the costs and implications. This report provides Members with an opportunity to further consider the matter in the light of the extensive research that has been undertaken to determine detailed costs and other implications.

The report explains that:

- No time has been lost as the required legislation awaits Royal Assent.
- The methods available for the collection of paid parking dues, in accordance with the States resolution, are not the most cost efficient means of contributing to the funding of the strategy.
- The original resolution of the States envisaged a charge of 15 pence per hour to be levied on parking at specific sites. The net income from the hourly charging proposal will be such that, in order to raise the required sums to fund the transport strategy, paid parking would need to extend to include Saturdays.

- Providing parking facilities including signage presents an ongoing cost that should be met by those using the facility rather than through general taxation.
- Delivering a transport strategy for the benefit of the whole Island requires funding from a number of sources and those choosing to drive their private vehicles and park in public facilities can reasonably be expected to contribute to the funding.
- A funding system is required that is equitable or as near equitable as is reasonable to achieve and the approved proposals for paid parking fail to meet that requirement.
- The Environment Department is hamstrung in its attempts to deliver important elements of the Road Transport Strategy, particularly those that favour vulnerable road users, through the lack of a much needed funding source.

As a consequence of the above the Department sees merit in raising funds from parking charges as a means of meeting the ongoing costs of maintaining parking facilities and as a contributor to the future financing of the Road Transport Strategy. However, the Department does not support hourly paid parking charges but does support the introduction of an annual recurring parking charge, payable through the purchase of a dedicated parking disc, the colour and style of which will change annually.

1. Background

1.1 In the course of the States debate on the Environment Department's Road Transport Strategy in March 2006, the States resolved, on an amendment proposed by Deputy Peter Roffey:

20. (1) To progress their Resolutions XXI.5, XXI.6 and XXI.7 on Billet d'État No. IV of 2003 in respect of the introduction of pay parking.
- (2) To agree that a charge shall be imposed for parking in the long-stay parking places at the Odeon, Salerie and North Beach car parks, and in such other on-street long-stay parking places in St Peter Port as shall be identified by Ordinance and to agree that that charge shall initially be set at 15p. per hour.
- (3) To direct the Environment Department to cause an Ordinance to be placed before the States as soon as possible, to establish that charge, identify those other on-street, long-stay parking places in St Peter Port, and specify the modalities for collecting and enforcing payment of that charge.
- (4) To direct the Environment Department to report to the States within 12 months on the desirability and practicality of extending paid parking to other locations.

- 1.2 In order to implement these resolutions the Environment Department first had to determine how to introduce paid parking within the Island in accordance with 20. (3). This process took some considerable time, especially in view of the need to ascertain the most appropriate means for collecting parking dues which would accord with the very real constraints of the States resolution. Further considerations centred on where paid parking would be applied and the fact that separate proposals to revamp the Residents' Parking Scheme would have to reflect the new realities that the introduction of paid parking would bring. For example, commuters may seek to avoid paid parking by utilising those residents' parking spaces not liable to the paid parking charges.
- 1.3 Secondly, before the appropriate ordinances could be prepared, it was necessary to introduce enabling legislation. This has also taken some time to process and, in common with other legislation that has been delayed, is still awaiting Privy Council Assent.
- 1.4 By April 2008 a General Election was imminent in the Island, but the Board of the Environment Department had not reached a decision on how or in what form to introduce paid parking. Officers had researched and costed the various methods that might be employed for collection of the hourly fees and, in accordance with the Board's instructions, had issued and evaluated tenders for these. However, Members subsequently requested that further investigations be undertaken to ascertain the component costs of the operation with a view to dividing responsibilities for the different elements between private organisations and States contractors. To date, this further research has not been carried out.
- 1.5 Given the uncertainty of the situation, the matter was brought before the newly elected Board of the Environment Department at its first meeting following the General Election in April 2008. At this meeting, and in the light of all the information provided to it, the Board resolved that the Department should return the matter to the States in order to provide Members with an opportunity further to consider the matter of paid parking taking account of the information gained from subsequent research and analysis.
- 1.6 In line with the policies and work streams contained in the Policy Council Energy report as noted by the States, the Department also took the opportunity to seek the Treasury and Resources Department's views on an increase in the taxation on motor spirit as the preferred funding mechanism. The Treasury and Resources Department did not support this approach referring specifically to the States policies against the hypothecation of taxes.
- 1.7 Members will appreciate that the Department's staff have fully investigated the options available to bring forward a workable system for paid parking in the Island that conforms to the requirements of the States Resolution. The options examined and their benefits and disadvantages are briefly set out in this report. The Board has concluded that an alternative to the hourly parking fee should be offered to the States before progressing the matter further.

- 1.8 Having, despite its best endeavours, not yet secured a funding source for the Road Transport Strategy, the Environment Department has been unable to deliver certain aspects of it. It is important that a reliable income stream is established as soon as is practicably possible in order to deliver the benefits that the travelling public of Guernsey need and deserve.

2. Hourly Paid Parking Option Appraisal

- 2.1 Whilst the original States resolution is not especially limiting or restrictive, the Department is concerned that the accumulative effect of:

- the intentions of the traffic strategy;
- the States' views on the subsequent report to extend the parking scheme beyond St Peter Port;

and

- the numerous comments and views expressed by States members and the general public

make the scheme at best inefficient and at worst unworkable.

- 2.2 The Resolution stipulated that the charge shall only apply in “...*long-stay parking places at the Odeon, Salerie and North Beach car parks, and in such other on-street long-stay parking places in St Peter Port as shall be identified by Ordinance.*” The Department understands that the rate of 15p per hour was calculated on the basis that the paid parking policy was targeted at commuters. Thus paid parking was limited to St Peter Port with an assumption that it would apply during normal office hours. However, as will be shown below, the net income from a 15p per hour rate would not generate sufficient income without extending the scheme to include Saturdays.

- 2.3 The resolution was specific in that it recommended an hourly rate and limited that rate to 15p. Therefore, weekly, monthly or annual cards (which constitute a single parking charge as opposed to hourly paid parking) could not be considered. Such payment schemes would not meet the 15p per hour requirement.

- 2.4 The criteria used to assess paid parking options included:

- compliance with the States Resolution;
- ability to raise the required sum for the Road Transport Strategy;
- value for money within those constraints;
- ease of use;

- effect upon the character and environment of St Peter Port;
- efficiencies of scale delivered by an all-encompassing system.

2.5 After careful consideration and further extensive research, it became clear that of the four broad systems of collection that the Board might consider, only two met the above criteria. The four broad systems under consideration were:

- entrance/exit barrier systems;
- mobile telephone technology based systems;
- scratch cards;
- pay and display.

2.6 The first of these did not meet the criteria on the grounds that it would be impractical to erect barriers for on street parking; also, as feeder lanes are required, there would be a number of problems in ensuring the continued flow of traffic into and out of the targeted off street parking areas. It could not, therefore, form a single all-encompassing solution.

2.7 The second option was rejected on account of the difficulties that would be involved in numbering parking spaces and providing alternative or parallel facilities for individuals not possessing a mobile telephone. Further, the parking fee was in addition to the call charge and hence ran counter to the States Resolution.

2.8 Subsequently, tender quotations were obtained for systems based upon scratch cards and pay and display, although tenderers were permitted to put forward alternative suggestions. The resultant tenders demonstrated that, largely due to the limited scale of the operation, the service supply costs were greater than predicted. As a consequence of limiting the scheme to commuters at 15p per hour and restricting the scheme to the specified areas of St Peter Port, insufficient net income would be raised to fund the transport strategy. The Department noted that as a minimum it would be necessary to include Saturdays and potentially rely on associated “advertising income” to make up the deficit.

2.9 In its original submission of the Road Transport Strategy, the Environment Department sought to fund the greater part of the Strategy (£353,000 or £388,000 in 2008 prices) by an imposition of 1.2p on the retail price of motor spirit. It was noted that this would not involve additional administrative costs to collect and would be consistent with the wider objectives of the Strategy.

2.10 The administration and collection costs for an hourly paid parking scheme were assumed to be 8% of the accumulated revenues, this being the figure given to the Department by the Jersey authorities in respect of their scratch card based

parking scheme as operated in 2005. Further research, following approval by the States for the introduction of paid parking, indicated that this figure would be highly optimistic, principally on account of the much lower volume and sums targeted for collection in Guernsey. Any projections could only estimate the effects that the introduction of charges for parking might have upon driver behaviour, but the best calculations indicated costs for scratch card operations to be upward of 15% of revenues while those for pay and display methods would be higher still. Notwithstanding these findings, it was shown that both methods could still deliver the required net revenues for funding the Strategy if paid parking was extended to include Saturdays.

- 2.11 The difficulties in collecting parking dues vary between the systems employed. For a method based upon scratch cards, the monies are collected at source by the operating company and transferred on a regular basis to the authority. This makes for a very simple system for the States with the agent organisation bearing both risk and responsibility. Pay and display systems are more complicated as machines have to be emptied of cash (given the proposed charges this will be in small denominations) which must then be accounted, banked and transferred to the Authority.
- 2.12 In the extensive research undertaken by the Department to determine a tender for paid parking, officers were able to provide Board Members with a choice of either a scratch card or a pay and display operator. The best value scratch card operator demonstrated a scheme that would provide £1 of income for the States for every £1.17p paid by the parking motorist. The equivalent figure for the best value pay and display operator was £1 raised for every £1.45 collected. As may be ascertained, these figures were put forward with only estimates for how parking behaviour might change as a result of the introduction of charges. They necessarily, therefore, represent cautious calculations of the projected income and costs and, importantly, they include assumed revenue from advertising and are based upon parking charges being applied on Saturdays as well as during the working week.
- 2.13 The Board opted to pursue the possibility of using the pay and display method, but rejected the submitted quotations and directed officers to examine how the various elements of the operation might be managed through a combination of privately contracted and States provided support. In particular members felt that the servicing of the pay and display meters including cash collection and banking could perhaps be provided by employed staff more cost effectively than through contracted services. Further work in this respect was not carried out and this remained the situation until the current Board considered the matter
- 2.14 Should the States wish to operate an hourly paid parking system without including Saturdays then it would be necessary to amend the hourly rate. This would increase the gross and net income and hence reduce the marginal cost. States members will, however, be aware that various hourly rates have previously been debated and rejected by the States and, therefore, the

Department does not believe that an increase in the parking fee rate represents the will of the States. Similarly the Department does not believe that the inclusion of Saturdays represents the will of the States.

- 2.15 In reviewing this matter the Board naturally gave consideration to the issue of public acceptability of the paid parking options. Whilst there is no record of survey or poll statistics to substantiate an unequivocal statement on this aspect, the matter has featured in the 2008 General Election and it may be fairly stated that there was no evidence of widespread support for the introduction of paid parking, neither from candidates nor constituents. This point has been reinforced for Members of the Environment Department Board by their own experiences of election campaigning. It has also been argued that the introduction of paid parking diminishes Guernsey's unique identity and character and hence is contrary to Priority One of the Government Business Plan.
- 2.16 Members were specifically aware of the apparent unfairness of the system as proposed. Not only does it require a small proportion of the population to pay for a strategy which should benefit the Island as a whole but it has been argued, with some justification, that the scheme would have the greatest impact on those individuals who either do not have reserved parking or who would not ordinarily receive employer support to defray parking costs. It might be safely assumed that the majority of this group would be lower paid employees and, therefore, paid parking has potential impacts for the Anti-Poverty Strategy.

3. The Current Situation and the Way Forward

- 3.1 As can be seen, the concept of an hourly rate for paid parking in certain restricted areas, presents a number of difficulties. In trying to contend with these difficulties, the Environment Department has investigated and costed proposals that conform to the resolution and has shown that the requisite funds can be raised, albeit not cost effectively and only by extending the scheme beyond that initially envisaged.
- 3.2 In light of the above the Board returned to the original proposition to raise the requisite funds through an additional tax on motor fuel and raised this option with the Treasury and Resources Department. The Board considered this to be in line with the policies and work streams contained in the Policy Council Energy report as noted by the States. The Treasury and Resources Department does not support this approach referring specifically to the States policies against the hypothecation of taxes. The Department has, therefore, considered other options by which the transport strategy can be funded.
- 3.3 If hypothecated taxes and paid parking charges are to be excluded the only funding options available to the Board are to increase existing or introduce new service charges. Primarily these would include increased bus fares, increased charges for the various permits issued by the Department and increased charges

in relation to vehicle and driver licensing. Whilst the Board is of the view that some of these existing charges should be subjected to review in order to constrain existing budgetary costs, the Board does not accept that they represent a valid means of funding the transport strategy.

- 3.4 Conversely the Board holds the view that parking facilities throughout the Island, previously constructed and currently maintained at a cost to the tax payer, are utilised mainly if not solely by motorists. The Board considers this inequitable and believes that there is justification in introducing a parking charge provided that the parking charge is cost effective and equitable.
- 3.5 It has been clear from the very earliest considerations of paid parking in Guernsey that a single, annual payment parking charge, would be the simplest method for both collection and administration. Such a system has previously been suggested by Deputy Brehaut in the States Assembly albeit the proposal has not been debated in its own right. This perhaps stems from the fact that such a “one off” payment method does not provide the deterrent element of the transport strategy in that it does not constitute an additional cost on each journey. It does not, of itself, encourage the motorist to think about each journey and hence does not explicitly support the strategy. However, there are cogent reasons for putting forward a plan based upon the single payment.
- 3.6 There are clear signs that the collective conscience of the motoring public is changing. More and more motorists are turning, for selected journeys, to alternative forms of transport. Whilst a one off annual charge does not provide the disincentive that hourly paid parking provides, it might be argued that such discouragement is not warranted. Such an argument would present a “one off” charge as a means of raising funds to provide the incentive of improved alternative transport choices. There is, therefore, an argument that a one off annual parking charge is not only justifiable and cost effective but is also equitable and supportive of the transport strategy. This is the argument unanimously supported by the Board.

4. How a Single Payment System Might Operate

- 4.1 At the present time, anyone choosing to park in a controlled zone is required by law to set a dashboard clock displaying the time of arrival. This system of parking control has operated successfully in Guernsey for many years and has, to an extent, helped to regulate the flow of traffic in the Island’s urban centres.
- 4.2 This opens the possibility for a range of alternatives as to how a single payment system might be operated. Evidently, whatever system might be introduced, the clock itself will have to continue in use as a regulator for the timed zones within the urban areas, but some additional evidence of payment of the single fee would also have to be put in place. Options include a parking stamp, marked on or affixed to the parking disc, or a parking certificate displayed in the windscreen. In either case it would be necessary to introduce features to

discourage fabrication or copying and those features would need to be such that law enforcement officers could readily distinguish between the original and counterfeit. Marking or affixing successive annual stamps to parking discs is also likely to reduce clarity and hence lead to greater ambiguity for law enforcement officers. Similarly, the use of a windscreen display parking certificate has the potential to become confused with Windscreen Insurance Documents and their “authority/legitimacy” could be especially confusing when vehicles are circulated in other jurisdictions.

- 4.3 The Board, therefore, favours the adoption of an annually renewable parking disc. This alternative has the advantages that the Guernsey motorist is already familiar with the parking disc and there is a network of known and established suppliers. Also, there would be no further demands upon the motorist than exist already for parking in controlled zones.
- 4.4 The use of an annually renewable parking disc also sits comfortably with the Board’s desire to present a more equitable paid parking system. Because the clock must be displayed whenever the motorist uses a disc controlled parking zone, the contribution of revenue from paid parking is shared by all motorists regardless of the duration of stay and the location of the parking zone. The funding of the transport strategy is not, therefore, unfairly borne by the restricted number of town commuters who do not have the privilege of a private parking space.
- 4.5 Should the States so wish, parking facilities utilised by Civil Servants and States Members could also be signed as disc controlled parking zones requiring the display of a valid parking disc. If this option is adopted it would be necessary to designate certain spaces as “reserved” thus removing them from general public access whilst still requiring the display of a valid parking disc.

5. Further Considerations

The following factors are evaluated on the presumption that an annually renewed design of the parking disc is used as the basis for charging.

Raising the Required Funds

- 5.1 In the 2006 Road Transport Strategy it was envisaged that the introduction of Paid parking would raise £353,000. In 2009 prices this is the equivalent of circa £410,000¹.
- 5.2 There are approximately 53,000 vehicles in circulation on the Island’s roads of

¹ In the original calculation for the Department’s Road Transport Strategy, as approved by the States in March 2006, the sum of £353,000 was to be raised through paid parking. The rate of inflation for March 2007 and March 2008, as measured by the Guernsey Retail Prices Index, was 4.8% on each occasion. The sum of £410,000 has been calculated after allowance for two increases of 4.8% and an assumed rate of 5% for March 2009.

which some 13,000 are motor cycles, heavy goods vehicles or other conveyances for which a parking disc is not required or not likely to be used. It might be expected that, of the remaining 40,000 or so “eligible” motor cars, a substantial proportion of owners would seek to purchase chargeable parking discs.

- 5.3 One cannot assume that a clock would be purchased for each vehicle, as multi vehicle owners would probably seek to share a clock between two or more vehicles. It should be recognised that some motoring enthusiasts will own more than one vehicle or will possess specialist vehicles that might be used intermittently on specific or ceremonial occasions.
- 5.4 The Board is of the view that an acceptable clock price would be 50 pence per week (£26 per annum) and at this rate clear inroads could be made into the transport strategy. The Law Officers have advised that if a charge for parking discs is to be introduced, it will be necessary for the States to approve a Law creating the power for the States by Ordinance to set the charge.
- 5.5 Should this charge rate create a surplus to the funds required for delivery of the Road Transport Strategy objectives, the excess will be employed for those elements not directly costed in the original document. In the main this would involve support for measures to assist vulnerable road users, such as pedestrians, persons with a disability and cyclists, and would include additional drop kerbs, bollards, railings, ramps, etc.

Linking a Display Clock to a Particular Vehicle

- 5.6 As a matter of principle the Environment Department has no wish to create an unwieldy bureaucracy to manage the registration and issue of charged parking discs, particularly in view of the fact that motor taxation (which required this type of supportive infrastructure) has only recently been abolished.
- 5.7 Although there is little doubt that higher sales could be obtained by linking the display clock to a particular vehicle, it is believed that the costs and complications involved in administering a workable system would outweigh the benefits. The Department, therefore, is not intending to establish a register for parking display clocks.

Parking for Persons with a Disability

- 5.8 A number of spaces, specifically for use by persons with a disability, are interspersed amongst regular bays in the controlled parking areas. Additionally, motorists displaying a disability identity disc may overstay the parking times in some short term regular bays.
- 5.9 On balance, given the parking concessions that persons with a disability already receive, there does not appear to be a compelling case for making an exemption

to the obligation to display a valid parking clock.

Small Car Parking

- 5.10 At the present time, small vehicles have reserved parking on the careening arm of the Victoria Pier. The Environment Department has plans to extend small car parking to some other parts of the controlled parking areas in the near future.
- 5.11 Although there was some discussion on the matter within the Department, there are no plans to provide a concession for drivers of small vehicles in respect of the parking disc.

Visiting Motorists

- 5.12 As things stand, visiting motorists are obliged to acquire a parking disc and follow the regulations regarding restrictions as they are operated within controlled parking areas. There is an argument for making overseas registered vehicles exempt from the charge for the parking disc, so as not to discourage tourism and ensure that Guernsey remains a welcome place for visitors.
- 5.13 It would remain the case, however, that visiting motorists would still have to display a clock in controlled parking areas and, if exemption from the charge for the clock was to be granted, the visiting driver would have to obtain a clock of a different design for this purpose. It may be ascertained that the production, distribution and sale of alternatively designed clocks for a relatively small number of motorists would add to the expense and administrative burden of the single payment scheme. In addition such a scheme would be subject to abuse acting as a further incentive for local residents to circulate foreign registration number vehicles rather than registering those vehicles with a Guernsey plate.
- 5.14 On balance, therefore, it is recommended that visiting motorists are required to display a charge payment clock in controlled parking areas in the same manner as required for local drivers. A small trade in “second hand visitor clocks” may develop and there is little doubt that a visiting motorist would pay considerably more for his/her parking privileges than a local, regular user of the facilities. However, the relatively low £26 charge for a clock is unlikely to be so great that it would lead to dissent by visitors; indeed, one might imagine that it will appear as good value for money given the costs of parking in many towns and cities of the UK and the Continent.

Quad Bike Parking

- 5.15 Quad bikes are registered as cars as opposed to motor bikes. As such they would attract the paid parking fee and would be required to display a valid parking disc. In practice this is no different to the present situation save that the value of the parking disc is greater and hence the possibility of theft is increased. Quad bike owners would need to adapt their vehicles in order to be able to

securely display a valid parking disc.

Motorcycles

- 5.16 Motorcycles are presently exempt from the obligation to display a parking disc and there are no plans to change this should a charged parking disc scheme be introduced. The Environment Department is committed to encouraging the use of motorcycles as an alternative form of personal transport in the Island. It recognises that they can provide useful, economical transport for Islanders without adding unduly to the congestion that can blight travel in Guernsey.

New Residents

- 5.17 New residents to the Island would of course be required to register their vehicles in accordance with the legislative provision and display a valid parking disc. In order to provide a degree of equity for those motorists taking up residency late in the year it is proposed that the parking disc for the next proceeding year would be on sale from 1 November and would be valid for display from that date. Therefore, in the worst case scenario a resident arriving on 31 October and wishing to park on that date would have to purchase a parking disc with a validity of only 2 months resulting in a monthly parking charge of £13. The Board considers this a reasonable compromise when compared with the proposed commuter parking charge of 15p per hour or £1.20 per 8 hour day which is equivalent to circa £40 over a two month period.

6. Conclusions

- 6.1 The States have approved the Road Transport Strategy and that strategy requires additional revenue funding. The States have agreed to the principle that paid parking should contribute to that funding and the States agreed that a sum of 15p per hour is appropriate. However, that sum was essentially targeted, at least initially, at long stay commuters of St Peter Port leading to an 8 am to 5 pm Monday to Friday parking scheme. This option has been seen by many as inequitable.
- 6.2 The Department has tendered solutions to deliver the States resolution and has taken steps to put the legislative framework in place. This has led the Department to conclude that insufficient funds would be delivered by the resolution of the States. In order to raise the required funds the Department considered a number of potential recommendations to the States as follows:
- a.) To introduce an hourly paid parking fee at 15p per hour in accordance with the previous resolutions of the States save that the paid parking periods would be effective from 8am to 6pm Monday to Saturday inclusive.
 - b.) To introduce an hourly paid parking fee in accordance with the previous resolutions of the States such fee to be targeted at long stay commuters to

St Peter Port and therefore to be effective from 8am to 5pm Monday to Friday inclusive save that the hourly fee to be increased from 15p to at least 20p per hour.

- c.) To introduce an hourly paid parking fee in accordance with the previous resolutions of the States save that the areas of paid parking would be extended to include disc controlled car parks throughout the Island.
- d.) To rescind the States resolutions in respect of paid parking and to direct the Treasury and Resources Department to introduce an additional fuel tax of 1.2p per litre hypothecated to fund the transport strategy.
- e.) To rescind the States resolutions in respect of hourly paid parking and to introduce an annual parking charge of £26 collected through the form of a renewable parking disc to be displayed in all disc controlled parking zones.

The Department is unanimous in its view that the latter option (recommendation e.) is the most cost effective, practical and acceptable option.

7. Recommendations

- (1) To rescind the Resolutions XXI.5 and XXI.6 on Billet d'État No. IV of 2003 in respect of the introduction of pay parking.
- (2) To agree that paid parking shall be introduced through the form of a chargeable annually renewable parking disc.
- (3) To agree that a valid parking disc is required in all disc controlled parking zones regardless of length of stay and location.
- (4) To direct that the annual charge for 2009 shall be set at £26 reduced pro rata according to the date that the scheme is introduced.
- (5) To direct the preparation of a Projet de Loi that will enable the States by Ordinance to fix the charge payable for a parking disc and other such legislation as may be necessary to implement the Recommendations.

Yours faithfully

Peter Sirett
Minister

(NB The Policy Council, by a majority, supports the principle of paid parking and agree that sufficient revenue needs to be generated to fund the road transport strategy.)

(NB The Treasury and Resources Department's comments are set out below)

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

17th December 2008

Dear Sir

Environment Department – States Report on Paid Parking

I refer to the Environment Department's above mentioned States Report which was considered by my Board at its meeting held on 16 December.

As a matter of principle, the Treasury and Resources Department, as custodian of the main States Property portfolio, believes that there should be a return on taxpayers' investments in all forms of property.

Although the Environment Department's proposals can be viewed as 'revenue neutral', the Treasury and Resources Department considers that there would be greater merit in introducing a recognised system of paid parking. Nevertheless, the introduction of an annual charge for parking clocks meets the objective of fully funding the States approved Road Transport Strategy.

There is, of course, often a fine line between a charge and a tax and the Treasury and Resources Department's stance on opposing the hypothecation of any tax is well known. However, on balance, my Department has concluded that the Environment Department's proposals are for the introduction of a new charge rather than a tax.

Yours faithfully

C N K Parkinson
Minister

The States are asked to decide:-

X.- Whether, after consideration of the Report dated 9th January, 2009, of the Environment Department, they are of the opinion:-

1. To rescind the Resolutions XXI.5 and XXI.6 on Billet d'État No. IV of 2003 in respect of the introduction of pay parking.
2. That paid parking shall be introduced through the form of a chargeable annually renewable parking disc.
3. That a valid parking disc is required in all disc controlled parking zones regardless of length of stay and location.
4. To direct that the annual charge for 2009 shall be set at £26 reduced pro rata according to the date that the scheme is introduced.
5. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

EDUCATION DEPARTMENT

THE REORGANISATION OF SECONDARY EDUCATION STAGE 2: THE REBUILDING OF LES BEAUCAMPS HIGH SCHOOL

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

22nd January 2009

Dear Sir

Structure of the Report

Executive Summary

Main Report

1. The need for rebuilding: condition, capacity, fitness for purpose
2. The project's compliance with the strategic policy focuses of the States
3. Project history
4. Development of revised plans for Les Beaucamps High School 2005-2008
5. Site location options
6. Construction phasing
7. Stage D design
8. Planning approvals
9. Design development to RIBA Stage D
10. Sustainability
11. Contract procurement
12. Cost plan
13. Revenue costs
14. Cashflow
15. Programme
16. Maintenance of school functions during the construction phase
17. Project management
18. Conclusions
19. Recommendations

Executive Summary

1. The Education Department requests that this States Report be debated in accordance with Rule 12(4) of the Rules of Procedure of the States of Deliberation.
2. It makes this request following the States debate at their 10th December, 2008 meeting on the Treasury and Resources Department's States Report "Capital Prioritisation". States members noted that Department's statement (Part One of the five part process on Capital Prioritisation) that :

"Between December and February three major projects will be debated under Rule 12(4) of the States Rules of Procedure such that they are considered by the States without amendment. Members will however be able to debate the proposals and ask detailed and searching questions".

Purpose of the Report

3. The purpose of this report is to explain to States members why Les Beaucamps High School (hereinafter also referred to as Les Beaucamps) needs to be rebuilt.
4. It explains the background to the project since the States first directed the then Education Council in 2001 to return to the States with proposals to develop three new High Schools. In September 2008 Les Beaucamps Secondary School and La Mare de Carteret Secondary School were renamed Les Beaucamps High School and La Mare de Carteret High School respectively to coincide with the opening of the new St. Sampson's High School.
5. The report outlines the plans for the new building, the projected costs and the programme for delivering the project.

The Strategic brief for the new school

6. The Les Beaucamps High School brief is to provide a new-build secondary school to replace and improve the facilities currently provided by the existing school on the same site. It must provide places for up to 660 pupils aged from 11 to 16.
7. The brief for the new school maintains the ambitions summarised in the original 2003 tender documents for the Design Team. The new school buildings must have an expected minimum 50-year life and a 15-year minimum period prior to first major maintenance. The buildings must adhere to Guernsey regulations, but also strive to achieve the principles of the latest UK standards. In particular, the school building design must use natural light and ventilation, as well as comply with the standards laid out in the Disability Discrimination Act 1995 and Part M of the UK Building Regulations. The ambition is to achieve a highly sustainable solution reinforcing the Island's commitment to reducing carbon emissions and global warming.

Programme and construction

8. An indicative construction programme has been produced, based on a two stage design and build procurement route as agreed with States Property Services. To ensure that the quality of the detail is maintained and controlled, this programme is based on the design team remaining directly employed by the Education Department and only moving to be directly employed by the construction contractor after completing RIBA Stage E (i.e. following the completion of the detailed design and after receiving building control approval). The existing school is to remain in operation throughout the construction programme.
9. Subject to it receiving high priority in the States Capital Prioritisation debate in March 2009, the projected completion date for the project is May 2014.

Project history

10. The project is one of the school rebuilding projects in the Education Department's Education Development Plan Programme 1 (EDP1). The outline business case for EDP1 was first presented in Billet d'État VII (April 2001) "The future organisation of Secondary and Tertiary Education in the Bailiwick of Guernsey".
11. Following States' amendment, the case was re-presented in Billet d'État VI (April 2002) "A site development plan for the reorganisation of secondary, post-16 and special needs education in the Bailiwick of Guernsey".
12. The States accepted the Education Council's view that there was a vital need to improve equality of educational opportunity by providing modernised facilities which would enhance teaching and learning, improve educational standards and demonstrate the Island's commitment to producing a highly skilled workforce to help it remain economically competitive.
13. An Options Appraisal report and a Strategic Review report were approved by the Advisory and Finance Committee in 2003. These documents contained the key Business Case elements:
 - the strategic context
 - service and project objectives
 - options appraisal
 - the preferred options
 - project delivery arrangements
 - employee and other issues.
14. The States continued to endorse the progression of the Education Development Plan Programme 1 projects through subsequent Policy Letters and States Reports in 2003, 2004 and 2005. The project consultants for the Les Beaucamps project

were tendered in May 2003 and selected in June 2003 in an open market competition. The firms were judged on price and quality based upon interviews and submissions.

15. In August 2004 the Treasury and Resources Department confirmed it had purchased land adjacent to the school to “*fully facilitate the planning and development of the new school to be situated at Les Beaucamps*”.
16. However, later in 2004 the plans for development of Phase A of the rebuilding project for Les Beaucamps were reluctantly deferred for a year by the Education Department because of the Treasury and Resources Department’s concerns about the affordability of commencing both the Les Nicolles Schools project and the Les Beaucamps project simultaneously in the light of the revisions to the Corporate Tax structure scheduled for 2008.
17. The Education Department agreed to defer its submission to the States for the rebuilding of Les Beaucamps until after the promised Capital Prioritisation debate in 2005.
18. In the event, an interim debate on capital prioritisation did not take place until October 2006 and the Les Beaucamps project was not included by the Treasury and Resources Department in the list of prioritised projects at that time.
19. £5 million was, however, approved by the States to allow the Education Development Plan Programme 1 projects to continue to be developed and this allowed the Les Beaucamps project to restart its design development programme.
20. A site option appraisal study completed in 2007 finalised where the new buildings should be located on the existing site and the Treasury and Resources Department approved funding to allow the project to be progressed to the detailed design stage (RIBA Stage D). A full set of Stage D documents have been prepared which are currently being reviewed by the Education Department.

Planning Permission

21. The Education Department has worked closely with the Planning Control Service in the Environment Department throughout the project. Approval was received from the Environment Department on 17th October, 2007 for the Education Department to proceed to Planning in Principle for its preferred siting option for the project on the extended Les Beaucamps site.
22. A Planning in Principle submission was made in October 2008 and a response is expected from the Environment Department early in 2009.

Strategic Priority Status

23. The Education Department has been awarded Priority 1 status following the Strategic Proposal Review process. Priority 1 projects are those “*recommended*”

for immediate inclusion in the States capital programme to be delivered to end-users in the short term, subject to the availability of funds” (Treasury and Resources Department: Code of Practice for construction related capital project prioritisation).

The need for rebuilding

24. Les Beaucamps is the oldest of the three secondary schools which were built after the Second World War. It was officially opened in 1959 and currently provides secondary education for the children of the Castel, St. Andrew’s and St. Martin’s parishes.
25. The school has done its best to overcome its poor facilities and is extremely highly regarded in the Island and especially in the parishes which send their children to the school. It achieves high levels of success for its pupils in terms of their academic achievement and their successful progression into further and higher education and employment. Inspection reports praise it highly for the standards it achieves and comment on the high parental satisfaction levels for the school, but note the numerous deficiencies in its accommodation and the inhibiting effect this has on the pupils’ learning.
26. The project is of the highest priority to the Education Department because the existing buildings do not satisfy asset management standards for condition, capacity and fitness for purpose. The buildings are **in very poor condition** and are failing to meet current standards for health, safety and disability compliance.
27. They are **no longer fit for purpose** to provide for the curriculum of the school and the required social, recreational and community sporting facilities.
28. They **do not provide the capacity** required for the increased number of pupils attending the school because of the reorganisation of secondary education and the raising of the school leaving age to 16.

Project Dimensions

29. The project will provide new buildings to a maximum gross internal area of 8570m² on the existing school site. It will comprise a school building, a separate sports facilities block, and external sporting, hard play and parking areas.
30. The school will be able to operate throughout the construction period because the new school buildings will be constructed on the school site to the west of the existing school building.

Procurement

31. Following consultation with States Property Services, the project will be procured using a two-stage design and build contract as a single project with three phases:

- new-build school building
 - demolition of existing school buildings
 - new-build sports hall, gym and swimming pool.
32. Because of the delay from the intended date for the Prioritisation debate of November 2008 to March 2009, the earliest the school buildings can be ready for use will now be September 2012. The sports facilities and external works would then be completed by May 2014. This programme is, of course, dependent on the outcome of the prioritisation process to be debated in March.

Cost

33. During 2008 anticipated inflation rates have significantly fallen resulting in the estimated total development cost decreasing by some £7 million. The current cost plan estimate for construction costs is £34.79 million.

Impact on the completion of Education Development Plan Programme 1

34. The Education Development Plan Programme 1, of which Les Beaucamps is a part, has two further rebuilding projects – La Mare de Carteret Schools and the College of Further Education.
35. As a consequence of the delay in the scheduling of these projects, refurbishment and relocation of existing facilities are necessary at La Mare de Carteret, St. Sampson's Secondary School and St. Peter Port Secondary School sites and maintenance costs are increased.
36. The St. Sampson's Secondary School site is currently being used to provide temporary additional facilities for the College of Further Education as a consequence of vacating its Grange Road and Longfield sites. These two sites have now been returned to the States. The buildings on St. Peter Port Secondary site will have to be used for the College of Further Education, until the new College buildings can be built adjoining the Phase 1 building, the Princess Royal Centre for the Performing Arts. A major refurbishment of these buildings will be necessary before the College can occupy them.
37. The projected date for completion of the remaining two new building projects is 2017, subject to affordability, but some further delay for the College of Further Education is anticipated.

Conclusions

38. The Education Department wishes the States to note:
- a) the continuing concerns about the inadequacy of the facilities for pupils and staff at Les Beaucamps High School and the Department's development of the project brief in response to the initial direction of the

States in 2001 to return to the States with proposals to develop three new High Schools

- b) that, following the States 2001 direction to develop three new High Schools, the States subsequently continued to support the progression of the plans for the High Schools as part of the Education Department's Education Development Plan Programme 1 through resolutions following Education Department policy letters and States reports submitted in 2002, 2003, 2004 and 2005. The States also confirmed their approval of the Education Department's development plans through their endorsement of the Department's objectives set out as Priority 9 of the 2007-2009 Government Business Plan.

Recommendations

- 39. The Education Department requests that the following proposition is debated under Rule 12(4) of the Rules of Procedure such that it is considered by the States without amendment.
- 40. Accordingly, the Education Department asks the States to note the contents of the report, and the conclusions above, and recommends the States:
 - to note that, subject to the Education Department's proposals being supported as a high priority by the States during the planned Capital Prioritisation debate, the Education Department will return to the States in April 2009 with detailed proposals for this capital project, including a recommendation for contractors to be appointed and a request for a capital vote to be established.

Main Report

1. The need for rebuilding: condition, capacity and fitness for purpose

- 1.1 The present provision of facilities at Les Beaucamps has major failings in the condition of the buildings, in their capacity to accommodate an increased number of pupils and in their fitness for purpose to meet the requirements of a modern curriculum and to be compliant with more stringent health, safety and disability standards. The pupils at Les Beaucamps and La Mare de Carteret are now at a clear educational disadvantage compared with the pupils in the new facilities at St. Sampson's High School.
- 1.2 Educational objectives as defined in the States resolutions and the Government Business Plan will be difficult to achieve if these issues are not addressed.

Condition

- 1.3 The Education Department has conducted a desktop survey using the 2003 condition surveys completed by King Sturge and its Estates Team's knowledge

of the buildings. Lovell Ozanne has been employed subsequently to give an independent assessment of the analysis.

- 1.4 Significant costs for maintenance will be needed to keep Les Beaucamps running for a further 10 years: a minimum of £4 million is required just for maintenance, excluding professional fees, contingencies, Disability Discrimination Act compliance, temporary accommodation, fitness for purpose and capacity requirements. In total around £5.5 million will be needed if these additional items are included.
- 1.5 The building requires a new roof, and the replacement of its glazing and hard surface external play areas. The elevations are in poor condition. The building services in the main are the original installations and in need of replacement.
- 1.6 Recently, for example, a large window fell out of a first floor classroom. The rivets holding it in place had rusted through, but the layers of paint covering the rivets had prevented the deterioration from being apparent. The weight of the window was such that it could easily have caused a fatal accident if anyone had been standing beneath it.
- 1.7 As a result, safety chains are now having to be fixed to over 280 windows and many windows are now not able to be opened, causing major ventilation and cooling problems.

Maintenance needs for Les Beaucamps

- 1.8 The table below sets out some of the high cost of essential maintenance needs:

Soft/hard landscaping: hard sports/play surfaces eroded beyond reasonable repair – a health and safety risk.	£60,000
Exterior (walls, cladding, windows etc.): rotten fascias and soffits. Gutters and downpipes need replacing. Spalling plaster. Windows beyond economic repair.	£835,000
Roofs: further replacements needed.	£200,000
Classroom teaching areas: carpets, walls, doors, softboard ceilings beyond acceptable replacement cycles.	£120,000
Mechanical: convector heaters, radiators and pipework at end of life.	£75,000
Electrical: new switchgear and incoming supply needed. Rewiring and lighting replacement required.	£150,000
Public Health: hot and cold pipework and drainage.	£100,000

Capacity

- 1.9 It is likely that pupils attending Forest Primary School will, in future, transfer at 11 to Les Beaucamps High School rather than La Mare de Carteret High School.
- 1.10 The headteachers of Les Beaucamps and La Mare de Carteret have provided net capacity assessments of the requirements for accommodation using the guidelines set by the Department for Children, Schools and Families.
- 1.11 The present schools should accommodate no more than 490 pupils at Les Beaucamps and 433 pupils at La Mare de Carteret. The projected estimated capacity need is for 660 pupils at Les Beaucamps High School and 600 pupils at La Mare de Carteret High School.

Fitness for purpose

- 1.12 Les Beaucamps High School no longer meets the requirements of the curriculum, for example in the provision of ICT, Design and Technology, Music and sports facilities. Many of the classrooms are too small to accommodate the technology used in today's lessons and the school hall is too small to accommodate the increased numbers. The raising of the school leaving age to 16 also requires new, more personalised learning facilities to be available.
- 1.13 The facilities for school lunches are not adequate – the school was built at a time when most children did not stay during the lunch-hour.
- 1.14 In the present buildings, none of the rooms below is fit for purpose:

Library	School Hall
Gym/Changing rooms	Science laboratories/Prep room
Music rooms	Art rooms
Dining room/canteen	Staff room
Staff toilets/offices	Reception
Workshops block	

- 1.15 In view of the specialised nature of the required spaces – music, design and technology, indoor sports facilities, science laboratories, drama and art facilities - as well as additional hall and dining area and toilet provision which are needed because of the increased numbers, temporary facilities would be difficult to provide.
- 1.16 Les Beaucamps is not Discrimination Disability Act compliant. Modern fire safety requirements for compartmentation or sprinklers cannot be met. It is not energy efficient and there is insufficient separation of play areas from the areas used for school buses and parents' dropping-off and collection points.

Impact on other maintenance requirements

- 1.17 The delay to the plans for Les Beaucamps has had a knock-on effect on the

longer term maintenance requirements for the remaining two Education Development Plan Programme 1 projects – La Mare de Carteret schools and the College of Further Education as well as for the maintenance of the existing buildings at Les Beaucamps.

- 1.18 The rebuilding programme for the remaining two Education Development Plan Programme 1 projects will be further delayed.
- 1.19 Maintenance plans to keep the College of Further Education and La Mare de Carteret schools operational for the next 10 years will total a further £8 million. This figure excludes the College of Further Education workshops block which requires early replacement as well as the exclusions listed in paragraph 1.4.
- 1.20 Planned preventative maintenance programmes for other Education properties will be delayed if maintenance funding and staff resourcing has to be applied to keeping the remaining Education Development Plan Programme 1 buildings open for longer.

2. The project’s compliance with the strategic policy focuses of the States

- 2.1 Priority 9 of the 2007 Government Business Plan is: *to maximise the returns on investment in education provision.*
- 2.2 All the objectives in Priority 9 are designed to deliver best value improvements in the provision of facilities for teaching and learning:

- Level 1 objective: *“to consolidate and develop best value policies for education and lifelong learning which promote equality of educational opportunity and which are directed to ensure the best quality of education is obtained for the individual and for the community as a whole”*
- Level 2 objective: Equality of Opportunity – *“Develop the statutory structure of education in order to raise achievement standards and to provide equality of opportunity such that no student be denied access to education or lifelong learning through disability, disadvantage, or for financial reasons and so that their potential be maximised.”*
- The rebuilding of Les Beaucamps High School is part of the Level 3 objective: *“progress the remaining construction projects within the EDPI site development plan”* and *“complete the reorganisation of secondary education”*.

2.3 States Resolutions

- **Billet d’État VII (2001) The future organisation of secondary and tertiary education in the Bailiwick of Guernsey**

(by amendment) *“to instruct the Education Council to report back to the*

States as soon as may be with proposals to develop three new High Schools, such proposals to include outline costs for the complete redevelopment.”

- **Billet d’État VI (2002) A site development plan for the reorganisation of secondary, post-16 and special needs education in the Bailiwick of Guernsey**

“1. To approve in principle the outlined proposals for the reorganisation of secondary, post-16 and special needs education in the Bailiwick of Guernsey.

“2. To approve in principle the States Education Council’s proposals for the relocation of education facilities, alterations to premises and construction of new buildings as set out in the site Development Plan.”

- **Billet d’État III (2003) Progressing the Education Development Plan : Phasing Programme 1 of the Plan....**

“1. To approve, subject to the final recommendations of the Strategic Review, the States Education Council’s proposals for the phasing of the building projects in Programme 1 of the Education Development Plan as set out in paragraphs 56-76 of the report.

“2.2 To vote the States Education Council a credit of £2,000,000 to cover the cost of formulating the initial planning for the individual elements of Phase 2 of Programme 1, such sum to be charged to the capital allocation of the States Education Council.

“5. To note that the States Education Council, in conjunction with the States Advisory and Finance Committee, and for planning purposes only, will work on the basis of a minimum of £15,000,000 per annum being made available from 2004 for the purposes of progressing the remaining phases of programme 1 of the Education Development Plan.”

- **Billet d’État II (2004) Progressing the Education Development Plan: 1. Programme 1 (Rebuilding) Funding and Phasing...**

“1. (2) To note that the Treasury and Resources Department will have due regard to the need to work on the basis of transferring annually from January 2005 to January 2008, subject to affordability and the availability of funds, the sum of £12,750,000 in January each year to the capital allocation of the Education Department for the purposes of completing Phases 1 and 2 of the Department rebuilding programme.”

- **Billet d’État II (2005) Reorganisation of Secondary Education Stage 1 : the building of Les Nicolles Secondary School and co-located**

Secondary Special School

In the body of the report the States were informed that, at the request of the Treasury and Resources Department, Education had agreed to defer its submission of plans for the Phase A rebuilding of Les Beaucamps High School.

3. Project History

Reorganisation of Secondary Education

3.1 In 1996 the States Education Council announced a thorough review of the structure of secondary and post-16 education as part of its Five Year Plan for surveying States education provision in Guernsey. An extensive review followed, incorporating a public questionnaire, independent reports and various policy letters.

3.2 The rebuilding programme was the result of reorganisation resolutions approved, following amendment, by the States in **May 2001**, when members considered the States Education Council policy letter on “*The Future of Secondary and Tertiary Education in the Bailiwick of Guernsey*”. The States directed the States Education Council to:

- *retain the Grammar School as an 11-18 school incorporating a Sixth Form Centre*
- *report back to the States as soon as may be with proposals to develop three new High Schools, such proposals to include outline costs for the complete redevelopment*
- *report back to the States with proposals to develop an improved College of Further Education on its existing site or such alternative site as the Council considers appropriate, such proposals to include costs for the complete development*
- *raise the school leaving age to 16 by the beginning of the academic year 2008/9 or sooner if resources and curriculum arrangements permit.*

3.3 In **April 2002** the States considered the States Education Council follow-up policy letter *A Site Development Plan for the Reorganisation of Secondary, Post-16 and Special Needs Education in the Bailiwick of Guernsey*.

3.4 The Education Council identified three programmes for concurrent action:

Programme 1 – The Site Development Plan (rebuilding)

(the main focus of the policy letter)

Secondary, Post-16 and Special Needs

Programme 2 – The Site Development Plan (rationalisation, renovation and improvement)

Primary, Grammar, Education Department and Central Services

Programme 3 – The Development, Funding and Accountability of non-States Schools

Blanchelande Girls' College, The Ladies' College, Elizabeth College, Private Schools, Voluntary Schools

- 3.5 The Education Development Plan Programme 1 objectives defined the ten development projects on eight sites which would achieve the reorganisation of Secondary, Post-16 and Special Needs Education:
- new High School at Les Beaucamps
 - new High School at La Mare de Carteret
 - new High School on site in North of Island (replacing St. Sampson's Sec.)
 - new College of Further Education on St. Peter Port Secondary Site
 - new Sixth Form Centre adjacent to Grammar School buildings
 - replacement Primary School at La Mare de Carteret
 - creation of new St. Sampson's Primary School in refurbished St. Sampson's Secondary
 - new Special Needs Services and Primary School/Centre at Forest
 - new Special Needs Secondary School adjacent to North Secondary
 - new Emotional and Behavioural Difficulties Centre in refurbished Oakvale School.
- 3.6 **NB** Since 2002, the school population has fallen markedly and this has led to revision of the requirement for pupil places in the future. The Education Department has now taken the decision not to proceed with the establishment of a new Primary School at St. Sampson's and to reduce the capacity requirements for La Mare de Carteret High School and Les Beaucamps High School.
- 3.7 The Education Development Plan Programme 1 was recognised by the States as not just a series of construction projects, but as an interdependent complex reorganisation project, designed to transform educational achievement and provide greater equality of opportunity. The States Education Council noted the inherent risks in the programme of disturbance to pupils and staff during building works and risks to curriculum continuity.
- 3.8 In brief the outcomes of the development plan were:

- 4 secondary schools would become 3
- 3 special schools would become 2
- a new Social, Emotional and Behavioural Difficulties Centre would be created at Oakvale
- Services would relocate
- new partnerships would be established between Sixth Form Centre, College of Further Education and schools to deliver the curriculum
- transport routes would be changed
- there would be a large redeployment of staff
- pupil catchment areas would be redrawn and some pupils would have to change schools.

3.9 The States approved, inter alia, the following resolutions:

- *to approve in principle the outline proposals for the reorganisation of secondary, post-16 and special needs education in the Bailiwick of Guernsey*
- *to approve in principle the Council's proposals for the relocation of education facilities, alterations to premises and construction of new buildings as set out in its Site Development Plan.*

3.10 Following the April 2002 States approval for the reorganisation of secondary, post-16 and special needs education in Guernsey, the planning for the new secondary schools commenced. Working in conjunction with the Advisory and Finance Committee, an Option Appraisal report was produced in 2003 on the site objectives of the April 2002 policy letter, the specific basis of which was the construction of new buildings over a 10-year period.

3.11 The single phase was then developed into a phased solution to divide Education Development Plan Programme 1 into manageable and affordable phases which ensured the educational needs and demands could be met and that adequate facilities were available and able to be staffed effectively throughout the reorganisation process.

3.12 The phasing was designed to be flexible to enable bringing forward or deferring phases depending on availability of funds. An Education Development Plan Programme 1 Project Team was created as advised by the Estates Sub-Committee and as recommended in the Option Appraisal.

3.13 Policy objectives were amplified and the strategy developed:

Education Development Plan Programme 1 Objectives

To provide equality of educational opportunity within the Secondary, Special Needs and Post-16 Education sectors

Policy Objectives

Improved efficiency and effectiveness in the organisation of schools in these sectors, leading to better curriculum opportunities and better facilities for children and young people and providing appropriately for raising the school leaving age to 16 by 2008

Strategy: First Phase - to 2008

4 secondary schools to become 3

More facilities for College of Further Education and Grammar School Sixth Form students

Phase specific reorganisation for Special Needs pupils

Implementation

Building of Le Rondin School and Centre

Conversion of Oakvale to a Social Emotional and Behavioural Difficulties Centre

Building of Sixth Form Centre

Building of College Hall at future College of Further Education site

Building of Les Nicolles Secondary School and Les Nicolles Special School

Building of Phase A Facilities at Les Beaucamps

Use of vacated sites for central services pending Second Phase completion

Strategy: Phase 2 - to 2017

Complete the rebuilding of the 2 remaining secondary schools

Complete the rebuilding and relocation of College of Further Education and linked central services to St Peter Port Secondary site

Rebuild La Mare de Carteret Primary and create new St Sampson's Primary School

Implementation

Conversion of St Sampson's Secondary to a primary school and youth facility

Phase B (final) building works at Les Beaucamps Secondary

Rebuilding of La Mare de Carteret Primary and Secondary Schools

Phase B (final) building works for CFE at St Peter Port Secondary site

Return to States of some vacated sites

- 3.14 The Option Appraisal confirmed the Education Council's view that Education Development Plan Programme 1 could not be seen as a series of individual or divisible construction projects, but had to be planned as a complex reorganisation of education services for pupils and staff.

- 3.15 The Strategic Review report that followed in Spring 2003 analysed the philosophy, design, programme and cost implications of the programme in the light of detailed research and consultation.
- 3.16 The detailed design background was set out in the April 2002 policy letter. Since the end of 2002, along with the other Education Development Plan Programme 1 projects, the design of the secondary schools has been progressed in more detail.
- 3.17 Subsequent policy letters progressed the Education Development Plan Programme 1 and reflected amendments to the programming of the various projects due to revised funding allocations:
- a) **Billet d'État III February 2003**
Progressing the Education Development Plan: 1. Phasing Programme 1 of the Plan 2. The Forest Special Needs Centre 3. A Site for the North Schools
 - b) **Billet d'État II February 2004**
Progressing the Education Development Plan: 1. Programme 1 (Rebuilding) Funding and Phasing 2. Construction of Additional Post-16 Facilities
 - c) **Billet d'État II February 2005**
Reorganisation of Secondary Education Stage 1: The Building of Les Nicolles Secondary School and Co-Located Secondary Special School: Revised Design, Programme and Cost.
- a) **Billet d'État III February 2003**
Progressing the Education Development Plan: 1. Phasing Programme 1 of the Plan 2. The Forest Special Needs Centre 3. A Site for the North Schools
- 3.18 At its meeting held on **26th February, 2003**, the States resolved to approve, subject to the final recommendations of the Strategic Review, the Education Council's proposals for the phasing for the building projects in Programme 1 of the Education Development Plan. The States also resolved to authorise the Education Council to proceed with Phase One of the rebuilding programme, subject to the States' approval of individual projects.
- 3.19 The States agreed, inter alia, *to approve the use of Les Nicolles Vinery site by the States Education Council for the construction of a new secondary school and a new Special Needs secondary school.*
- 3.20 The States also agreed to progress the plan by authorising the Advisory and Finance Committee to transfer a sum of £32 million from the Capital Reserve to the capital allocation of the States Education Council for that purpose. An

additional £2 million was added to the £4 million previously allocated in April 2002 to cover the initial planning costs of Phases One and Two of the programme.

- 3.21 The States agreed to note that, for planning purposes only, the States Education Council, in conjunction with the Advisory and Finance Committee, would work on the basis of a minimum of £15 million per annum being made available from 2004 for the purposes of progressing the remaining phases of Programme 1 (the secondary, post-16 and Special Needs rebuilding programme) of the Education Development Plan.
- 3.22 The States Education Council emphasised in the February 2003 policy letter that the phasing proposals it laid before the States had been designed to ensure that throughout the phases of the plan the educational needs and demands of the Island would continue to be met, and that adequate facilities would be available at all times and able to be staffed appropriately.
- 3.23 The States Education Council also assured the States that it recognised the need to design the phasing programme to be flexible, so that the phasing could be brought forward or deferred depending on the availability of funds and so that any individual project that was being progressed had the ability to be suspended at three key stages:
- Project initiation
 - Stage D (budget approval and planning drawings)
 - Construction Contract (financial close).

b) Billet d'État II February 2004
Progressing the Education Development Plan: 1. Programme 1 (Rebuilding) Funding and Phasing 2. Construction of Additional Post-16 Facilities

- 3.24 In **February 2004** the States considered the States Education Council follow-up policy letter *Progressing the Education Development Plan: Programme 1 (Rebuilding) Funding and Phasing and Construction of Additional Post-16 Facilities*. The States approved, inter alia, the following resolutions:

- *To transfer the sum of £12,750,000 from the Capital Reserve to the capital allocation of the States Education Council for the purposes of continuing Phases One and Two of the Council rebuilding programme (Programme 1)*
- *To note that the Treasury and Resources Department will have due regard to the need to work on the basis of transferring annually from January 2005 to January 2008, subject to the affordability and availability of funds, the sum of £12,750,000 in January each year to the capital allocation of the Education Department for the purposes of*

completing Phases One and Two of the Department rebuilding programme (Programme 1).

The States Education Council stated that:

- *by using the remaining balance of capital allocation together with future annual allocations of £12.75 million to achieve the Phase One and Two projects, the Council would be able to meet the immediate strategic education objectives of:*
 - a. *the raising of the school leaving age to 16 by 2008/9*
 - b. *reorganising Special Needs Education*
 - c. *addressing the critical post-16 shortage of accommodation problems at the College of Further Education and Grammar School.*

It noted, however, that these objectives would have to be achieved partly through temporary works on the Les Beaucamps, La Mare de Carteret and St. Peter Port Secondary sites pending the completion of the remaining Phases Three to Five.

The funding and programming of Phases Three to Five could be reviewed towards the end of Phase Two and, depending on the financial position of the States, decisions could then be taken.

3.25 Phases 1 and 2 would achieve the following Education objectives:

- address the critical Post-16 capacity shortage of accommodation at the College of Further Education and Grammar School
- enable the closure of St. Peter Port Secondary School to facilitate secondary education to reorganise from four to three sites, permitting the raising of the school leaving age to 16 for the school year 2008/9
- commence the reorganisation, modernisation and improvement of the College of Further Education
- complete the Special Educational Needs reorganisation.

3.26 The Education Department had originally intended the rebuilding of Les Beaucamps School to commence in 2003 as a 2-phase project.

3.27 It was proposed as part of the February 2004 States Policy Letter: “**Progressing the Education Development Plan: 1. Programme 1 (Rebuilding) Funding and Phasing 2. Construction of Additional Post-16 Facilities**”

The **Phase A** project was to provide a Sports Hall and 8 classrooms.

A subsequent **Phase B** project would complete the rebuilding of the rest of the school and provide community use sports facilities and new parking and playground spaces.

A design team was appointed and developed the design to RIBA Stage C.

- 3.28 Consultations were held with the Planning Section of the Environment Department, the School Committee, the staff of the School and the Castel Douzaine on options for locating the buildings on the site.
- 3.29 A Visual Impact and Skyline Survey was commissioned and 5 location options for the site were submitted to the Environment Department in a Formal Planning Consultation Report.
- 3.30 Adjacent land was purchased by the Treasury and Resources Department on behalf of the States in July 2004 in preparation for the rebuilding of Les Beaucamps School.
- 3.31 A Formal Planning Consultation Report was prepared for the Environment Department. Some reservations were expressed by both the planners and the Douzaine about the preferred site location options, largely because of visual impact concerns to do with the siting of the buildings on the brow of the escarpment.
- 3.32 During this period, the Education Department considered again the siting for the new school and whether it should revisit again the issue of replacing Les Beaucamps and La Mare de Carteret Schools with one or two schools. The former Education Council and the Education Department Board had consistently rejected the suggestion of one 1000 plus 11-16 school.
- 3.33 However, the former Advisory and Finance Committee had commissioned consultants Cambridge Projects Ltd. to review Education's proposals. There was strong opposition from the teaching force, parents and school committees to the consultants' suggestion that the two schools could be combined.
- 3.34 This opposition was on the grounds that the larger school which would be created (approximately 1200 11-16 pupils) would:
 - be impossible to locate because of the size of facilities which would be required
 - be regarded as less attractive to pupils and staff because of being disproportionate in relation to the rest of the educational institutions in the Island

- be regarded as likely to increase the risk of disruptive behaviour
 - create further transport difficulties in moving pupils from a larger area of the Island
 - be regarded as educationally unwise in view of the trend in the UK to create smaller school units.
- 3.35 The Department had explored the options for a different site for Les Beaucamps during the Option Appraisal and Strategic Review process in 2003.
- 3.36 It was considered that relocation to a different site would be inappropriate for the following reasons:
- there would be no justification in adding to project costs by requiring the purchase of a new site, nor for adding new buildings in areas covered by the rural area plan
 - it would be likely that there would be additional costs for ground works, services provision, and possible road network changes. It was also noted that a secondary school would require not just land for the buildings, but would need to be of sufficiently level topography to provide for the external sports facilities which a secondary school would be expected to have.
- 3.37 The Education Department covered these aspects in depth in the lead-up to the 2004 February debate and the States overwhelmingly endorsed again the principles for the reorganisation which had been set out in 2002.
- c) **Billet d'État II February 2005**
Reorganisation of Secondary Education Stage 1: The Building of Les Nicolles Secondary School and Co-Located Secondary Special School: Revised Design, Programme and Cost.
- 3.38 Following discussions with the Treasury and Resources Department about the affordability of the States decision in April 2004 to allocate £12.5 million a year to progressing the Education Development Plan Programme 1, the Education Department agreed to defer its plans for Les Beaucamps and stood down its design team.
- 3.39 In the States Report, the Education Department confirmed its decision to defer the Les Beaucamps project and explained it was based on advice from the Treasury and Resources Department that the Capital Prioritisation Debate would take place later in 2005.

“In August 2004, after considering a Commerce and Employment Department update of the local construction industry economic model for various phasing options of Les Nicolles and Les Beaucamps Phase A

building projects, it was agreed with the Treasury and Resources Department to defer some of the programme and progress on the basis of completion of Les Nicolles in 2007 and Les Beaucamps in 2008.

“The Education Department understands that the States might wish to consider the projects at Les Nicolles and Les Beaucamps separately in view of the many demands on its resources, and, therefore, brings the Les Nicolles project forward for States approval at this time. The Les Beaucamps project approvals will be placed before the States later in 2005 after prioritisation of the States’ capital projects is undertaken.”

- 3.40 Correspondence from the Treasury and Resources Department at this time and subsequent discussions indicated that the completion of Phase A was likely to be changed by one year to September 2008 and that completion of Phase B was likely to be extended by two years to September 2011.
- 3.41 In the event the first Prioritisation debate was not brought to the States by the Treasury and Resources Department until October 2006 and Phase A was not included by the Treasury and Resources Department in the projects to be immediately progressed.
- 3.42 The continuing delay to the Prioritisation debate gave the Education Department the opportunity to review its programme for rebuilding Les Beaucamps as well as concentrating on progressing the early projects in Education Development Plan Programme 1. Le Rondin Special School and Centre was completed in September 2005 along with the Sixth Form Centre at the Grammar School. In November 2006 the Princess Royal Centre for the Performing Arts was opened.

4. Development of revised plans for Les Beaucamps High School 2005-2008

Secondary Reorganisation Advisory Group

- 4.1 After the construction contract for the two schools as Les Nicolles had been let and construction had started in July 2006, the Education Department established a Secondary Reorganisation Advisory Group of headteachers and officers which set up task groups to complete the reorganisation.
- 4.2 Implicit in the process was the recognition that the successful completion of Secondary Reorganisation was dependent on decisions being taken on the future structure of primary education in the Bailiwick and that a review of pupil number projections and changing curriculum requirements should be undertaken.
- 4.3 The first of these task groups had the mandate to review progress to date on the Education Development Plan and produce recommendations on the provision of schools in the maintained primary and secondary sectors over the next 25 years, confirming number, size, character, location and catchment.

4.4

Data Collection and Analysis of Work

- To produce school age population projections for the next 25 years
- To project school age population projections for the States Maintained Primary, Secondary, Special Needs sectors and for the Non-States maintained sectors over the next 25 years
- To determine the capacity requirements for the Maintained Primary Sector over the next 25 years.

4.5

Analysis of Work

To recommend:-

- the future number, location, size and character of Maintained Primary Sector schools over the next 25 years and to produce a cost analysis
- revised catchment areas for the Maintained Primary sector schools
- the capacity requirements for the Maintained Secondary sector over the next 25 years
- the future size (capacity) of Les Beaucamps and La Mare de Carteret
- whether feeder primary schools should feed one High School only
- the feeder primary schools for each of the three High Schools.

4.6 During the period the task group was working, the States held its first Capital Prioritisation debate in October 2006.

4.7 Although the Treasury and Resources Department's Capital Prioritisation States Report focused on prioritising projects for construction other than the Education Development Plan, £5 million was awarded for the purpose of progressing the Education Development Plan projects.

4.8 The Education Department, in discussion and correspondence with the Treasury and Resources Department, had identified that the allocation would be used to:

- complete St. Sampson's High School and Le Murier School
- develop Oakvale Special School as a Social Emotional and Behavioural Difficulties Centre
- refurbish St. Peter Port Secondary School buildings as a temporary College of Further Education site (Phase B)

- continue the design development of Les Beaucamps and La Mare de Carteret High Schools
- continue the masterplanning of the new College of Further Education on the St Peter Port School site.

- 4.9 During the States meeting, the Education Board reaffirmed its prioritisation of the Les Beaucamps High School project as its next major capital project, renewing its 2003 decision to progress Les Beaucamps as the second of the High Schools to be rebuilt.
- 4.10 It became clear from many States members' speeches that Les Beaucamps was favoured as the next of the Education Development Plan projects to be progressed. The Education Department has, therefore, worked on the achievement of these objectives.
- 4.11 After the Capital Prioritisation debate, the Department recommenced its planning for Les Beaucamps. The original architects, Design Engine, were briefed to produce an option appraisal for the site, drawing on the work completed in 2003-2004, with an awareness of the reservations expressed about the visual impact of the proposed buildings and in the light of three factors which had changed since the original design brief had been given in 2003. These factors were:

1. Capacity Projections

The Group A task group had revised the 25 year pupil projections estimates in the light of more recent live birth data.

It had also redefined the catchment area for the schools on the basis of rationalisation of pupil places in the primary sector.

This led to a recommendation **that Les Beaucamps should revise its pupil capacity downwards from a maximum capacity of 720 pupils to 660 pupils.**

This would result in 5 year groups each of 132 pupils, with a 5 or 6 form entry in each year. It was anticipated this would allow enough surplus capacity (approximately 10%) to provide for future catchment area fluctuations, possible changes in immigration policies and changes in school area standards.

It was also recognised that before the design brief stage for La Mare de Carteret, a further pupil projections analysis would need to be carried out which might result in a smaller school of a maximum of 600 pupils and with a 5 form entry in each year group.

2. Area Brief

In 2005 the Education Department and the Treasury and Resources Department had jointly commissioned an independent Area Review: The Education Expert Review of Guernsey Benchmark Area Standards for Secondary Schools to establish *“reasonable benchmark guidelines on space standards to be employed by Guernsey for the secondary schools”*.

The panel concluded:

“....The expert panel has accepted the concept of a Guernsey ‘factor’ over the BB98 recommended areas....”

“... we do accept that a Guernsey school does need to be somewhat larger than a comparative UK school to meet the Education Department’s well defined aspirations.

“In our view a ‘factor’ of some 16% over BB98 area recommendations (excluding community facilities and the swimming pool) should be sufficient to meet these aspirations.”

The Education Department used these amended Building Bulletin 98 area guidelines to review the plans for the new St. Sampson’s High School and the revised design for the school moved into construction in July 2006.

- 4.12 The Education Department briefed Design Engine with the revised area guidelines and space requirements, using the area schedule drawn up for St Sampson’s High School, amended to reflect the reduced numbers, and with the advice of the Senior Management Team of the Les Beaucamps School on its school curriculum and organisation.
- 4.13 The design team also took into account revised guidelines from the Department for Children Schools and Families which had emerged from research on the first waves of schools being built in England in the Building Schools for the Future programme. New Department for Children School and Families guidelines have now been published on standard specifications, layouts and dimensions. The Department for Children Schools and Families has acknowledged the widespread criticism of its area guidelines as not being fit for purpose and has emphasised their use as **minimum** standards to be applied.
- 4.14 The design team also noted new guidance from the Commission for Architecture and the Built Environment (CABE) regarding good school design and has applied the Design Quality Indicator evaluation criteria of Build Quality, Functionality and Impact in the planning. The team drew on the guidance given in the area guidelines bulletins relating to special consideration needing to be

given if the topography of the site demanded it, or if community use facilities were to be provided.

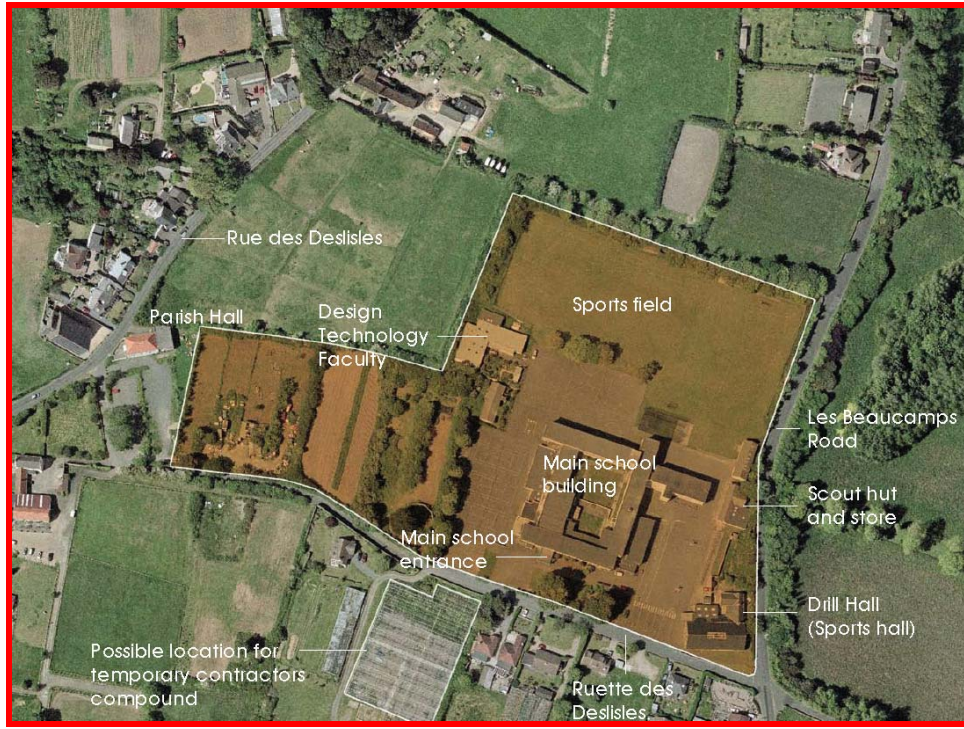
- 4.15 The revised brief was reduced from 10,729m² in 2004 to 8,750m², a reduction of 20%.

3. A single phase Project

- 4.16 When the plans for Les Beaucamps were first advanced in 2003, the pupil projections indicated there would be an immediate need for additional accommodation when St. Peter Port School closed. This would have required the first phase of the buildings to have been constructed concurrently with the buildings on the Les Nicolles site.
- 4.17 It was also recognised that the States did not have the resources to fund two projects at the same time and that the Education Department would not have the staffing capacity to manage two major constructions simultaneously.
- 4.18 The disadvantages of proposing a 2 phase solution were that the period of disruption to the school would be significantly extended; the school would continue to be in accommodation which was no longer fit for purpose for a longer period of time; the project costs were expected to be significantly higher because of the inflation, supply chain and contractual implications of a 2 phase project; the design of the buildings would be constrained by the need to keep the old buildings in use alongside the new accommodation, and the maintenance and energy costs would continue to escalate.
- 4.19 With a reduced area requirement and the reduced numbers, it was now feasible to look to continue to occupy the existing school for a temporary period without the immediate need for temporary accommodation to be brought to the site and for the buildings to be constructed as a single phase project with consequent savings in construction costs.
- 4.20 At the end of 2006, the Board asked Design Engine to prepare site location options which reflected these revised factors and also commissioned the original quantity surveyors for the project, Gardiner and Theobald, to prepare cost options for each of the site location options.
- 4.21 Cost options were prepared on the basis of:
- the area schedule
 - current cost information from the Les Nicolles Schools project
 - earlier site knowledge.
- 4.22 Working in close consultation with senior officers of the Education Department, and after staff level meetings with the Environment Department, school staff,

and the Education Board, Design Engine produced four site location options, with indicative massing and sketch elevations.

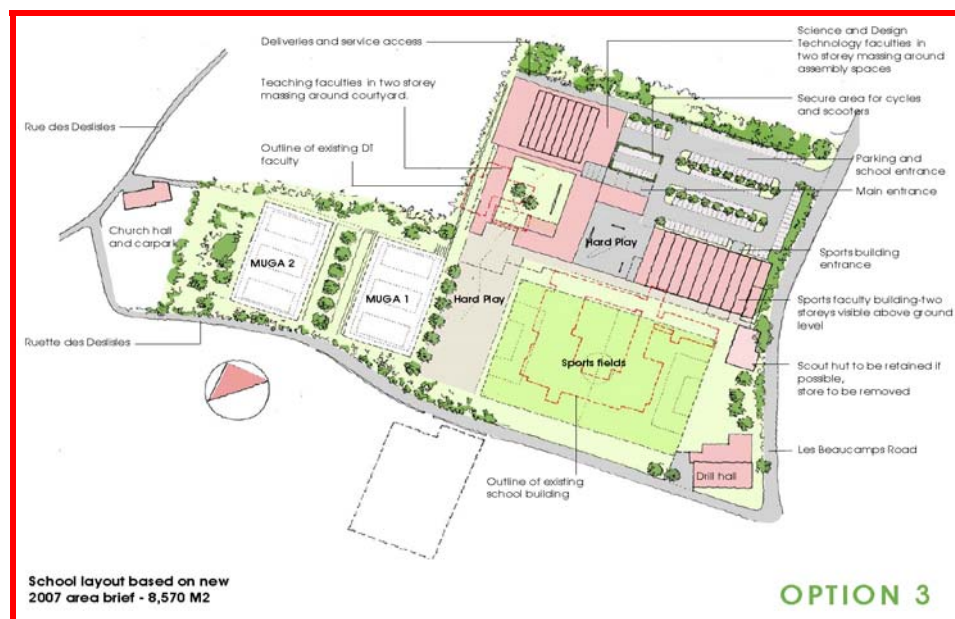
5. Site Location Options



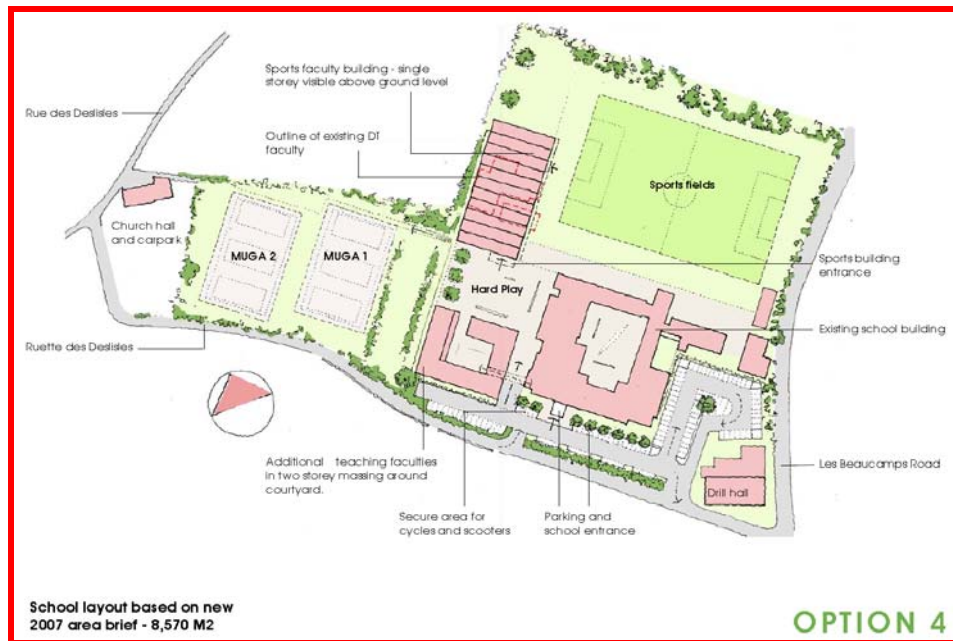
- 5.1 **Option 2** would require the closure and demolition of the existing buildings before the new school could be constructed. Although it would have been possible to relocate the school to the empty St. Sampson's Secondary site from 2009 onwards, there would be considerable difficulties and additional cost in moving a school community to a temporary base in a newly vacated school. St. Sampson's Secondary site is now being used to provide additional accommodation for the College of Further Education.



- 5.2 **Option 3** would mean the loss of Design and Technology facilities and most sports facilities for up to two years as well as potentially causing considerable health and safety concerns during the construction period. It would also have the most visible skyline impact of the options.



- 5.3 **Option 4** would be a refurbishment and extensions option which, as well as being more expensive, would also necessitate the closure of the school for extended periods and still cause functionality problems because of the small size of some of the internal spaces.



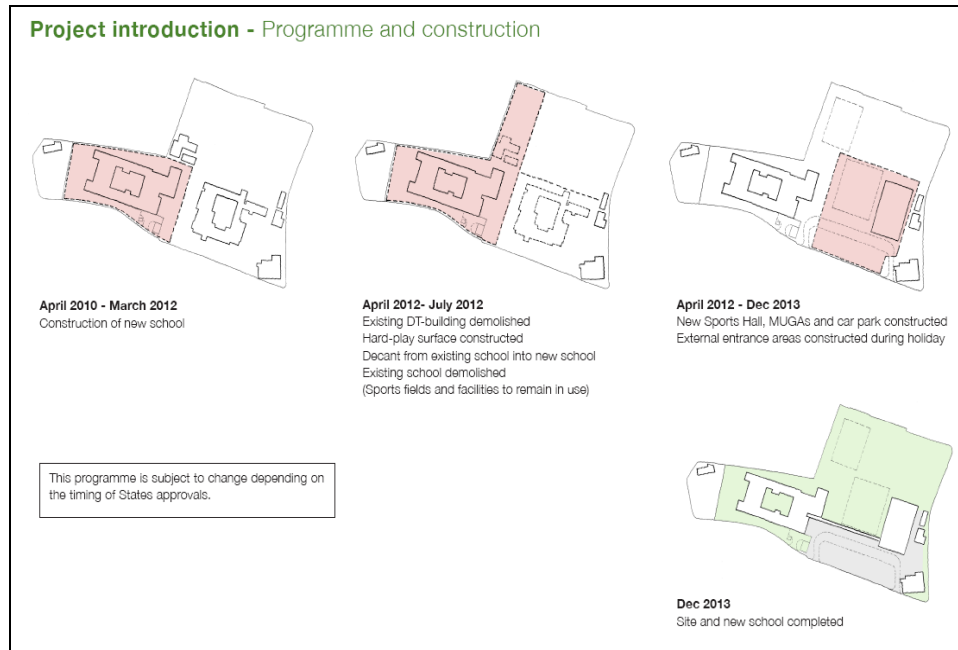
- 5.4 **Option 1** is the preferred option and this has been confirmed by the Education Board, the school committee and the staff of the school. It provides an efficient use of the site, with the new buildings being constructed down the slope to the west of the existing buildings which, with the existing sports facilities, will remain in use throughout the construction period.
- 5.5 The additional new indoor and outdoor sports facilities and increased parking and hard play areas can then replace the demolished original school buildings.



- 5.6 This preferred design improves on the 2004 design by moving the Sports Hall building away from the brow of the escarpment, so reducing the visual impact of the design. It also separates the community use sports facilities away from the school and provides adjacent parking facilities.

6. Construction Phasing

- 6.1 An indicative construction phasing is shown below.



- 6.2 **NB** The delay to the Capital Prioritisation Debate to March 2009 means that the completion date for the project is now five months later than shown.
- 6.3 The results of the Options Appraisal were considered by the Education Board, the Treasury and Resources Department, the Environment Department, the headteacher and staff of the school, the School Committee and the Castel Douzaine. All supported the preferred option.
- 6.4 The preferred option, for a single phase, 660 pupil school based on Building Bulletin 98 guidelines as amended by the Les Nicolles Review Panel, was given approval by the Environment Department to proceed to a Planning in Principle submission.

7. Stage D Design

- 7.1 In January 2007, the Treasury and Resources Department approved the release of funds to allow the re-appointment of the original design team listed below to work in conjunction with the States Education Department to progress the revised proposals to the detailed design stage, RIBA Stage D. (This equates broadly with GC Works stage 2.) The project consultants were originally

tendered in May 2003 and selected in June 2003 in an open market competition. The firms were judged on price and quality, based on interviews and submissions in accordance with States guidelines.

Architect: Design Engine
Quantity Surveyor: Gardiner and Theobald
Landscape Architect: Plincke Landscape
Structural Engineer: Peter Brett Associates
Mechanical and Electrical Consultant: Hoare Lea
Acoustic Consultant: Hoare Lea
Traffic Consultant: ARUP
Fire Consultant: Safe
Client Representative: King Sturge

- 7.2 The use of Hoare Lea to fulfil the role of environmental consultant was key to the architectural solution. A strategic overview of the environmental design, with emphasis on sustainability, was given which formed the massing, section, materials and envelope of the school. The architects were supported in developing an architectural language for the elevations in specifying how the facades needed to perform in terms of:

- natural ventilation
- day lighting
- orientation
- solar gain heat loss
- acoustic separation of teaching spaces with reference to faculty arrangement and natural ventilation.

- 7.3 Design development to this stage was necessary to provide the detail requested by the Environment Department for the Planning in Principle submission. The Education Development Plan Programme 1 Client Representative, King Sturge, took an enhanced role for this design stage in order to coordinate and be contract administrator for the design team.

- 7.4 The Stage D report which has now been completed comprises the following documentation:

Architects Stage D Report
 Landscape Masterplan
 Building Services Stage D Report
 External Building Fabric Assessment Acoustic Report
 Highways and Transport Stage D Report
 Structural and Civil Engineering Stage Design Report.

- 7.5 During this period there has been wide involvement with the staff and pupils of the school in the development of the design, and the Design Quality Indicator for Schools has been used to help clarify and record the design aspirations for the project.

8. Planning Approvals

- 8.1 The Education Department has received support throughout from the Planning Control Section of the Environment Department and received approval from the Environment Department on 17th October, 2007 for it to proceed to Planning in Principle for the preferred option for the project.

- 8.2 Since then, two further meetings have been held at staff level with the Environment Department and the architects to discuss the design.

- 8.3 The Planning in Principle submission has required the preparation of:

- Site location plans and block plans
- Floor plans and elevations at 1:100 scale
- Sketches – 3D views
- Rural area plan – Annex 4 – Planning and design statement
- Photomontages from various viewpoints and cross sections through the site
- Comprehensive landscaping proposals
- Detailed proposals for external materials.

- 8.4 Meetings have been held to outline the plans with the Douzaines of the feeder parishes for the school, the School Committee, representatives of Deslisle Methodist Church, which is adjacent to the site, the PTA, the school staff and with the pupils of the school.

- 8.5 A display of the Planning in Principle proposals was mounted in the school for pupils, staff and parents and subsequently in the Castel Douzaine rooms and the Guille-Allès Library. Neighbours were sent letters advising them of the displays.

- 8.6 The formal Planning in Principle submission was made at the end of October 2008 and a decision is expected from the Environment Department by the end of January 2009. Copies of the Planning submission are available to view from the Education Department.

- 8.7 To date, the building design has been developed to Detailed Design stage (RIBA Stage D). The internal and external design layout has been progressed in response to the specific functional requirements, adjacencies and circulation

flows and in response to the need to reconcile the environmental, educational and cost considerations to achieve the best value scheme.

9. Design Development to RIBA Stage D

Buildings and other features to be retained

- 9.1 The Education Department intends to retain the Drill hall and Scout Hut for further and continued use by the community. The Caretaker's House and Militia Hut Store will also be retained by the school to serve the new building. The World War 2 bunker will remain unaltered. The sports field will be retained as the main external sports facility on the site.

Form and scale of the surrounding buildings

- 9.2 There are three general types to the form and scale of the buildings on and around the site and these have influenced the design of the new buildings.

School buildings - up to two high floors with mono pitch roofs. This is a linear building form with stepped massing and ribbon windows.

Hall buildings - the Methodist Church, Parish hall and Drill Hall all contain large spaces for assembly. They have pitched roofs of between 30 and 40 degrees with strong frontages defining the entrances. They range in height to contain one and a half and two storey volumes. Windows have deep reveals within the thick walls.

Residential Buildings - the surrounding residential buildings have pitched roofs and are between one and two storeys. Generally the upper floors are within the roof volumes lit by dormer windows. Chimneys are prominent on the older dwellings.

Form and Layout - Plan

- 9.3 As well as providing teaching spaces of the appropriate size for modern learning, a compact plan form has been achieved, that provides natural light within upper and lower circulation routes and avoids dead end corridors where anti-social behaviour is likely to occur. General teaching accommodation is arranged around a central courtyard cloister along a stepped section. This takes advantage of the reduced circulation inherent in a courtyard scheme, allowing more space to be allocated to assembly and teaching spaces. Reception and assembly spaces are positioned at the top of the site and specialist teaching spaces at the bottom.
- 9.4 A decision was made early on in the design process to separate the internal Sports facilities from the main building. This was to reduce the amount of accommodation visible on the break of slope by relocating some of the large hall volumes to the back of the site. It also allows for the sports facilities to operate

independently of the main school building for community use. The sports building is based on a very efficient plan developed to reduce circulation space, maximise teaching area and reduce volume.

- 9.5 A covered walkway links the sports building with the main school. This simple structure has the following functions:
1. it provides cover for cycles
 2. a shelter for those waiting for buses or pick up
 3. a secure line across the front of the school
 4. a covered route between the two buildings.

Form and Layout - Site Massing Strategy

- 9.6 The design team has sought to follow the natural contours of the sloping site with stepped two storey volumes that are in sympathy with the scale of the surrounding buildings. The limit to two storey volumes also removes concerns about overlooking. A number of roof pitches were explored, but this has been set at 40 degrees as it has empathy with the surrounding buildings, especially the Methodist Church, Parish hall and residential buildings. The steps in section have had to fulfil an efficient horizontal and vertical circulation pattern whilst sitting comfortably against the slope. The section has also developed to reduce the visual impact of the building at the break of slope.

Provision of amenity space

- 9.7 It is intended that the new Sports Building and its facilities are made available to the local community outside the normal school working hours. Facilities include a 4-lane pool, gymnasium and sports hall, with associated indoor and outdoor changing. Some external sports facilities including the synthetic pitch and tennis courts, will also be available for use by the local community outside of the normal school hours. The Drill Hall is currently used as a gymnasium by the school. This building will also be available for use by the local community once the new sports building is operational.

Residential amenity (Overlooking, Overshadowing, Noise)

- 9.8 As residential properties adjacent to the boundary are on the southern and western side of the school site, there are no issues regarding overshadowing. It will be important to maintain and strengthen the boundaries to the south and west of the school to avoid any overlooking issues. The large granite wall on the southern boundary forms a high barrier along this roadside edge. As with the existing school buildings, nuisance from noise will need to comply with stringent requirements in order to protect the residential amenity.

Protection of neighbours' amenity – Acoustics

- 9.9 Central to the energy conservation and carbon emissions reduction strategy is the provision of air cooled heat pumps to provide heating for the school and sports hall buildings). As the site is currently very quiet (particularly at night), particular effort has been expended to determine the optimal location and acoustic treatment of the heat pump units to ensure the current site noise levels are not compromised.

Visual Impact - Building Design

- 9.10 In August 2003 the Cooper Partnership carried out a Visual and Skyline Assessment on behalf of the States of Guernsey Education Department for the Les Beaucamps site. This report recommended the eastern end of the site as the preferred building location. The new sports building will occupy this location.
- 9.11 The site option studies completed in October 2007 identified the sloping site as a suitable location for the new school building. This fulfilled the educational brief, maximised available external sports facilities and allowed the existing school to remain on site during the construction process. The Visual and Skyline Assessment had identified this site as the alternative location provided that the building was terraced down the contours with special attention given to the visual impact.
- 9.12 The Environment Department has requested photo montages of the proposals so that the visual impact can be properly evaluated. Photo montages have been generated by superimposing a scale computer model into a photograph. To make a realistic comparison with the human eye the photographs have been taken with a 50mm focal length lens. This has parity with the images produced in the Visual and Skyline Assessment undertaken by the Cooper Partnership in August 2003. The montage images are as accurate as possible using conventional photography and computer modelling. (For the purpose of the Planning in Principle submission, the level of modelling was not extended to the production of legally verified images owing to the high cost of commissioning such visualisations.)

Landscape character

- 9.13 An ecological scoping report was carried out in 2003. The report summarised that the school grounds contain a variety of non-native vegetation with some native species particularly along the boundaries and within the orchard area to the west. The survey summarised that there is little evidence of significant ecological value on the site for both flora and fauna.
- 9.14 The landscape masterplan has endeavoured to retain as many mature trees on the boundaries and within the school field as possible, with the boundaries positively enhanced with native shrub, perennial and tree planting.

Materials - Building Design Overview

- 9.15 In selecting materials and colours for the proposed school, robustness and life time costings have been considered, as well as the contextual and aesthetic issues. This supports the Environment Department's commitment to achieving a school with a very high standard of design and exterior appearance.
- 9.16 In summary, the following criteria have influenced the choice of materials for the project:
1. **the colours and textures within the materials found in and around the site**
 2. **the colours of natural materials, in particular granites indigenous to the Island regions**
 3. **robustness, life time costing and the ability of materials to weather**
 4. **a desire where possible to use modern methods of construction to reduce cost and risk**
 5. **the supply and procurement of materials to the Island.**
- 9.17 Throughout the design process, the life time costings of the new school have been carefully considered. Reducing life time costing will allow funds to be used elsewhere to benefit education. The ability of external materials to weather has also been an important factor in parallel with the ability to carry out routine maintenance safely and economically. In practice, if buildings prove to be too expensive and difficult to maintain routinely, then the maintenance regime will eventually be relaxed and the building will soon become unsightly. The Education Department has the responsibility to direct funding into education by reducing the life time costings of the buildings.
- 9.18 In general, materials have been selected that:
1. **weather naturally**
 2. **have a long life with limited maintenance.**
 3. **are robust and durable.**
 4. **allow appropriate elegant solutions and aesthetic control.**
- 9.19 The supply of materials to the Island has been discussed with manufacturers, to ensure that they can be procured practically and economically. When a main contractor is able to be selected, the Department will review this in more detail.

10. **Sustainability**

BREEAM - Energy Use, Health and Wellbeing

- 10.1 The sustainable design features proposed for the new Les Beaucamps School and Sports Hall development are outlined by reference to a **BREEAM** (Building Research Establishment Environmental Assessment Method) pre-assessment which has been undertaken for the project. This has indicated that a score of 'Very Good' is achievable within the constraints of the current proposed design. The BREEAM assessment has been tailored to suit Guernsey in that points are awarded for compliance against energy regulations in force on Guernsey- i.e. Building Regulations Part L 2002. Key design features assessed in the BREEAM assessment are as follows:

Energy use, Health and Wellbeing

- 10.1.1 The environmental design for the building in terms of reducing carbon emissions follows the widely accepted three principles of sustainable energy use:
- firstly: use less energy (be lean) (typically associated with the building fabric and orientation)
 - secondly: supply energy efficiently (be clean) (typically associated with the building mechanical & electrical systems)
 - thirdly: use renewable energy (be green) (typically associated with the building renewable energy measures).

Energy Consumption and the internal environment

- 10.1.2 Attention has been paid to the overall design of the buildings to minimise energy consumption and improve the internal environment within the school. Building orientation and features have been optimised as follows:
- the school building is naturally ventilated wherever possible, with mechanical ventilation provided to technical classrooms such as workshops and the food room. Generally speaking this will provide the lowest energy use environmental solution
 - classrooms incorporate exposed concrete soffits to limit summertime overheating and improve heat retention in the winter. The top floor classrooms incorporate high pitched roofs which will also improve air circulation in the summer
 - natural ventilation is facilitated with chimneys at the rear of each classroom. These allow opening areas of perimeter windows to be reduced during summertime operation and allow more effective ventilation of deeper plan areas at the back of rooms

- classroom windows are provided up to the slab soffit to promote daylight as deep as possible into the classrooms
- wherever possible within the building form, daylighting to the rear of classrooms is provided to promote even daylighting and reduce artificial lighting use
- horizontal shading is provided to south facing classroom windows. This reduces solar penetration into the classrooms and in turn reduces summertime overheating and in turn negates the need for comfort cooling
- the large west facing glazed wall of the dining area and west facing glazing of technical classrooms will incorporate roof overhangs and some vertical shading to limit solar penetration. However, in double height, non-teaching spaces some solar penetration is beneficial in terms of visual delight
- all staff admin rooms and toilets will incorporate external windows wherever possible (for daylighting and natural ventilation)
- the sports hall will incorporate horizontal roof lights to promote even natural daylighting which in turn will greatly reduce the use of artificial lighting.

Mechanical and Electrical Systems - Heat Source and Cooling Provision

10.1.3 Electricity in Guernsey is sourced mainly from France and is generated predominantly from nuclear power stations. The carbon emissions per unit of electricity energy are, therefore, low compared to carbon emissions per unit of gas energy. As such, air cooled heat pumps are proposed for heating the new school and sports hall buildings. The school building has been assessed against Building Regulations Part L 2002 using Guernsey electricity carbon emission factors (to allow for the beneficial effect of French nuclear energy generation) and the provision of air cooled heat pumps for heating of the school. This assessment has indicated that the school building carbon emissions will better part L 2002 requirements by 32%.

Mechanical and Electrical Systems - Ventilation and Heat Recovery

10.1.4 The school will be naturally ventilated wherever possible, with mechanical ventilation provided to technical classrooms such as workshops and the food room. Generally speaking this will provide the lowest energy use environmental solution. Natural ventilation is facilitated with chimneys for each classroom. These allow opening areas of perimeter windows to be reduced during summertime operation and allow more effective ventilation of deeper plan areas at the back of rooms.

Lighting

10.1.5 Lighting accounts for a significant proportion of building energy use - around 16%. Therefore, high efficiency fluorescent lighting will be used throughout the school in conjunction with a lighting control system incorporating daylight linking and presence detection. This will ensure that lights are switched off when not required. General classrooms will incorporate suspended lighting or lighting rafts with both up and down light. This allows soffits to be lit which makes ceilings feel higher and hence improves the visual experience within the space.

Renewable Energy

10.1.6 A detailed study of various renewable energy options was undertaken during the design process for the school. This resulted in the following conclusions:

- biomass heating is not feasible in Guernsey as there is no local fuel availability. Because of the exposed nature of the site and island nature of Guernsey, medium scale wind power is by far the most cost effective and meaningful renewable technology for the site. However, significant planning obstacles are associated with the large size and highly visible location of the turbines. Hence this option has not been pursued, although The Department would be keen to investigate this further, should it be encouraged by the Environment Department
- photo-voltaics and ground source heat pumps (i.e. linking the air source heat pumps to boreholes in the ground to improve their efficiency) are not currently cost effective technology. Hence these options will not be pursued
- solar hot water heating is relatively cost effective and would work well with the heat pump base heating scheme. Hence this option will be pursued
- further detailed calculations have been undertaken for the solar hot water heating option to firm up costs and system sizes. These demonstrate that a solar hot water system would save relatively little energy in the school building (especially as it is unlikely to be fully occupied during the summer months). However, the calculations indicate that the proportion of hot water energy saved by a solar system for the pool building is about 36% of hot water usage. A solar hot water heating system will, therefore, be provided for the pool and sports hall building

Materials

10.1.7 The selection of materials and components will take into account their environmental impact based upon the available raw resource and their life cycle. This would cover their extraction, manufacturing, transport, erection and

maintenance through to the end of their use within this application and future usage.

11. Contract Procurement

- 11.1 The Code of Practice for Major Capital Construction Project Prioritisation and Management states:

“The decision on the optimum procurement method will be taken by States Property Services acting with the Client Department to apportion risk while it can best be managed.”

- 11.2 A contractor procurement workshop involving staff from Education, States Property Services and St. James’ Chambers was held in March 2008.
- 11.3 The most appropriate procurement route for Les Beaucamps redevelopment was agreed as being a Design and Build form of the JCT contract with Law Officer amendments. The contract price will be agreed on a two stage process. The first stage will select the main contractor based on their quality and fixed costs such as preliminaries and profit. The second stage will involve working with the main contractor to competitively tender the works packages to provide a fixed lump sum price.
- 11.4 The design team will be novated to the main contractor once the design has been well developed and tendered so that the quality standards can be managed to an acceptable level.
- 11.5 The early involvement of the main contractor will allow the design to develop during the second stage, taking into account buildability savings as well as programme and logistics issues, which will enable savings to be secured.
- 11.6 It was agreed this approach provided the best balance between controlling the risks for the States, whilst achieving the highest design quality and value for money.
- 11.7 At its meeting on 22nd April, 2008 the Education Board approved the proposed procurement route for the Les Beaucamps School redevelopment.
- 11.8 Although a contractor could not be appointed until the capital prioritisation debate for Les Beaucamps had taken place, Buildability Workshops were subsequently held with the three main local contractors to ensure that the design which was in development offered best value in terms of its construction.

12. Cost Plan

- 12.1 Indicative costs for the project have been produced by Gardiner and Theobald, the appointed quantity surveyors for the project. These have been updated to

January 2009 to reflect the revised programme following the Treasury and Resources Department's decision to defer the Capital Prioritisation debate until March 2009 and include for inflation based on the latest Building Cost Information Service (BCIS) inflation index issued in December 2008.

- 12.2 If the project is given priority status to proceed to submission of detailed proposals and a request for a capital vote, the Education Department intends to return to the States in April 2009.
- 12.3 The current estimated construction cost of £34.79 million as at 2nd January, 2009, includes allowance for inflation effects from January 2009 to completion of the project works in 2014. In the current economic circumstances, the Building Cost Information Service Industry standard index that has been used following consultation with States Property Services allows for expected deflation in 2009 and 2010 with inflation from 2011. A 1% increase in the level of inflation above these assumptions would result in an increase of £1.2 million in the total cost.

13. Revenue Costs

Staffing costs

- 13.1 Additional staffing will be required for the anticipated increase in pupil numbers, although it is anticipated there will be no need to increase the overall staffing establishment of the Department because of the staff savings that will be made when St. Peter Port Secondary School closes in 2009.

Energy costs

School building

- 13.2 The design of the new buildings will be much more energy efficient than the present buildings. The design has been developed to maximise energy savings through sustainable design. The design aims to achieve BREEAM 'Very Good' and incorporates solar thermal water heating, natural ventilation and thermal mass cooling as well as rain water harvesting. On the basis of energy cost information given by Guernsey Electricity and using benchmark annual energy cost data from ECG073 - Energy use in schools, the Mechanical and Electrical consultants have calculated an indicative annual energy cost of about £8.00/m² using air cooled heat pumps. Assuming a school building area of 6,600m² and the air cooled heat pump scheme, the approximate annual energy cost is £52,800.

Pool building:

- 13.3 Using the BRESCU 78 pool annual energy consumption guide (2001) and on the assumption that various energy efficiency measures will be implemented -

improved building fabric, high efficiency heat recovery, variable speed pumps, pool cover used, high efficiency lighting used - the approximate electricity cost is £61,214 per annum, which equates to £32.22/m² per annum.

13.4 The figures are based on energy costs for 2008.

13.5 With provision for energy, maintenance contracts etc. the additional annual revenue costs at today's values are presently estimated and summarised as follows:

Maintenance contracts etc.	£150,000
Heat, light and water	£ 65,000
General supplies etc.	£ 10,000

13.6 In addition, a maintenance schedule will be produced during the construction period and used with the Treasury and Resources Department to determine an ongoing schedule of planned preventative maintenance for elemental refurbishment. Detailed costs to operate and maintain the building to an appropriate standard are being evaluated. The initial estimate for elemental refurbishment is an annual average cost of some £170,000, in addition to the annual revenue costs shown above. The buildings are designed to achieve a minimum life of 50 years with low-maintenance, durable materials being selected. The programme of the first major maintenance refurbishment is designed as lasting a minimum 15 years in order to manage and reduce costs wherever possible. Once the design is finalised, these detailed costs will be confirmed with the Treasury and Resources Department.

13.7 The revenue estimates are very approximate at this early stage. Work will continue to identify possible rationalisation of both staff and other costs. The Education Department will continue to work with the Treasury and Resources Department to identify and manage all the revenue budget implications.

14. Cashflow

14.1 On the basis of the programme below, an indicative cash flow requirement has been prepared by Gardiner and Theobald:

2009	£ 2,000,000
2010	£ 3,667,740
2011	£16,321,244
2012	£ 4,318,070
2013	£ 7,330,002
2014	£ 1,029,737
2015	<u>£ 115,836</u>
Total	<u>£34,782,649</u>

15. **Programme**

- 15.1 Because of the delays to the Capital Prioritisation Debate until March 2009, the proposed project programme has been recast to reflect that the earliest date that a capital vote can be approved by the States would be in the April 2009 States meeting.
- 15.2 The key programme dates as projected from April are:

States debate on detailed proposals	April 2009
Construction of school buildings starts	August 2010
School buildings ready for occupation	August 2012
Demolition of existing school buildings	August-December 2012
Construction of sports facilities starts	November 2012
Sports facilities ready for occupation	May 2014

16. **Maintenance of school functions during the construction phase**

- 16.1 During the construction period the school will continue to operate in its existing buildings and using its existing sports facilities until the new buildings can be occupied.
- 16.2 The phasing of the construction works will allow the new buildings to be erected safely away from the daily operations of the school.
- 16.3 The Education Department now has extensive experience of managing major school rebuilding projects located on operational school sites. Recently Hautes Capelles Primary, St. Anne's School, Alderney, the Princess Royal Centre for the Performing Arts and the Sixth Form Centre have all been constructed on operational school sites.

17. **Project Management**

- 17.1 The Education Department has a well established process for managing capital projects and a design team structure has been implemented for each of the Education Development Plan Programme 1 projects in consultation initially with the Advisory and Finance Committee and latterly with the Treasury and Resources Department.
- 17.2 The four major new-build projects already completed within Education Development Plan Programme 1 – Le Rondin, the Sixth Form Centre, the Princess Royal Centre for the Performing Arts and Le Murier Special School and St. Sampson's High School - have all been completed within budget and to the defined quality standards.
- 17.3 The Education Department has followed Prince 2 methodologies in establishing a Project Board comprising Treasury and Resources Department and Education

Department politicians and officers for the Baubigny Schools project.

- 17.4 It intends to establish the same mechanism once the Les Beaucamps project moves to the construction phase.
- 17.5 In the meantime, a project steering group of Treasury and Resources Department and Education Department politicians and staff will be established.
- 17.6 The original design team was re-engaged to progress the project to Planning in Principle readiness and RIBA Stage D and, subject to the States prioritisation of the project, the team will continue to progress the design through to construction.
- 17.7 Post Implementation reviews of the earlier Education Development Plan Programme 1 projects have endorsed the appointment of a consultant Project Manager and Client Representative and this professional design team will support Department officers who have worked on the earlier Education Development Plan Programme 1 projects.

18. Conclusions

- 18.1. The Education Department wishes the States to note:
 - a) the continuing concerns about the inadequacy of the facilities for pupils and staff at Les Beaucamps High School and the Department's development of the project brief in response to the initial direction of the States in 2001 to return to the States with proposals to develop three new High Schools
 - b) that, following the States 2001 direction to develop three new High Schools, the States subsequently continued to support the progression of the plans for the High Schools as part of the Education Department's Education Development Plan Programme 1 through resolutions following Education Department policy letters and States reports submitted in 2002, 2003, 2004 and 2005. The States also confirmed their approval of the Education Department's development plans through their endorsement of the Department's objectives set out as Priority 9 of the 2007-2009 Government Business Plan.

19. Recommendations

- 19.1 The Education Department requests that the following proposition is debated under Rule 12(4) of the Rules of Procedure such that it is considered by the States without amendment.
- 19.2 Accordingly, the Education Department asks the States to note the contents of the report and the conclusions above and recommends the States:

- to note that, subject to the Education Department's proposals being supported as a high priority by the States during the planned Capital Prioritisation debate, the Education Department will return to the States in April 2009 with detailed proposals for this capital project, including a recommendation for contractors to be appointed and a request for a capital vote to be established.

Yours faithfully

C A Steere
Minister

(NB The Policy Council has no comment on the proposal.)

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

The States are asked to decide:-

XI.- Whether, after consideration of the Report dated 22nd January, 2009, of the Education Department, they are of the opinion:-

To note that, subject to the Education Department's proposals being supported as a high priority by the States during the planned Capital Prioritisation debate, the Education Department will return to the States in April 2009 with detailed proposals for this capital project, including a recommendation for contractors to be appointed and a request for a capital vote to be established.

(NB The Education Department has requested that this matter be debated in accordance with Rule 12 (4) of the Rules of Procedure of the States of Deliberation which provides

“Where a Department or Committee originating a matter for debate before the States is of the opinion that the proposals it is submitting to the States are ones of general policy, and where it is desirable that the general principles of that policy should be considered, the Department or Committee may request that its propositions be considered by the States without amendment, on the understanding that if the propositions are accepted, the Department or Committee would return with detailed proposals which could be accepted or rejected, together with any amendments...”)

REQUÊTE

KERBSIDE COLLECTION OF RECYCLABLES

THE HUMBLE PETITION of the undersigned Members of the States of Deliberation
SHEWETH:-

1. In January 2007 the States supported an amendment to adopt a target of 50% recycling of the island's household and commercial waste by 2010.
2. Up to the end of June 2008, the Public Services Department claimed that household recycling had risen to 30.8%.
3. In August 2008 consultants Integrated Skills Ltd reported that with kerbside collections of dry recyclables recycling would reach 46% and with food waste collection of wet recyclables we could progress to 61%.
4. In the opinion of your Petitioners kerbside collection of recyclables will channel efforts into resource recovery, intensive waste segregation, recycling and composting and extend the life of Mont Cuet.
5. In the opinion of your Petitioners kerbside collection of recyclables will help enable the States to achieve the waste policy to attain the 50% recycling target for household and commercial waste by 2010.
6. In that kerbside collection of recyclables is considered a low risk strategy to reduce waste volumes and increase recycling rates, your Petitioners believe that it would promote a positive image to the recycling efforts of the States of Guernsey.

THESE PREMISES CONSIDERED, YOUR PETITIONERS humbly pray that the States may be pleased to resolve as follows:-

To direct the Public Services Department to report back to the States by no later than June 2009 on the matter of kerbside collection of recyclables, such report to include plans and funding mechanisms and a comprehensive assessment of all practical implications relating to the introduction of collections island wide of wet and dry recyclables on a permanent basis.

AND YOUR PETITIONERS WILL EVER PRAY

GUERNSEY, this 10th day of December, 2008

D de G De Lisle
M J Fallaize
C A Steere
J A B Gollop
M W Collins
M P J Hadley
A R Le Lievre
B L Brehaut
J Kuttelwascher
S J McManus

C N K Parkinson
G P Dudley-Owen
M G G Garrett
J M Tasker
J M Le Sauvage
M M Lowe
L R Gallienne
S L Langlois
I F Rihoy

(NB In pursuance of Article 17 of the Rules of Procedure the views of the Departments and Committees consulted by the Policy Council, as appearing to have an interest in the subject matter of the Requête, are set out below.)

PUBLIC SERVICES DEPARTMENT

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

24 December 2008

Dear Deputy Trott

REQUÊTE – KERBSIDE COLLECTION OF RECYCLABLES

I refer to your letter of 16 December 2008.

The Board of the Public Services Department considered the Requête at its meeting held on 18 December 2008.

The Public Services Department currently supports and provides numerous routes and schemes to encourage the reuse and recycling of material. These range from bottle banks, the bulk refuse scheme, provision of compost bins, etc. This is all part of the drive as we seek to reach the target set by the States of 50% recycling by 2010. However, as custodians of the public purse, any reuse or recycling activities must provide the Island with value for money and it should not be recycling at any price.

States Members will each now have received a copy of the report prepared by Integrated Skills Limited on Kerbside Recycling. ISL have demonstrated that the only way to

reach or exceed the 50% recycling target would be through a very high participation rate (8 out of every 10 Islanders recycling all the time) and importantly the collection and processing of food waste.

Due to the fact that most of the land mass on Guernsey is within the water catchment area and furthermore there are significant potential contamination risks for farmers with the use of composted food waste on the land, the advice from all quarters is that any food waste collected in Guernsey cannot, even after extensive composting and processing, be returned to the land. The only practical option would either be to send it to landfill (which would be pointless) or to export it. ISL advised that they were not aware of any particular locations on the continent to which processed food waste could be exported but they were willing to investigate this further. However, critically their advice was that they did not believe there could be any medium or long term guarantees with such export routes and at best the Department might be able to secure a 12-18 month licence.

This left the Department with the prospect of considering further an Island wide kerbside collection scheme at a cost estimated to be in the region of £600,000 to £1m per annum that at best would increase household recycling to 46%, although this in itself is highly optimistic, dependent upon the very high participation rates mentioned above. This equates to something in the region of 4,000 tonnes diverted from landfill. If this could be achieved, it would be at a price of approximately £200 per tonne for collection. However, collection in itself is not the end of the story, thereafter the material must be packaged, processed, exported and sold to a willing buyer.

A further complication in the process is that kerbside collections work best where there are wide public highways and estates which allows the collection vehicle to collect the material and either sort it at the roadside into containers on the lorry or throw the combined pack into the back. This is not a quiet process, not least because the tins and bottles which form a large part of the waste create higher noise levels than the standard black bag waste when being moved. Also, because of the need for keeping the material separated and relatively clean, there would need to be an investment in kerbside vehicles and in the interest of efficiency the number of these would be kept to a minimum which means they would have to work longer hours and so unlike the regular refuse round which may operate in the very early hours of the morning the kerbsiders would have to be operating throughout the day including the main commuting times. With the Island's narrow roads this would inevitably cause some traffic disruption.

Overall, the Board considered these and the various other aspects associated with kerbside to be sound reason for a decision to be deferred until it became clearer of the decision the States was planning to make with regard to the investment in a long term residual waste plant.

If it is the States' wish to debate Island wide kerbside recycling the Department will produce the requisite report but at this stage it remains convinced that it has on behalf of the States already carried out the necessary research and reached logical conclusions,

namely that to invest in a kerbside recycling scheme is neither appropriate at this time nor would it represent value for money to the Island community.

Yours sincerely

B M Flouquet
Minister

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

22 January 2009

Dear Deputy Trott

REQUÊTE – KERBSIDE COLLECTION OF RECYCLABLES

I refer to previous correspondence on this subject, which rests with my letter dated 24 December 2008.

As stated in that letter, the Board of the Public Services Department believes that it has, on behalf of the States, carried out the necessary research and reached logical conclusions in respect of an Island-wide kerbside collection scheme.

Notwithstanding this, in the interests of openness and transparency, the Department has decided that it would be prepared to submit to the States by June 2009 the detailed report called for in the Requete. In this way it will be able to put into the public domain the full reasons for its decision, which affects every resident on the Island.

In light of this decision I would suggest that there is nothing to be gained from debating the Requete in February.

Yours sincerely

B M Flouquet
Minister

ENVIRONMENT DEPARTMENT

Deputy L S Trott
 Chief Minister
 Policy Council
 Sir Charles Frossard House
 La Charroterie
 St Peter Port

9th January 2009

Dear Deputy Trott

REQUÊTE – KERBSIDE COLLECTION OF RECYCLABLES

Thank you for your letter dated 16th December 2008 requesting the Environment Department's comments on the Requête dated 10th December 2008 signed by Deputy De Lisle and eighteen other States Members concerning the kerbside collection of recyclables.

Paragraph 1 of the Requête refers to the amendment placed before the States Assembly in January 2007, which amendment was subsequently commented on and clarified within the Environment Department's report on "Waste arisings, Recycling and Growth", Billet d'Etat XXIV 2007. In that report, at paragraph 7.2, the Environment Department explained that "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". The report, therefore, went on to clarify the position and the States, in accepting the Environment Department's report, accepted that clarification - namely that the target adopted by the States was to recycle 50% of household waste and 50% of commercial waste with a target delivery date of 2010.

The Department considers this clarification to be an important point as, with the current economic climate, it is essential that resources are committed to where the greatest gain can be achieved. The Department is, therefore, of the view that the States should not concentrate solely on the 50% recycling target for household waste but should also be looking at the performance and commitment to achieving the 50% commercial waste recycling target.

The Environment Department notes that paragraph 2 of the Requête quotes the Public Service Department's household recycling figures as 30.8% whilst in paragraph 3 of the Requête, figures are extracted from table 8 of the July 2008 report prepared by Integrated Skills Limited. It should be noted that table 8 of that report also gives a figure for the status quo and, therefore, in order to carry out like for like comparisons,

the status quo figure of 36.5% should be adopted rather than the 30.8% figure quoted in the Requête.

The Environment Department considers this clarification is important as the additional spend required to achieve the 46% [sic] recyclables figure quoted in the Requête would relate to capturing an additional 9.8% (46.3% minus 36.5%) rather than the 15.2% (46% minus 30.8%) implied by the requête.

The Environment Department notes that to achieve the increase in dry recyclables of 9.8%, a spend of circa £1,000,000 per annum is required (items 8(a) to 8(d) on table 8 of the Integrated Skills Limited report).

Integrated Skills quotes the total household waste production for 2007 as 25,752 tonnes (paragraph 2.2 of the report). 9.8% of this figure, therefore, equates to 2,524 tonnes which, at a cost of circa £1,000,000, equates to a recycling cost of £396 per tonne. Such figures support the Environment Department's comments contained in its report to the States in January 2007 and quoted in the Integrated Skills Limited report "whilst the Environment Board supports the desire for high recycling and believes that Guernsey's current performance can be improved, it has serious reservations over the achievability and long-term deliverability of the 50% target".

In particular, the Environment Department notes that paragraph 5 of the Requête expresses the opinion that "kerbside collection of recyclables...." which must refer to household recyclables "....will help enable the States to achieve the waste policy to attain the 50% recycling target for household and commercial [emphasis applied] waste by 2010". The Environment Department can not endorse this opinion. As explained above, the 50% target relates to household waste and commercial waste individually. Kerbside collection of household recyclates at a cost of circa £1,000,000 per annum will do little if anything to contribute to attaining the 50% recycling target for commercial waste.

Paragraph 6 of the Requête states that kerbside collection of recyclables is a low risk strategy to "reduce waste volumes...". The Environment Department must correct this statement as it runs the risk of confusing waste arisings with waste sent to landfill. Recycling does not reduce waste volumes. Recyclates are themselves waste and hence constitute part of the waste volume. What recycling does do is divert that waste away from other treatment routes. More significantly, the Environment Department is of the view that clause 6 of the Requête fails to recognise the importance of the waste hierarchy. The waste hierarchy places waste minimisation and waste reuse above recycling and both of these waste management options are of lower risk than recycling. The Environment Department would, therefore, question, especially within the current economic climate, the appropriateness of committing an additional £396 per tonne collection and processing costs to further promote recycling of household waste when such expenditure per tonne may have a far greater gain if targeted at waste minimisation and reuse and/or recycling of commercial waste.

It will be noted that the Department's response has been based on the "dry recyclates" option and has not commented on the higher recycling figures that might be achieved with the inclusion of all organic waste. Without purpose built composting facilities capable of guaranteeing the quality of the end product, the Environment Department

cannot support the composting of organic waste including kitchen and food waste and the subsequent dispersal of the end product on agricultural land and/or land within the water catchment area. As such the collection of household organic waste including kitchen and food waste is not considered an option at present.

The Environment Department notes that the prayer of the Requête is to direct the Public Services Department to report back to the States by no later than June 2009 on the matter of kerbside collection of recyclables. The Environment Department is of the view that such a report would provide little additional knowledge beyond that provided in the report carried out by Integrated Skills Limited and made available to all States Members. The Environment Department is of the view that if further reports are considered necessary, the resources required to generate such reports would be put to better use if the reports examined:

1. The life-cycle costs of recycling waste materials generated on Guernsey.
2. The options, scenarios and costs available to promote waste minimisation and increase waste re-use.
3. The options, scenarios and costs to increase recycling of commercial waste.

Yours sincerely

Peter Sirett
Minister

(NB The Policy Council has no comment on the prayer of the Requête.)

(NB The Treasury and Resources Department has no comment on the prayer of the Requête.)

The States are asked to decide:-

XII.- Whether, after consideration of the Requête, dated 10th December, 2008, signed by Deputy D de G De Lisle and eighteen other Members of the States, they are of the opinion:-

To direct the Public Services Department to report back to the States by no later than June 2009 on the matter of kerbside collection of recyclables, such report to include plans and funding mechanisms and a comprehensive assessment of all practical implications relating to the introduction of collections island wide of wet and dry recyclables on a permanent basis.

APPOINTMENTS LAID BEFORE THE STATES

COMMERCE AND EMPLOYMENT DEPARTMENT

APPOINTMENT OF THE GUERNSEY DEPOSIT COMPENSATION BOARD

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

22nd December 2008

Dear Sir

Under the provisions of section 3(1) of the Banking Deposit Compensation Scheme (Bailiwick of Guernsey) Ordinance, 2008, the Department shall appoint the Guernsey Deposit Compensation Board.

The Department has carefully considered the membership of that Board and has appointed Mr Charles Tracy as Chairman and Mr John Lee. Mr Steven Butterworth and Advocate Nigel Carey as ordinary Members.

Curriculum vitae of the four appointees are attached.

The Department believes that these individuals have a wide range of knowledge and experience that will be particularly relevant to the functions of the Guernsey Deposit Compensation Board.

In accordance with section 3(4) of the Ordinance, I would be grateful if you would lay these appointments before a meeting of the States.

Yours faithfully

C S McNulty Bauer
Minister

CURRICULUM VITAE**Mr Charles Tracy**

Education: Rugby School 1958-63, Scholar, Trinity College, Cambridge 1963-67

Qualifications: MA Hons. (Cantab) Natural Sciences II.2, Economics II.1

Current Appointments: Director: I have a portfolio of non-executive directorships including Chairmanship of two LSE-quoted investment trusts and three captive insurance companies

2003 - Non-executive Director of Louvre Group Ltd., and of its regulated subsidiaries Louvre Trust (Guernsey) Ltd., Louvre Fund Management Ltd. and Louvre Financial Services Ltd.

1992 - President, Guernsey Tax Tribunal

Previous Career: 1998 - 99 Director and Chairman, Guernsey, Matheson Investment International Ltd.

1981 - 98 Managing Director, N M Rothschild & Sons (C.I.) Ltd., Guernsey

1978 - 81 Deputy Managing Director, N M Rothschild & Sons (Hong Kong) Ltd.

1977 - 78 Manager, Bumiputra Merchant Bankers Bhd., Kuala Lumpur

1975 - 77 Manager, N M Rothschild & Sons Ltd., London

1972 - 75 Drayton Corporation Ltd./Samuel Montagu & Co. Ltd., London

1967 - 72 Hambros Bank Ltd., London and New York

Mr John Preston Lee TD., FCIB.

Education:- Emanuel School SW 11 1945 – 1952

Career:- 2nd Lieutenant Royal Artillery 1952 – 1955
 Captain Royal Artillery (Territorial Army) 1955 – 1971
 Lloyds Bank 1955 – 1960
 Midland Bank 1960 – 1994

Senior Managerial Positions:-

Senior Asst. Manager Guernsey 1972 – 1974
 Controller of Advances Regional Head Office S'ton 1974 – 1976
 Asst. Regional Director (Operations) Home Counties 1976 – 1980
 General Manager's Asst. (Treasury) Head Office 1980 – 1981
 Area Manager Guernsey 1981 – 1994

Professional Qualifications:-

Associate of the Chartered Institute of Bankers 1960
 Fellow of the Chartered Institute of Bankers 1985

Non-Executive Directorships (Captive Insurance Companies) Current :-

Bailiwick Insurance PCC Ltd
 Excel Insurance Ltd.
 CBS Insurance Ltd.
 JCB Insurance Co. Ltd
 MDDUS Insurance Ltd.

States of Guernsey (Current):-

Chairman Social Security Tribunal

States of Guernsey (Previous):-

Chairman States Audit Commission (Terminated March 2004)
 States Horticultural Committee ditto
 Vice President Guernsey Tax Tribunal (Retired March 2008)

Mr Steve Butterworth

Steve Butterworth was appointed the first Guernsey insurance regulator in 1986. Guernsey is Europe's largest captive insurance centre. He left the Commission, aged 60 on 1st November 2003 in order to pursue governmental insurance regulatory advisory, directorships and other interests. He qualified as a Chartered Accountant and also as a Chartered Tax Advisor in 1971 but has recently ceased to be a member of the Institutes. He was a Certified Fraud Examiner (now ceased membership) and has been connected with the insurance industry for over thirty years. He is a member of the Institute of Risk Management, the Chartered Insurance Institute, the Association of Insurance and Risk Managers and the Institute of Directors.

Past positions held:-

- 1) Executive Committee member of the IAIS (Member of Technical and Emerging Markets Committee, Core Principles Methodology and Assessment and Reinsurance and Securitisation and several other sub-committees);

- 2) Founder Chair (1993-1998) of the IAIS Education Committee which brought out the first training manual.
- 3) Founder Chair (1998-2002) of the IAIS Insurance Fraud Sub – Committee;
- 4) Founder Chair (1993-2000) of the Offshore Group of Insurance Supervisors – and from 2000 to 2003, the Executive Committee member responsible for international representation of the Group. From 2004 to 2007 he was the Honorary Executive Director;
- 5) Member of the Fraud Advisory Panel Research Working Party of the Institute of Chartered Accountants in England and Wales;
- 6) Faculty member of the Association of Certified Fraud Examiners (USA); and
- 7) Member of the Editorial Advisory Boards of Insurance and Reinsurance Solvency Report and Captive Review;
- 8) Member of the Advisory Board of the Toronto International Leadership Centre for Financial Sector Supervision.

He is a director of Hiscox Insurance Company (Guernsey) Ltd. (Chairman), Hiscox Insurance Company (Bermuda) Limited, Hiscox Insurance Services (Guernsey) Limited (Chairman), and two captives: Network Rail Insurance Limited and Gold Coast City Council Insurance Company Limited (Chairman). He is also a director of AGICM Ltd, a manager of a fund specialising in solvent non-life insurance closures. On these Boards, he performs a general role but he also specialises in regulatory and corporate governance (including risk management) issues.

Advocate Nigel Carey

Education

Until 1966	Elizabeth College, Guernsey
1967 – 1970	Southampton University Bachelor of Law
1/75 – 6/75	Caen University (France) Certificat d'Études Juridiques Françaises et Normandes

Professional Experience

1972 – 1974	Solicitor's Articled Clerk
1974	Admitted as a Solicitor of the Supreme Court of England and Wales

1975	Admitted as an Advocate of the Guernsey Bar
1975 – 1977	Employed as an advocate undertaking general legal work by Carey Langlois
1977 to June 2008	Partner in Carey Langlois (which became Carey Olsen in 2003 following merger with Olsens, a firm of Jersey Advocates) initially dealing with a range of general work and latterly specialising in investment funds and corporate work
July 2008 to date	Consultant with Carey Olsen
1993 – 2004	Ordinary member of the Guernsey Financial Services Commission
1997 – 1999	Batonnier of the Guernsey Bar
2008	Appointed Procureur Délégué by the Royal Court, having previously served for a number of years as Contrôle Délégué

In pursuance of section 3(4) of the Banking Deposit Compensation Scheme (Bailiwick of Guernsey) Ordinance, 2008, the appointments by the Commerce and Employment Department of Mr Charles Tracy as Chairman and Mr John Lee, Mr Steven Butterworth and Advocate Nigel Carey as ordinary Members of the Guernsey Banking Deposit Compensation Board are laid before the States

(NB Section 3(4) of the Banking Deposit Compensation Scheme (Bailiwick of Guernsey) Ordinance, 2008 provides

The appointment of a member of the [Guernsey Banking Deposit Compensation] Board under this section shall be laid before a meeting of the States as soon as possible and shall, if at that or the next meeting the States resolve to annul it, cease to have effect, but without prejudice to anything done by the Board or by that member during his appointment.)

ORDINANCE LAID BEFORE THE STATES

**THE CHILDREN (GUERNSEY AND ALDERNEY) LAW, 2008
(AMENDMENT) ORDINANCE, 2009**

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, the Children (Guernsey and Alderney) Law, 2008 (Amendment) Ordinance, 2009, made by the Legislation Select Committee on the 12th January, 2009, is laid before the States.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

**THE STATES HOUSING (RENT AND REBATE SCHEME) (GUERNSEY)
(AMENDMENT) REGULATIONS, 2008**

In pursuance of section 5(3) of the States Housing (Tenancies, Rent and Rebate Scheme) (Guernsey) Law, 2004, the States Housing (Rent and Rebate Scheme) (Guernsey) (Amendment) Regulations, 2008, made by the Housing Department on 19th December, 2008, are laid before the States

EXPLANATORY NOTE

These Regulations amend the States Housing (Rent and Rebate Scheme) (Guernsey) Regulations, 2005 by making changes to the charges applied to non-dependent persons residing in the household of a statutory tenant, and to the allowances given to dependent children residing in the household of a statutory tenant.

**THE AVIATION (BAILIWICK OF GUERNSEY) LAW, 2008
(AMENDMENT OF SCHEDULE 2) REGULATIONS 2008**

In pursuance of Section 178 (4) of the Aviation (Bailiwick of Guernsey) Law, 2008, the Aviation (Bailiwick of Guernsey) Law, 2008 (Amendment of Schedule 2) Regulations, 2008, made by the Commerce and Employment Department on 16th December 2008, are laid before the States.

EXPLANATORY NOTE

These Regulations amend certain provisions of Schedule 2 to the Aviation (Guernsey) Law, 2008 which lists requirements that the Director of Civil Aviation ("DCA") must ensure are met in order that the Bailiwick complies with the Annexes to the convention on International Civil Aviation (known as the Chicago Convention). The requirements are set out in Civil Aviation Publications ("CAPs") of the United Kingdom Civil Aviation Authority. The amendments made by these Regulations are intended to place a duty upon the DCA to ensure that the international aviation safety standards under the Chicago Convention, as set out in the CAPs referred to the amendment made by paragraph 2 of the Regulations, are met within the Bailiwick.

**THE AVIATION (BAILIWICK OF GUERNSEY) LAW, 2008
(AMENDMENT OF SCHEDULE 13) REGULATIONS 2008**

In pursuance of Section 178 (4) of the Aviation (Bailiwick of Guernsey) Law, 2008, the Aviation (Bailiwick of Guernsey) Law, 2008 (Amendment of Schedule 13) Regulations, 2008, made by the Commerce and Employment Department on 16th December 2008, are laid before the States.

EXPLANATORY NOTE

These Regulations amend certain provisions of Schedule 13 to the Aviation (Guernsey) Law, 2008 (provisions that relate to alcohol and drug offences relevant to aviation functions) in order that those provisions are the same as relevant provisions of the Road Traffic (Drink Driving) (Guernsey) Law, 1989 (as amended) that relate to motoring.

Guernsey Retail Prices Index

Quarter 4 - 31 December 2008



POLICY COUNCIL
THE STATES OF GUERNSEY

Issue Date - 21st January 2009

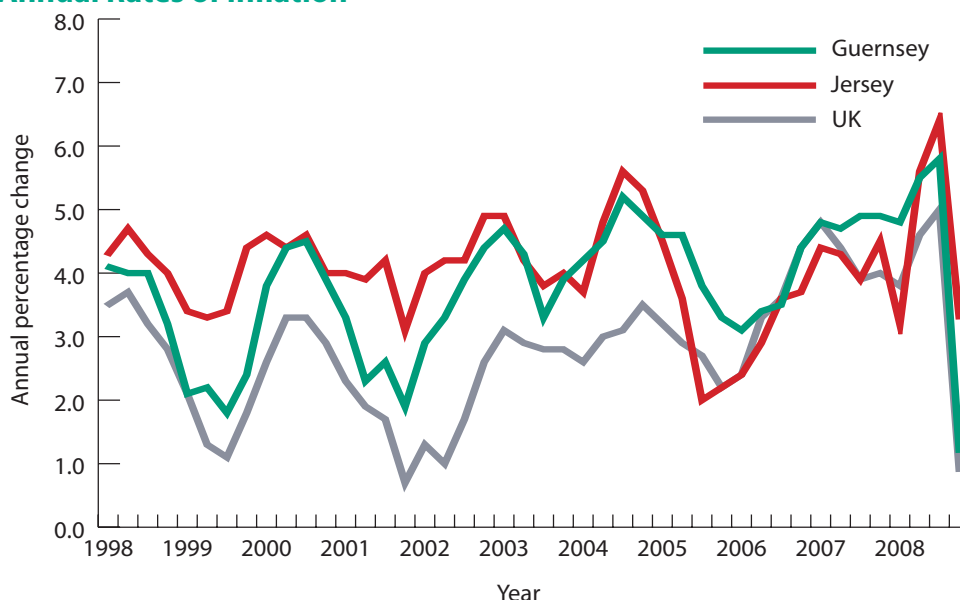
Introduction

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 December 2008 Guernsey's annual headline rate of inflation was 1.2%, compared to 5.8% at the end of September and 4.9% at the end of December 2007.
- A similar trend was seen in the UK and Jersey (see *Figure 1*), where the equivalent figures for the end of December 2008 were 0.9% and 3.3% respectively.
- Guernsey's RPIX ("core" inflation excluding mortgage interest payments) was 4.6% this quarter, compared to 6.2% at the end of September and 3.9% at the end of December 2007.
- The Housing group alone contributed a decrease of -2.1 percentage points to the headline rate of inflation as a result of decreases in the mortgage interest component, which reduced significantly due to the Bank of England cutting interest rates.
- The Clothing and Footwear, Fuel Light & Power and Leisure Goods groups also decreased during the year.
- However, ten of the fourteen RPI groups increased over the year ending December 31st 2008: the Food, Alcohol, Household Services and Leisure Services groups contributed the largest increases.
- The Index stood at 137.9 (1999 base).

Figure 1: Annual Rates of Inflation



*APPENDIX II***PUBLIC SECTOR REMUNERATION COMMITTEE****STATES OF GUERNSEY PUBLIC SERVANTS' PENSION SCHEME:
2009 PENSIONS INCREASE**

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

20th January 2009

Dear Sir

In accordance with the States of Guernsey (Public Servants) (Pensions and other Benefits) (Amendment No. 2) Rules, 1997, approved by the States on the 29th October, 1997 (Article X of Billet d'Etat No. XIX of 1997), I would advise you that the Public Sector Remuneration Committee, after consultation within the Pensions Consultative Committee, has resolved that pensions in payment and preserved pensions and other benefits not yet in payment be increased with effect from 1 January 2009 as follows:

- | | |
|--|--|
| (a) awarded prior to 1 January 2008 | by 5.5% |
| (b) awarded in the period from 1 January 2008
to 31 December 2008 | by 1/365th of 5.5% for each
day of entitlement |

(i.e. in line with the change in the Retail Price Index for the twelve months ending on 30 June 2008).

In accordance with the above mentioned Rules, I should be grateful if you would arrange for this letter to be published as an Appendix to a Billet d'Etat.

Yours faithfully

A H Brouard
Chairman

IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 25th DAY OF FEBRUARY, 2009

**The States resolved as follows concerning Billet d'État No VII
dated 6th February 2009**

POLICY COUNCIL

LEGISLATION – PROJETS DE LOI ('LAWS') AWAITING ROYAL SANCTION

I.- After consideration of the Report dated 19th January, 2009, of the Policy Council: -

1. To note the contents of that Report.
2.
 - (1) To rescind their resolution of 12 March 2008 (on Article I of Billet d'État No. III of 2008) "to approve the Projet de Loi entitled "The Evidence in Civil Proceedings (Guernsey and Alderney) Law, 2008" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto";
 - (2) To approve the Projet de Loi entitled "The Evidence in Civil Proceedings (Guernsey and Alderney) Law, 2009" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.
3.
 - (1) To rescind their resolution of 12 March 2008 (on Article IX of Billet d'État No. III of 2008) "to approve the Projet de Loi entitled "The Competition and Trading Standards (Enabling Provisions) (Guernsey) Law, 2008" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto";
 - (2) To approve, subject to the following amendment, the Projet de Loi entitled "The Competition (Enabling Provisions) (Guernsey) Law, 2009" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

AMENDMENT

In the Competition (Enabling Provisions) (Guernsey) Law, 2009 -

- (a) in clause 5(m) (printed on page 42 of the Brochure) for ", fines" substitute "(including, without limitation, financial penalties, whether calculated by reference to an undertaking's turnover or otherwise)", and
- (b) after paragraph (w) (printed on page 44 of the Brochure) insert the following paragraph -

"(x) without prejudice to paragraph (w), the conferring on the Director General of power to require undertakings-

- (i) to transfer, dispose of or enter into any other transaction or arrangement in respect of -
 - (A) any business or part thereof, or
 - (B) the control of any undertaking or business or any part thereof,
- (ii) to carry on any business or part thereof or any joint venture subject to such conditions, restrictions and limitations as may be specified,
- (iii) to refrain from carrying on any business or part thereof or any joint venture or from entering into any transaction or arrangement or any class or description thereof,
- (iv) to transfer, dispose of or enter into any other transaction or arrangement in respect of any property or assets or the control, ownership, possession or use thereof,"

and reletter the following paragraphs (x) to (dd) as, respectively, paragraphs (y) to (ee).

- 4. (1) To rescind their resolution of 12 March 2008 (on Article IX of Billet d'État No. III of 2008) "to approve the Projet de Loi entitled "The Road Traffic (Parking Fees and Charges) (Enabling Provisions) (Guernsey) Law, 2008" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto";
- (2) To approve the Projet de Loi entitled "The Road Traffic (Parking Fees and Charges) (Enabling Provisions) (Guernsey) Law, 2009" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.
- 5. (1) To rescind their resolution of 28 May 2008 (on Article I of Billet d'État No. VII of 2008) "to approve the Projet de Loi entitled "Fraud (Bailiwick of Guernsey) Law, 2008" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto";
- (2) To approve the Projet de Loi entitled "Fraud (Bailiwick of Guernsey) Law, 2009" and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.
- 6. (1) To rescind their resolution of 28 May 2008 (on Article II of Billet d'État No. VII of 2008) "to approve the Projet de Loi entitled "The Sexual Offences (Incitement, Jurisdiction and Protected Material) (Bailiwick of Guernsey) Law, 2008" and to authorise the Bailiff to present a most humble petition to

Her Majesty in Council praying for Her Royal Sanction thereto”;

- (2) To approve the Projet de Loi entitled “The Sexual Offences (Incitement, Jurisdiction and Protected Material) (Bailiwick of Guernsey) Law, 2009” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.
7.
 - (1) To rescind their resolution of 28 May 2008 (on Article V of Billet d’État No. VII of 2008) “to approve the Projet de Loi entitled “The Education (Guernsey) (Amendment) Law, 2008” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto”;
 - (2) To approve the Projet de Loi entitled “The Education (Guernsey) (Amendment) Law, 2009” 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 COURT OF CHIEF PLEAS (GUERNSEY) (AMENDMENT) LAW, 2009

II.- To approve the Projet de Loi entitled “The Court of Chief Pleas (Guernsey) (Amendment) Law, 2009” and to authorise the Bailiff to present a most humble petition to Her Majesty in Council praying for Her Royal Sanction thereto.

THE ADMINISTRATOR OF INCOME TAX (TRANSFER OF FUNCTIONS) (GUERNSEY) ORDINANCE, 2009

III.- To approve the draft Ordinance entitled “The Administrator of Income Tax (Transfer of Functions) (Guernsey) Ordinance, 2009” and to direct that the same shall have effect as an Ordinance of the States.

THE LAND PLANNING AND DEVELOPMENT (COMMENCEMENT, TRANSITIONAL PROVISIONS AND SAVINGS (PLANS)) ORDINANCE, 2009

IV.- To approve the draft Ordinance entitled “The Land Planning and Development (Commencement, Transitional Provisions and Savings (Plans)) Ordinance, 2009” and to direct that the same shall have effect as an Ordinance of the States.

THE BANKING SUPERVISION (BAILIWICK OF GUERNSEY) (AMENDMENT) (NO.2) LAW, 2008 (COMMENCEMENT) ORDINANCE, 2009

V.- To approve the draft Ordinance entitled “The Banking Supervision (Bailiwick of

Guernsey) (Amendment) (No.2) Law, 2008 (Commencement) Ordinance, 2009” and to direct that the same shall have effect as an Ordinance of the States.

THE PREFERRED DEBTS, DÉSASTRE PROCEEDINGS AND MISCELLANEOUS PROVISIONS (GUERNSEY AND ALDERNEY) LAW, 2006 (COMMENCEMENT) ORDINANCE, 2009

VI.- To approve the draft Ordinance entitled “The Preferred Debts, Désastre Proceedings and Miscellaneous Provisions (Guernsey and Alderney) Law, 2006 (Commencement) Ordinance, 2009” and to direct that the same shall have effect as an Ordinance of the States.

POLICY COUNCIL

CHANGE IN TIME ZONE

VII.- After consideration of the Report dated 12th January, 2009, of the Policy Council:-

That no further action be taken in respect to Resolution XVII of Billet d’État No II dated 8th February 2008.

POLICY COUNCIL

**A PROGRESS REPORT ON THE DEVELOPMENT OF
THE GOVERNMENT BUSINESS PLAN (GBP).**

VIII.- At the instance of the Chief Minister, TO GRANT LEAVE TO WITHDRAW this Article.

COMMERCE AND EMPLOYMENT DEPARTMENT

**THE APPOINTMENT OF AN EMPLOYMENT AND
DISCRIMINATION TRIBUNAL PANEL, AND THE
DESIGNATION OF THE CONVENOR AND DEPUTY
CONVENOR, AS REQUIRED UNDER THE EMPLOYMENT AND
DISCRIMINATION TRIBUNAL (GUERNSEY) ORDINANCE, 2005.**

IX.- After consideration of the Report dated 18th December, 2008, of the Commerce and Employment Department:-

1. To appoint the 16 people named in Appendix I of that Report as members of the Employment and Discrimination Panel, to take effect from 1st March 2009 for a period of 3 years.
2. To designate Mr Peter Woodward as Convenor and Mrs Tina Le Poidevin as Deputy Convenor.

ORDINANCE LAID BEFORE THE STATES

**THE CHILDREN (GUERNSEY AND ALDERNEY) LAW, 2008
(AMENDMENT) ORDINANCE, 2009**

In pursuance of the provisions of the proviso to Article 66 (3) of the Reform (Guernsey) Law, 1948, as amended, the Children (Guernsey and Alderney) Law, 2008 (Amendment) Ordinance, 2009, made by the Legislation Select Committee on the 12th January, 2009, was laid before the States.

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

**THE STATES HOUSING (RENT AND REBATE SCHEME) (GUERNSEY)
(AMENDMENT) REGULATIONS, 2008**

In pursuance of section 5(3) of the States Housing (Tenancies, Rent and Rebate Scheme) (Guernsey) Law, 2004, the States Housing (Rent and Rebate Scheme) (Guernsey) (Amendment) Regulations, 2008, made by the Housing Department on 19th December, 2008, were laid before the States

**THE AVIATION (BAILIWICK OF GUERNSEY) LAW, 2008
(AMENDMENT OF SCHEDULE 2) REGULATIONS 2008**

In pursuance of Section 178 (4) of the Aviation (Bailiwick of Guernsey) Law, 2008, the Aviation (Bailiwick of Guernsey) Law, 2008 (Amendment of Schedule 2) Regulations, 2008, made by the Commerce and Employment Department on 16th December 2008, were laid before the States.

**THE AVIATION (BAILIWICK OF GUERNSEY) LAW, 2008
(AMENDMENT OF SCHEDULE 13) REGULATIONS 2008**

In pursuance of Section 178 (4) of the Aviation (Bailiwick of Guernsey) Law, 2008, the Aviation (Bailiwick of Guernsey) Law, 2008 (Amendment of Schedule 13) Regulations, 2008, made by the Commerce and Employment Department on 16th December 2008, were laid before the States.

IN THE STATES OF THE ISLAND OF GUERNSEY ON THE 26th DAY OF FEBRUARY, 2009

(Meeting adjourned from 25th February 2009)

**The States resolved as follows concerning Billet d'État No VII
dated 6th February 2009**

ENVIRONMENT DEPARTMENT

PAID PARKING

X.- After consideration of the Report dated 9th January, 2009, of the Environment Department:-

1. To rescind the Resolutions XXI.5 and XXI.6 on Billet d'État No. IV of 2003 and Resolutions 20 and 21(c) on Article VIII of Billet d'Etat VII of 2006 in respect of the introduction of pay parking.
2. To agree that the Island's Road Transport Strategy shall be funded by a combination of
 - (a) the increases in bus fare revenues, administration charges for residents' parking permits and vehicle registrations approved by Resolution 21(a) and (b) on Article VIII of Billet d'Etat VII of 2006; and
 - (b) an increase of 1.2p per litre in the duty on petrol and gas oil other than fuel used for air or marine navigation;and to direct the preparation of such legislation as may be necessary to give effect to their above decisions.
3. To direct the Treasury and Resources Department to increase the 2009 budget of the Environment Department by £300,000, and to take account of the cost and income associated with the Road Transport Strategy when recommending to the States cash limits for the Environment Department for 2010 and subsequent years.

EDUCATION DEPARTMENT

THE REORGANISATION OF SECONDARY EDUCATION STAGE 2: THE REBUILDING OF LES BEAUCAMPS HIGH SCHOOL

XI.- After consideration of the Report dated 22nd January, 2009, of the Education Department:-

To note that, subject to the Education Department's proposals being supported as a high priority by the States during the planned Capital Prioritisation debate, the Education Department will return to the States as soon as possible with detailed proposals for this

capital project, including a recommendation for contractors to be appointed and a request for a capital vote to be established.

REQUÊTE

KERBSIDE COLLECTION OF RECYCLABLES

XII.- After consideration of the Requête, dated 10th December, 2008, signed by Deputy D de G De Lisle and eighteen other Members of the States:-

To direct the Public Services Department to report back to the States by no later than June 2009 on the matter of kerbside collection of recyclables, such report to include plans and funding mechanisms and a comprehensive assessment of all practical implications relating to the introduction of collections island wide of wet and dry recyclables on a permanent basis.

APPOINTMENTS LAID BEFORE THE STATES

COMMERCE AND EMPLOYMENT DEPARTMENT

APPOINTMENT OF THE GUERNSEY DEPOSIT COMPENSATION BOARD

In pursuance of section 3(4) of the Banking Deposit Compensation Scheme (Bailiwick of Guernsey) Ordinance, 2008, the appointments by the Commerce and Employment Department of Mr Charles Tracy as Chairman and Mr John Lee, Mr Steven Butterworth and Advocate Nigel Carey as ordinary Members of the Guernsey Banking Deposit Compensation Board were laid before the States.

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