



# BILLET D'ÉTAT

IV  
2003

WEDNESDAY, 26th MARCH, 2003

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# ***BILLET D'ÉTAT***

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## **TO THE MEMBERS OF THE STATES OF THE ISLAND OF GUERNSEY**

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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 **26th MARCH, 2003**, at 9.30 a.m.

**GUERNSEY SOCIAL SECURITY AUTHORITY****BENEFIT PAYMENTS UNDER LONG-TERM CARE INSURANCE LAW –  
EXEMPTION FROM INCOME TAX**

The President  
States of Guernsey  
Royal Court House  
St Peter Port  
Guernsey  
GY1 2PB

14 February 2003

Dear Sir

**Benefit payments under Long-term Care Insurance Law- exemption from income tax**

Detailed discussions into the mechanisms for the payment of benefits under the Long-term Care Insurance (Guernsey) Law, 2002 have revealed that there may be a possibility that benefit payments made direct to claimants could fall to be treated as income for the purpose of the Income Tax (Guernsey) Law, 1975, and thus become taxable.

The Authority is committed to commence the payment of benefit under the new law with effect from 7 April 2003, which means that the first payments will be due on 14 April 2003. The Authority is anxious that there should be no possibility of tax liability arising on benefit payments from that date, as this was never the intention of the Authority or the States.

The Income Tax Authority has been consulted and confirms that it would not object to such payments being exempted so far as the income of the individual claiming the benefit were concerned. For the avoidance of doubt, the benefit payments would still be subject to Guernsey income tax when received by care providers.

The Law Officers of the Crown have confirmed that an amendment of the Income Tax Law is required, have prepared the necessary legislation, and have also advised that for the amendment to become effective by 7 April 2003, a Resolution of the States will be required to invoke the Taxes and Duties (Provisional Effect) (Guernsey) Law, 1992.

It is an essential part of this procedure that the amending legislation should have begun the necessary formal processes, and I am grateful, Sir, that you have allowed the draft *Projet de Loi* to be submitted to the States at the same meeting as this Policy letter.

The Authority therefore recommends:

- (a) that any benefits payable under the Long-term Care Insurance (Guernsey) Law, 2002 should be exempted under the Income Tax (Guernsey) Law, 1975:

- (b) that the draft Projet de Loi entitled “The Income Tax (Long-term Care Benefit) (Guernsey) Law, 2003 be approved;
- (c) that, in accordance with the Taxes and Dues (Provisional Effect) (Guernsey) Law, 1992, the exemption set out in that Projet de Loi should take effect from 7 April 2003 as if it were a Law sanctioned by Her Majesty in Council and registered on the records of the Island of Guernsey.

I should be grateful if you would lay this matter before the States with appropriate propositions.

Yours faithfully

O. D. LE TISSIER

President  
Guernsey Social Security Authority

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**(NB The States Advisory and Finance Committee supports the proposals)**

The States are asked to decide:-

I.- Whether, after consideration of the Report dated the 14th February, 2003, of the Guernsey Social Security Authority, they are of opinion:-

1. That any benefits payable under the Long-term Care Insurance (Guernsey) Law, 2002, shall be exempted under the Income Tax (Guernsey) Law, 1975.
2. To approve the Projet de Loi entitled “The Income Tax (Long-term Care Benefit) (Guernsey) Law, 2003”, and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.
3. Considering it expedient in the public interest so to do, to declare, pursuant to section 1 of the Taxes and Duties (Provisional Effect) (Guernsey) Law, 1992, that the said Projet de Loi shall take effect from the 7th April, 2003, as if it were a Law sanctioned by Her Majesty in Council and registered on the records of the Island of Guernsey.

**STATES SEA FISHERIES COMMITTEE****IMPLEMENTING A FISHING VESSEL LICENSING REGIME FOR THE  
BAILIWICK OF GUERNSEY**

The President  
States of Guernsey  
Royal Court House  
St Peter Port  
Guernsey  
GY1 2PB

7<sup>th</sup> February 2003

Dear Sir

**IMPLEMENTING A FISHING VESSEL LICENSING REGIME FOR THE  
BAILIWICK OF GUERNSEY**

The absence of a formal fishing vessel licensing regime within the Bailiwick of Guernsey has serious consequences for the management of fishing effort, the conservation of fish stocks and the ability of the fishermen of Guernsey, Alderney and Sark to access international markets.

Accordingly, strenuous efforts have been made by the Sea Fisheries Committee since 1992 to introduce a licensing scheme by means of a Ministerial Order made under UK legislation. However, for the complex reasons set out in this report, the Committee has been unable to conclude licensing by this route and is now proposing its introduction by means of domestic legislation. The purpose of this report is to set out the history, nature and importance of an appropriate licensing regime and to seek the approval of the States of the Sea Fish Licensing (Guernsey) Ordinance 2003.

**1.0 Introduction**

- 1.1 A restrictive scheme of fishing vessel licensing has long been required for the Guernsey 12 mile area in accordance with European obligations. The Committee has been working towards implementing such a scheme since 1992.
- 1.2 The UK, Jersey and Isle of Man have already licensed their fishing fleets, and at the present time the only British fishing vessels exempt from the need for a fishing vessel licence are vessels fishing exclusively for eels, un-powered vessels of less than 10 metres length overall, and all British registered vessels operating within 12 miles of the Bailiwick of Guernsey.
- 1.3 The area of sea bounded by the 12-mile limit around the Bailiwick covers approximately 1500 square miles and includes the 3-mile territorial seas of

Guernsey, Alderney and Sark, and the 3-12 mile belt around the Islands that is defined as British Fishery limits adjacent to Guernsey\*.

- 1.4 The area is an extremely productive fishery attracting considerable effort from British and French vessels. First sales by British vessels alone from this area are estimated to exceed £10,000,000 per annum.

## **2.0 Licensing is a legal requirement**

- 2.1 In accordance with the Common Fisheries Policy and European Law, all Member States are required to operate restrictive fishing vessel licensing schemes.
- 2.2 EC Regulation No. 3690/93 reads, **“All community fishing vessels shall be required to have a fishing licence”**. Furthermore, **“Fishing vessels shall be forbidden to catch, retain on board, transfer, or land fish where a fishing licence has not been granted”**.
- 2.3 The Fishing (Bailiwick of Guernsey) Law 1989 as amended extends all relevant enforceable Community Restrictions relating to fishing to the 12-mile area. As a consequence, Guernsey is obliged to implement a restrictive fishing vessel licensing scheme.

## **3.0 The Importance of Licensing to the Bailiwick Fleet**

- 3.1 Bailiwick fishermen have recognised for many years that a fishing vessel licensing system is essential for the 12-mile area if the Islands are to manage the resource in a sustainable manner, indeed the Guernsey Fishermen’s Association President recently made public his Association’s support for the early introduction of a Bailiwick licensing scheme.
- 3.2 The overall aim of Fishing Vessel Licensing is to protect the fishable stock and maintain it at a sustainable level for future generations through regulating the activities of commercial fishermen. It is a conservation tool that is used throughout the world.
- 3.3 Licensing imposes a series of conditions on commercial fishermen which typically include, defining where a vessel may fish, determining the species which may be caught, specifying the amounts of a species that may be retained at any time of the year, and controlling the types of fishing gear that may be used.

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\* For the purposes of this report, the terms “Bailiwick waters” or “12-mile sea area” refer to the area of sea encompassed by the 12-mile fisheries limit around the Islands. However, the territorial sea over which each Island exercises direct control ends at the 3-mile limit. Discussions are in progress with HM Government over the possibility of extending to 12 miles the Bailiwick territorial waters, but this issue, which is complicated by international obligations which come with acquiring responsibility for such an area, may not be resolved for some time. However, under European legislation and the Ordinance proposed in this letter, the States, through the Committee, will be able to exercise licensing control over fishing vessels within the 12-mile limit.

- 3.4 Worldwide, many fish stocks are known to be at the lowest level ever, hence the much publicised dramatic cuts in available cod, whiting and haddock quotas throughout Europe introduced earlier this year. The need to feed ever increasing populations, coupled with advances in gear technology and catching efficiency mean that pressure on the fishable resource is immense, and controls on fishing effort have become a necessity.
- 3.5 Open access to the fishable stock is often cited as the main cause of fish stock depletion, and in accordance with the Common Fisheries Policy and European Law all Member States are required to operate restrictive Fishing Vessel Licensing schemes in order to protect the fishable stock for future generations.
- 3.6 The longer the Bailiwick remains without a licensing scheme, the greater the danger of increased competition from UK registered fishing vessels operating in local waters. Under licensing, fishing effort will be strictly limited to those vessels that qualify for a licence, and this represents a considerable safeguard against over-fishing.
- 3.7 Holders of Bailiwick of Guernsey fishing licences will be entitled to apply for a Department for the Environment, Food and Rural Affairs (DEFRA) licence, if they wish to target fisheries beyond the Bailiwick 12 mile sea area. In such circumstances it will be possible for a vessel to hold two licences, i.e. a Bailiwick licence and a MAFF licence. However, these licences will be indivisible, and it will not be possible to sell one licence and retain the other.
- 3.8 European markets are extremely important to the viability of the local industry accounting for over 80% of all Bailiwick fish sales. Given that European law requires that all vessels that land fish into another country must possess a recognised Fishing Vessel Licence, the importance of resolving this issue at the earliest opportunity is obvious.

#### **4.0 Licensing by Ministerial Order**

- 4.1 The Committee was approached early in 1992, by the Ministry of Agriculture Fisheries and Food (MAFF), now the Department for the Environment, Food and Rural Affairs (DEFRA), who were concerned that while Guernsey fishing vessels were regarded as part of the UK fleet, UK licensing legislation did not cover those vessels fishing within Bailiwick waters. Consequently, discussions commenced on how best to implement a licensing scheme to cover all British fishing vessels fishing in the Bailiwick.
- 4.2 As a result of early meetings with MAFF, and in anticipation of a promised early draft of a Ministerial Order to enact powers for the Committee to licence fishing vessels, the Committee announced publicly in September 1992 that licensing was to be introduced locally.
- 4.3 The Committee then invited applications from locally registered vessels that could provide evidence of fishing for profit between 30<sup>th</sup> September 1991 and 30<sup>th</sup> September 1992. Of the applications received 213 applications were approved.

- 4.4 The inevitable trade in fishing vessels, not only within the Islands but also between the Islands and the United Kingdom and Jersey, resulted in the Committee deciding, in early 1993, to issue “letters of entitlement” to a licence. This was to enable qualified owners of such vessels to sell them with the guarantee that those vessels, providing the entitlement accompanied them, could continue to fish commercially and would be granted a full licence once a scheme had been introduced. In issuing “letters of entitlement” the Committee mirrored the temporary arrangements introduced by MAFF in the early stages of implementing licensing within the UK.
- 4.5 The Committee has continued to administer this scheme in good faith, since 1993 in accordance with the controls and procedures applicable to UK licensing.
- 4.6 Successful implementation of licensing to the Guernsey 12-mile sea area by means of a Ministerial Order has proven to be a lengthy and complicated process involving amendment to UK primary legislation. However, until recently considerable progress had been achieved towards implementing a licensing regime by this route.
- 4.7 Specifically, **The Sea Fish (Conservation) (Channel Islands) (Amendment) Order, 2001** was passed by Her Majesty the Queen on 14<sup>th</sup> March 2001. This amendment to primary legislation extends the powers of UK Ministers to make an Order prohibiting fishing without a licence in British fishery limits adjacent to the Bailiwick of Guernsey including the territorial seas of Alderney, Sark and Guernsey. This legislation came into force on 3<sup>rd</sup> April 2001.
- 4.8 In addition, the wording of a Ministerial Order entitled **The Sea Fish (Guernsey) Licensing Order** has been agreed by all parties and is currently ready to be laid before Parliament. This Order, if enacted, would prohibit British fishing boats from fishing within British fishery limits adjacent to the Bailiwick of Guernsey unless authorised by a licence granted by the Committee.
- 4.9 Consequently, everything is in place to introduce licensing through UK legislation with the exception of a signature by a Minister on the Licensing Order. However, the signature has not been forthcoming and on the 6<sup>th</sup> August 2002, the Lord Chancellors Department informed the Guernsey authorities that a Licensing Order for Guernsey would not be enacted until agreement had been reached between Jersey and Guernsey over access arrangements for vessels wishing to fish in each other’s waters.
- 4.10 Specifically, Guernsey was advised that the UK Government was of the view that a Licensing Order for Guernsey should proceed under the following conditions:
- (i) Guernsey undertakes, on application, to issue any fishing vessel holding a full UK licence with a licence to fish within the Guernsey 12-mile limit;

- (ii) Guernsey and Jersey undertake to pursue separately between themselves how many of their non-UK licensed vessels will have access to each others' waters on a one for one basis;
- (iii) Pending an agreement on the above between Guernsey and Jersey, both Bailiwicks undertake to allow vessels with a recent track record of fishing in each other's waters to continue to do so.

4.11 In relation to item (i), the Committee is confident that it can agree with the UK satisfactory arrangements for dealing with licensed British fishing vessels given that much preparatory work has been undertaken in drawing up a draft Fisheries Management Agreement that was to have been part of the package of measures associated with the Ministerial Order. The stumbling block has been the implications for Guernsey of items (ii) and (iii) which are explained in more detail below.

## **5.0 Discussions with Jersey**

5.1 Jersey implemented their own licensing scheme in 1996. Numerous meetings between Guernsey, Jersey and the United Kingdom have taken place since 1998 at official and political level, in an effort to reach agreement on inter-island access arrangements, and many schemes have been considered over the years. Indeed, the President and Vice-President made a concerted effort to progress a suitable agreement with Jersey at a meeting with Jersey officials and politicians on 18<sup>th</sup> November 2002.

5.2 Inter-island licensing is a highly complex subject and a number of critical issues have emerged from discussions, which include:

- restrictions on the number of Guernsey vessels permitted into Jersey waters under the new Bay of Granville Agreement;
- the lack of an incentive for Jersey to negotiate;
- the problem of reconciling the different track record periods which form the basis for the Guernsey entitlement system and the Jersey licensing arrangements;

## **6.0 Bay of Granville Agreement**

6.1 A new Bay of Granville Agreement covering fishing activity in the waters between Jersey and France was signed in 2000. Guernsey was not party to the discussions that led to this new Agreement and only became involved in the closing stages at which point it was vigorously opposed to its introduction. Included in the "Exchange of Notes" attached to the Agreement was an arbitrary 30-vessel cap on Guernsey vessels able to access territorial waters around Jersey. Guernsey protested at the time and warned that such a cap severely limited the potential for an equitable agreement on inter-island licensing in future.

- 6.2 Although there is a 30-vessel cap and although Guernsey vessels have applied to access Jersey waters under their licensing arrangements, no licences have yet been granted.
- 6.3 Furthermore, in discussions so far with the Jersey authorities it has become clear that although they believe that the 30-vessel cap must remain in place as far as their waters are concerned, they would wish a far greater number of Jersey vessels to access Guernsey waters.

## **7.0 Lack of incentive for Jersey to negotiate**

- 7.1 Inter-island licensing is recognised as an important issue that must be resolved for the benefit of fishermen from both Bailiwicks. However, there is currently no incentive for Jersey to agree an equitable licensing arrangement with Guernsey over access since at present all Jersey vessels may fish within the waters surrounding the Bailiwick of Guernsey without restriction. In contrast, neither Guernsey vessels nor British vessels (other than Jersey registered boats) have been granted a licence to target fisheries within the Jersey 12-mile area.
- 7.2 The effect of the UK's decision to delay progressing the Licensing Order until the Island reaches agreement with Jersey in effect provides Jersey with a veto over the Guernsey licensing scheme. The Committee cannot agree to Jersey terms and prolonged negotiation over access has resulted in stalemate. Accordingly, it has become clear that a satisfactory inter-island agreement will only be achievable once Guernsey is able to negotiate on equal terms with Jersey, i.e. we both have licensing schemes in place.

## **8.0 The problems of reconciling different track records**

- 8.1 The starting point for licensing within Europe was to cap the size of the European fleet. As a result, every licensing scheme invites fishermen to demonstrate that they were fishing commercially within a certain area during a specified track record period. Guernsey/Jersey discussions are complicated by the fact that each administration used differing track record reference periods to establish a cap on fleet size.
- 8.2 What Jersey is proposing is allowing their vessels, who have a more recent track record than Guernsey fishing vessels, to access our waters to the detriment of legitimate local fishermen who may have been fishing for profit at the same time as the Jersey track record but are unable to obtain a Guernsey licence because of our different starting point.
- 8.3 In order to fully appreciate this point, a brief description of the separate licensing regimes within the UK, Guernsey and Jersey and how they have evolved over the years, is set out below.

(i) The UK licensing system

The UK introduced fishing vessel licensing in 1983 following agreement of the Common Fisheries Policy (CFP). In accordance with this first licensing regime all vessels over 40 feet registered length were required to obtain a licence before fishing for Pressure or Non-Pressure Stocks. Licences were issued to fishermen (**including Guernsey fishermen**) who could demonstrate a track record of such fishing prior to 3<sup>rd</sup> February 1984.

In February 1990 the definition of vessel length was changed to include vessels over 10 metres overall length, and licences were issued to fishermen with a record of fishing in the 12-month period prior to May 1990. At the same time a policy whereby Non-Pressure Stock licences were freely available to vessels between 10 metres overall length and 40 feet registered length was terminated.

At this final stage in the evolution of the UK restrictive licensing scheme for vessels over 10 metres the size of this sector of the fleet, both in terms of number and capacity was capped.

On the 1<sup>st</sup> May 1993 the UK licensing scheme was further extended to include vessels of 10 metres overall length and under and fishing licences were issued to all UK 10 metre and under vessels with a proven history of fishing in the period **28<sup>th</sup> February 1991 to 27<sup>th</sup> February 1992**.

(ii) The Jersey licensing system

Jersey introduced a closed licensing scheme independent of the UK in 1997, based on a track record reference period of **5<sup>th</sup> November 1995 to 5<sup>th</sup> November 1996**. 21 Guernsey and 5 UK vessels applied for Jersey licences, however, to date none of these applicants have received licences.

In addition, the Jersey licensing scheme differs markedly from that operated by DEFRA and the shadow Guernsey scheme. Of fundamental importance is the fact that the Jersey scheme is closed to reciprocal access with the United Kingdom.

A Jersey fishing boat licence entitles the holder to fish within the territorial waters of Jersey only; it does not permit the holder to apply for a licence for UK waters and a Jersey license holder wishing to target fisheries in UK waters must purchase a DEFRA licence or forfeit his Jersey licence in exchange for a DEFRA licence (or vice versa).

(iii) Fishing vessel licensing in Guernsey

In contrast, Guernsey has administered a system of transferable licence entitlements since 1993, this based on a track record reference period

**30<sup>th</sup> September 1991 to 30<sup>th</sup> September 1992.** Unlike the Jersey scheme, Guernsey licensing is operated on a fully reciprocal basis with the UK and incorporates all controls and procedures applicable to the UK licensing scheme.

Guernsey vessel owners in possession of valid licence entitlements are eligible to receive an equivalent UK licence for their vessel from DEFRA, to be held in tandem with their domestic licence. A number of Guernsey fishermen enjoy this arrangement which permits them to access fisheries in UK waters beyond the 12 mile Guernsey fishery limit without having to purchase an additional licence.

- 8.4 Jersey has expressed concern to the UK that a number of its fishermen who currently fish in the Guernsey area and who possess Jersey fishing boat licences but no UK licence, will not be able to access fisheries within Guernsey waters once a formal licensing system is introduced.
- 8.5 Presently, all Jersey vessels are able to fish within the Guernsey 12-mile area quite legally since the only requirement is their registration as a British fishing vessel. It must be remembered that a significant number of GU registered fishing vessels that do not possess entitlements to a licence are in exactly the same position.
- 8.6 Indeed, up to 117 GU registered vessel owners do not currently possess suitable licence entitlements for their vessels and so will be faced with the choice of purchasing a licence or ceasing to fish commercially.
- 8.7 Furthermore, many of these fishermen can prove they were fishing for profit during the Jersey track record reference period (1995-1996), or more recently. These fishermen would have very good reason to be aggrieved if Guernsey were to issue fishing licences to J registered vessel owners on the strength of a more recent track record in Guernsey waters, when the Committee has refused time and again to provide entitlements for GU registered vessels fishing within Bailiwick waters unless they can demonstrate a track record prior to September 1992. If on the other hand the Committee were to issue licences to GU vessels with a more recent track record that would undermine the investment that many Guernsey fishermen have made in purchasing an entitlement.
- 8.8 In addition, Jersey has expressed concern to the UK that Guernsey did not invite Jersey registered vessels to apply for a Guernsey fishing licence when the Guernsey fleet was capped in 1992. Jersey feels unfairly treated as Guernsey and UK vessels were invited to apply for Jersey licences in 1997. In 1992 Guernsey invited applications from GU registered fishing vessels. The Committee did not consider it necessary or appropriate to invite applications from UK or Jersey registered vessels at that time, **since it was anticipated that all British licensing schemes would be fully reciprocal.** Indeed, the UK did not invite Jersey or Guernsey to apply for a UK licence either. It could not have been foreseen that Jersey would introduce a closed licensing scheme in 1997 that was not reciprocal with the UK.

- 8.9 The current status of discussions with Jersey can be summarised as follows:
- Currently, no incentive exists for Jersey to agree an equitable licensing arrangement with Guernsey since all British registered vessels may fish within the Bailiwick of Guernsey 12 mile area unrestricted.
  - Access to Jersey Territorial water has been severely restricted through their licensing scheme and the Bay of Granville Agreement and no British vessels other than J registered vessels have been granted a licence.
  - The concept of deciding which vessels may access each other's waters on the basis of a recent track record is unacceptable to the Committee.
  - The Committee believes that the existing licensing arrangements between Jersey and the UK, whereby fishermen are able to trade licences with one another in order to access each others fisheries may be the best solution for the long term for Jersey and Guernsey.
  - Guernsey is committed to further discussions with Jersey on inter-island licensing for the benefit of fishermen from all islands, but cannot accept UK preconditions to a Ministerial Order.

## **9.0 Licensing by Ordinance**

- 9.1 The Committee has known for some time that the States has within its power the ability to make domestic legislation in order to prohibit fishing within the 12 mile area by any registered British fishing vessel unless it is in possession of a licence issued by the Committee. This is possible under the powers conferred upon the States by The European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994.
- 9.2 When this option was first discussed some years ago it was decided to try and progress a licensing regime via a Ministerial Order as this was considered to be the quickest and most efficient mechanism for achieving licensing at that time. History has shown this to be a naive belief.
- 9.3 As a result of the indefinite delay in progressing a Ministerial Order by H M Government, the Committee revisited the option of implementing licensing via domestic legislation and has been working with Crown Officers on the preparation of appropriate local legislation. The Sea Fish Licensing (Guernsey) Ordinance 2003 has been drafted, and approved by the States Legislation Committee.
- 9.4 In addition, the Committee has consulted fully with the States of Alderney and the Chief Pleas of Sark over the implications for licensing within their territorial waters. Both those Islands recognise that they require a licensing scheme for the benefit of their fishermen, and wish to implement licensing within their territorial waters by means of separate ordinances. Under the terms of European Communities (Implementation) (Bailiwick of Guernsey)

Law, 1994, the States of Guernsey has no power to legislate for the territorial (3-mile) waters of Alderney and Sark, those islands must therefore enact their own Ordinance for those waters.

- 9.5 Both Alderney and Sark have concluded that while they wish to make local ordinances they could not realistically operate independent licensing schemes under local legislation and wish to cede licensing administration to the Committee.
- 9.6 The Committee is determined to meet its European obligations and wishes to implement a restrictive system of fishing vessel licensing within the 12-mile area at the earliest opportunity, to enable the regulation of fishing on an equal basis to all other British jurisdictions.
- 9.7 Approval by the States of the Guernsey Licensing Ordinance will allow the UK and Guernsey to meet those obligations, and will put the Islands of Jersey and Guernsey on an even footing. The Committee regards this as an essential precursor to further negotiations with Jersey over implementing an equitable inter-island licensing regime.
- 9.8 The Guernsey Licensing Ordinance contains the power for a written statement made by a British Sea Fisheries Officer to be admissible as evidence to the like extent as oral evidence.

## **10.0 Implementation Period**

- 10.1 While the Committee is anxious to introduce licensing as soon as possible, it recognises that it would be unreasonable to all concerned if the proposed Ordinance was to come into effect overnight. Accordingly it has agreed with Alderney and Sark and the groups which represent the fishermen of the three islands that there will be a six-month implementation period during which:
- The Sea Fisheries Committee can familiarise the industry with the licensing procedures and the issue of licences can take place;
  - Fishermen without a licence entitlement who wish to continue operating commercially can take steps to acquire entitlements;
  - The States of Alderney and the Chief Pleas of Sark can introduce appropriate Ordinances;
  - The Committee can continue to explore with the UK the status of British fishing vessels under the new licensing regime by building on earlier discussions surrounding the draft Fisheries Management Agreement; and
  - Discussions can continue with Jersey over the question of reciprocal access.

## **11.0 Economic, Environmental and Resources Implications**

11.1 The introduction of the proposed legislation will assist in safeguarding the future of the Guernsey fishing fleet and their continuing contribution to the Island's economy. There will be environmental benefits in terms of long-term conservation of fish stocks through the ability to manage the effort in our waters better than in the past. Finally, the Committee is confident that it will be able to cope with the administration of the new licensing scheme within its existing staff and financial resources.

## **12.0 Summary and Conclusion**

12.1 In accordance with the Common Fisheries Policy and European Law, all Member States are required to operate restrictive fishing vessel licensing schemes.

12.2 The 1500 square miles of water surrounding the Bailiwick is the only area of British waters that is not protected by licensing legislation.

12.3 Fishing vessel licensing is an important tool in the conservation and management of fish stocks and it is imperative that legislation be put in place to safeguard these stocks.

12.4 The Committee has been working with the United Kingdom Authorities since 1992, in an effort to implement a fishing vessel licensing regime for Bailiwick waters by Ministerial Order. In addition, the Committee has administered a shadow-licensing scheme since 1993, in a manner consistent with the controls and procedures applicable to UK licensing.

12.5 In August 2002 the Lord Chancellor's Department indicated that completion of the Ministerial Order was now dependent on agreement being reached between the Bailiwicks of Guernsey and Jersey on access arrangements for vessels wishing to fish in each other's waters.

12.6 The UK's decision to delay progressing the Guernsey Licensing Order (after working to that end for some 10 years) until agreement over access is reached has in effect provided Jersey with a veto over Guernsey Licensing until such time as Guernsey agrees to Jersey terms, which, on the basis of talks so far, would be to the detriment of the local industry. The Committee cannot agree to Jersey terms and prolonged negotiation over access has resulted in stalemate.

12.7 Following further discussions with UK officials and in the light of responses received from Jersey, the Committee has concluded that H M Government will not conclude this matter in the near future.

12.8 The Committee has consulted fully with the External Relations Sub-Committee of the Advisory and Finance Committee which agrees that Guernsey cannot accept the UK's pre-conditions to implementing a Licensing

Order. As a consequence, an alternative approach involving local legislation is required.

- 12.9 Alderney and Sark have been consulted and are supportive of the implementation of local ordinances to control licensing in their waters and for the licensing to be administered and enforced by the Committee.
- 12.10 The speedy conclusion of this long running issue is welcomed by the professional fishermen of Guernsey, Alderney and Sark in the interests of fisheries management, conservation and access to markets.
- 12.11 The Sea Fish Licensing (Guernsey) Ordinance 2003 has been approved by the States Legislation Committee.

### **13.0 Recommendation**

- 13.1 The Committee therefore recommends the States to:
- (a) Approve the Sea Fish Licensing (Guernsey) Ordinance 2003; and
  - (b) Agree that the prohibition of fishing within the Bailiwick's 12-mile waters without a licence set out in section 1 of the Sea Fish Licensing (Guernsey) Ordinance 2003 shall be brought into force on the 1<sup>st</sup> October 2003.

I am grateful to you for allowing the Ordinance to be placed before the States at the same time as this policy letter and I would ask that you be good enough to lay these matters before the States with appropriate propositions.

Yours faithfully

L. S. TROTT

Vice-President  
States Sea Fisheries Committee

**(NB The States Advisory and Finance Committee supports the proposals)**

The States are asked to decide:-

II.- Whether, after consideration of the Report dated the 7<sup>th</sup> February, 2003, of the States Sea Fisheries Committee, they are of opinion:-

1. To approve the draft Ordinance entitled "The Sea Fish (Licensing) Ordinance, 2003", and to direct that the same shall have effect as an Ordinance of the States.
2. That the prohibition of fishing within the Bailiwick's 12-mile waters without a licence set out in section 1 of the Sea Fish Licensing (Guernsey) Ordinance 2003 shall be brought into force on the 1<sup>st</sup> October 2003.

**PROJET DE LOI**

entitled

**THE REFORM (GUERNSEY) (AMENDMENT) LAW, 2003**

The States are asked to decide:-

III.- Whether they are of opinion to approve the Projet de Loi entitled “The Reform (Guernsey) (Amendment) Law, 2003”, 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 MATRIMONIAL CAUSES (AMENDMENT) (GUERNSEY) LAW, 2003**

The States are asked to decide:-

IV.- Whether they are of opinion to approve the Projet de Loi entitled “The Matrimonial Causes (Amendment) (Guernsey) Law, 2003”, and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE CONTROL OF BORROWING (BAILIWICK OF GUERNSEY)  
(AMENDMENT) ORDINANCE, 2003**

The States are asked to decide:-

V.- Whether they are of opinion to approve the draft Ordinance entitled “The Control of Borrowing (Bailiwick of Guernsey) (Amendment) Ordinance, 2003”, and to direct that the same shall have effect as an Ordinance of the States.

**THE FEUDAL DUES (GENERAL ABOLITION OF CONGÉ) (GUERNSEY)  
LAW, 2002 (COMMENCEMENT) ORDINANCE, 2003**

The States are asked to decide:-

VI.- Whether they are of opinion to approve the draft Ordinance entitled “The Feudal Dues (General Abolition of Congé) (Guernsey) Law, 2002 (Commencement) Ordinance, 2003”, and to direct that the same shall have effect as an Ordinance of the States.

**THE DOCUMENT DUTY ORDINANCE, 2003**

The States are asked to decide:-

VII.- Whether they are of opinion to approve the draft Ordinance entitled “The Document Duty Ordinance, 2003”, and to direct that the same shall have effect as an Ordinance of the States.

**LONG-TERM CARE INSURANCE (GUERNSEY) (RATES AND TRANSITIONAL PROVISIONS) ORDINANCE, 2003**

The States are asked to decide:-

VIII.- Whether they are of opinion to approve the draft Ordinance entitled “The Long-term Care Insurance (Guernsey) (Rates and Transitional Provisions) Ordinance, 2003”, and to direct that the same shall have effect as an Ordinance of the States.

**THE SUPPLEMENTARY BENEFIT (IMPLEMENTATION) (AMENDMENT) ORDINANCE, 2003**

The States are asked to decide:-

IX.- Whether they are of opinion to approve the draft Ordinance entitled “The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2003”, and to direct that the same shall have effect as an Ordinance of the States.

**PROJET DE LOI**

entitled

**THE FINANCIAL SERVICES COMMISSION (BAILIWICK OF GUERNSEY) (AMENDMENT) LAW, 2003**

The States are asked to decide:-

X.- Whether they are of opinion to approve the Projet de Loi entitled “The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2003”, 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 REGULATION OF FIDUCIARIES, ADMINISTRATION BUSINESSES  
AND COMPANY DIRECTORS, ETC (BAILIWICK OF GUERNSEY)  
(AMENDMENT) LAW, 2003**

The States are asked to decide:-

XI.- Whether they are of opinion to approve the Projet de Loi entitled “The Regulation of Fiduciaries, Administration Businesses and Company Directors, etc (Bailiwick of Guernsey) (Amendment) Law, 2003”, 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 BANKING SUPERVISION (BAILIWICK OF GUERNSEY)  
(AMENDMENT) LAW, 2003**

The States are asked to decide:-

XII.- Whether they are of opinion to approve the Projet de Loi entitled “The Banking Supervision (Bailiwick of Guernsey) (Amendment) Law, 2003”, 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 PROTECTION OF INVESTORS (BAILIWICK OF GUERNSEY)  
(AMENDMENT) (NO.2) LAW, 2003**

The States are asked to decide:-

XIII- Whether they are of opinion to approve the Projet de Loi entitled “The Protection of Investors (Bailiwick of Guernsey) (Amendment) (No.2) Law, 2003”, and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**STATES BOARD OF ADMINISTRATION**

**AIRPORT FEES AND CHARGES 2003**

The President  
States of Guernsey  
Royal Court House  
St Peter Port  
Guernsey  
GY1 2PB

23 January 2003

Dear Sir

**AIRPORT FEES AND CHARGES 2003**

The States Board of Administration has reviewed the fees and charges for the use of Guernsey and Alderney Airports which should apply from 1 April 2003.

**Guernsey Airport**

During 2002 the passenger movements recorded at Guernsey Airport totalled 838,000 a reduction of 24,870 or 2.88% when compared to the previous year.

Although the Board is encouraged to note the traffic levels in the last quarter of the year showed an improvement on the same period during the previous year it remains uncertain as to whether this upward trend in air passenger movements will continue into 2003.

The Board recognises that the Airline and travel industries are continuing to experience difficult trading conditions which, as far as Guernsey Airport is concerned, commenced in mid 2001 and appears to be ongoing without any significant signs of improvement.

This situation is highlighted by representations which have been received by the Board from the Island's three main airlines which in 2002 carried 96.5% of Guernsey's air passengers. The airlines have drawn the Board's attention to the fact that as the operators continue to face ongoing losses of both passenger numbers and revenue, services will not be sustainable if Airport charges are to be increased for the coming year. The airlines anticipate that any increases in charges could lead to a further decline in passenger numbers and route viability.

Under normal circumstances the Board, having regard to the fact that Airport costs continue to rise, would seek to increase charges in line with the change recorded in the Island's Index of Retail Prices for the year ending 30 June 2002, namely 3.3% and rounded to the nearest 5p. However, the Board recognises the very difficult

trading conditions being experienced by the airlines and, therefore, believes that every effort should be made to keep any costs passed on to the airlines and, in turn, the travellers, to an absolute minimum with the hope that trading conditions will improve so that next year services will be able to sustain an increase in Airport fees and charges.

The Board is also aware that, with the exception of its security fee, Jersey Airport has decided not to change its current airport fees and charges, which came into effect in 2001, until June 2003 at the earliest.

Therefore, the Board proposes that, with effect 1 April 2003 for a period of 12 months all existing Airport fees and charges, with the exception of the security fee and the period which private aircraft are able to park at the Airport without incurring a charge, should remain at current rates.

A schedule setting out the existing rates and proposed changes in respect of security fees and parking arrangements for visiting private aircraft are shown in Appendix 1 attached to this letter.

### **Alderney Airport**

The trading position at Alderney Airport continues to produce a substantial deficit with income from fees and charges for the current year expected to amount to not more than 37.5% of total expenditure.

The Board continues to examine ways and means by which the trading position at Alderney Airport might be improved, however, to date it has identified no significant changes which it is able to put forward as a means to improving this situation.

That said, the Board, as referred to earlier in this report recognises that trading conditions for airlines remain very difficult and these circumstances equally apply to the airlines operating to and from Alderney Airport.

The Board, therefore, proposes that with the exception of the security fee and arrangements for parking for visiting private aircraft, all other fees and charges for the use of Alderney Airport with effect from 1 April 2003 should remain at current rates.

A schedule setting out the existing rates and proposed changes in respect of security and parking arrangements for visiting private aircraft are shown in Appendix 2 attached to this letter.

### **Security**

The security procedures operated at Guernsey and Alderney Airports continue to comply with those set down in the United Kingdom's National Aviation Security Programme. By agreement between the Board and the Department for Transport,

the Airports are subject to inspection by a senior aviation security inspector from the Department on a regular basis.

The security service at Guernsey and Alderney Airports is provided by Securicor (Guernsey) Limited and the cost for security services is funded by a security fee which is currently £1.35 for each arriving passenger at Guernsey Airport and £2.00 per arriving passenger at Alderney Airport.

The variation in fees is due to the fact that, as a matter of policy, the Board seeks to recover the cost of providing the security services by way of a levy on arriving passengers. Put more simply, the cost of providing the security services at Guernsey and Alderney Airports are divided by the number of arriving passengers that are estimated will travel into the respective Airports during the charge year.

For Guernsey Airport, security services are continuing to evolve to meet the aftermath of the tragic events of 11 September 2001 and as a result the cost of providing this service has increased beyond the current rate of inflation. Consequently, the Board proposes that, with effect from 1 April 2003, the current charge of £1.35 should be increased to £1.75 per arriving passenger. In the case of Alderney Airport, the current fee of £2.00 will have to be increased to £2.75 if the policy of recovering all security costs incurred is to be continued. A fee lower than that recommended would result in a short fall between costs and recoveries being added to the already substantial Alderney Airport deficit.

### **Aircraft Parking**

Under the Airport Fees Ordinance the current approved schedule of charges includes the provision for aircraft to be granted a period between arrival and departure when no parking fee is incurred.

At present visiting private aircraft under 3 metric tonnes permissible take-off weight are permitted to remain parked without charge for a period of up to 72 hours. Private aircraft exceeding 3 metric tonnes maximum permissible take-off weight and aircraft operated for hire and reward are permitted to park for 24 hours without incurring a parking fee.

The Board has reviewed these arrangements and believes that the free period for parking for all categories of aircraft should be rationalised to 24 hours and recommends that this variation be approved for both Guernsey and Alderney Airports with effect from 1 April 2003.

The Board recognises that this change will mean that aircraft in this category will incur a parking fee earlier than under the current arrangements. Nevertheless, the Board believes that this rationalisation is required, particularly as the demand for improved parking facilities at the Airport is continuing and will be addressed in the near future.

The principle of the proposed rationalisation of the free parking period has been notified to the Guernsey Aero Club and the Chamber of Commerce's Sub-Committee which are currently in discussions with the Board on the subject of providing improved parking facilities for private aircraft at Guernsey Airport.

### **Recommendations**

The Board recommends the States to:

1. Approve the adjustment of the security fee payable at Guernsey Airport with effect from 1 April 2003 from £1.35 to £1.75 per passenger arriving and disembarking at the Airport from an aircraft in passenger configuration.
2. Approve the adjustment of the security fee payable at Alderney Airport with effect from 1 April 2003 from £2.00 to £2.75 per passenger arriving and disembarking at the Airport from an aircraft in passenger configuration.
3. Approve the variation in the period which private aircraft with a maximum permissible take-off weight of less than 3 metric tonnes can remain parked at either Guernsey or Alderney Airports without incurring a fee from 72 hours to 24 hours.
4. Approve that fees and charges for the use of Guernsey Airport, other than that referred to in 1. and 3. above with effect from 1 April 2003 remain as set out in Appendix 1. to this letter.
5. Approve that fees and charges for the use of Alderney Airport, other than those set out in 2 and 3 above, with effect from 1 April 2003 remain at present rates as set out in Appendix 2. to this letter.

I request that you lay this matter before the States with appropriate propositions.

Yours faithfully

R C BERRY

President  
Board of Administration

**GUERNSEY AIRPORT****Maximum Fees and Charges under the Airport Fees Ordinance 1987  
with effect from 1 April 2003**

(Revised rates rounded to nearest 5p)

**1. Aircraft in Passenger Configuration****(A) Airport Fees - Long Haul Services**

The fee for the arrival of each aircraft in this category, the last point of departure of which is 55 nautical miles or more from Guernsey Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 October inclusive	14.65	14.65
From 1 November to 31 March inclusive	13.20	13.20

**(B) Airport Fees - Short Haul Services**

The fee for the arrival of each aircraft in this category, the last point of departure of which is less than 55 nautical miles from Guernsey Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	8.00	8.00

**(C) Passenger Fees**

The fee for the arrival of a passenger on an aircraft in passenger configuration:-

Category of Passenger	Rate of Airport Fee per arriving passenger	
	Present £	Proposed £
(i) the last point of departure of which was within the Channel Islands	1.45	1.45
(ii) the last point of departure of which was within the Channel Islands, where the passenger remained on the aircraft at that point	3.15	3.15
(iii) the last point of departure of which was outside of the Channel Islands	3.15	3.15

The fee shall not be payable for any passenger who does not disembark from an aircraft at Guernsey Airport and who is on board that aircraft when it next departs from the Airport.

**(D) Security Fees**

The fee for the arrival of a passenger on an aircraft in passenger configuration:-

Category of Passenger	Rate of Airport Fee per arriving passenger	
	Present £	Proposed £
(i) the last point of departure of which was within the Channel Islands	1.35	1.75
(ii) the last point of departure of which was within the Channel Islands, where the passenger remained on the aircraft at that point	1.35	1.75
(iii) the last point of departure of which was outside of the Channel Islands	1.35	1.75

The fee shall not be payable for any passenger who does not disembark from an aircraft at Guernsey Airport and who is on board that aircraft when it next departs from the Airport.

2. **Aircraft in Cargo Configuration/Aircraft without Passengers or Cargo**

**(A) Airport Fees - Long Haul Services**

The fee for the arrival of each aircraft in either category, the last point of departure of which is 55 nautical miles or more from Guernsey Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	7.70	7.70

**(B) Airport Fees - Short Haul Services**

The fee payable for the arrival of each aircraft in either category, the last point of departure of which is less than 55 nautical miles from Guernsey Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	5.30	5.30

**3. Fees for aircraft carrying out local flights**

**(A) Airport Fees**

The fee payable for the arrival of each aircraft which has taken off from Guernsey Airport and returned to the Airport without having landed elsewhere.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	5.75	5.75

**(B) Passenger Fees**

The fee for the arrival of a passenger on an aircraft in passenger configuration which has taken off from Guernsey Airport and returned to the Airport without having landed elsewhere.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	1.45	1.45

#### 4. Fees for Private Aircraft

##### (A) Aircraft not exceeding 5 metric ton maximum permissible take off weight

(i) The fee for the arrival of a private aircraft, the last point of departure of which is 55 nautical miles or more from Guernsey Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	9.10	9.10

(ii) The fee for the arrival of a private aircraft in this category, the last point of departure of which is less than 55 nautical miles from Guernsey Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	7.35	7.35

##### (B) Aircraft exceeding 5 metric ton maximum permissible take off weight

(i) The fee for the arrival of a private aircraft, the last point of departure of which is 55 nautical miles or more from Guernsey Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 October inclusive	14.65	14.65
From 1 November to 31 March inclusive	13.20	13.20

(ii) The fee for the arrival of a private aircraft in this category, the last point of departure of which is less than 55 nautical miles from Guernsey Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	8.00	8.00

**Operators of private aircraft who do not make payment of fees and charges before departing from the Airport will be subject to a surcharge at the rate of 100% in respect of the fee for that aircraft.**

5. **Fees for Test, Familiarisation and Training Flights**

(A) **Airport Fees**

The fee payable for the arrival of an aircraft which is being used solely for a test, familiarisation or training flight.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	5.30	5.30

(B) **Runway Approach Fees**

The fee payable for an aircraft on a test, familiarisation or training flight which approaches the runway for the purposes of making a simulated landing but does not land at the Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	5.30	5.30

6. **Additional fees for availability of Guernsey Airport outside promulgated hours**

An additional fee shall be payable for the use of Guernsey Airport outside of the promulgated hours of operation for each movement of an aircraft

Hours of Operation (Local Time)	Rate at Airport for each aircraft movement	
	Present £	Proposed £
Up to 2229 hours	397.75	397.75
between 2230 hours and 2259 hours	795.20	795.20
between 2300 hours and 2329 hours	1,000.00	1,000.00
between 2330 hours and 2359 hours	2,000.00	2,000.00
between 2400 hours and the promulgated time of the opening of the Airport.	3,000.00	3,000.00

**This additional fee may be reduced or waived at the discretion of the Board.**

7. **Parking Fees**

(A) A parking fee shall be payable for parking at Guernsey Airport of each aircraft after the expiration of the free period set out below from the time of the aircraft's arrival at the Airport.

<u>Category of Aircraft</u>	<b>Free Period Present</b>	<b>Proposed</b>
(i) Private aircraft under 3 metric tons maximum permissible weight	72 hours	24 hours
(ii) Private aircraft exceeding 3 metric tons maximum permissible weight	24 hours	24 hours
(iii) Aircraft operated for hire and reward	24 hours	24 hours

(B) The parking fee shall be calculated in respect of each period of 24 hours or part thereof after expiration of the free period appropriate to the aircraft concerned and before the time of take-off.

	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
(i) For the first metric ton	8.75	8.75
(ii) For each additional metric ton	1.85	1.85

**Note** Unless the context otherwise requires, words and expressions used in this Appendix have the same meanings as in the Airport Fees Ordinance 1987.

ALDERNEY AIRPORTMaximum Fees and Charges under the Airport Fees Ordinance 1987  
with effect from 1 April 2003

(Revised rates rounded to nearest 5p)

1. Aircraft in Passenger Configuration(A) **Airport Fees - Long Haul Services**

The fee for the arrival of each aircraft in this category, the last point of departure of which is 55 nautical miles or more from Alderney Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 October inclusive	14.65	14.65
From 1 November to 31 March inclusive	13.20	13.20

(B) **Airport Fees - Short Haul Services**

The fee for the arrival of each aircraft in this category, the last point of departure of which is less than 55 nautical miles from Alderney Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	8.00	8.00

(C) **Passenger Fees**

The fee for the arrival of a passenger on an aircraft in passenger configuration:-

Category of Passenger	Rate of Airport Fee per arriving passenger	
	Present £	Proposed £
(i) the last point of departure of which was within the Channel Islands	1.45	1.45
(ii) the last point of departure of which was within the Channel Islands, where the passenger remained on the aircraft at that point	3.15	3.15
(iii) the last point of departure of which was outside of the Channel Islands	3.15	3.15

The fee shall not be payable for any passenger who does not disembark from an aircraft at Alderney Airport and who is on board that aircraft when it next departs from the Airport.

**(D) Security Fee**

The fee for the arrival of a passenger on an aircraft in passenger configuration:-

Category of Passenger	Rate of Airport Fee per arriving passenger	
	Present £	Proposed £
(i) the last point of departure of which was within the Channel Islands	2.00	2.75
(ii) the last point of departure of which was within the Channel Islands, where the passenger remained on the aircraft at that point	2.00	2.75
(iii) the last point of departure of which was outside of the Channel Islands	2.00	2.75

The fee shall not be payable for any passenger who does not disembark from an aircraft at Alderney Airport and who is on board that aircraft when it next departs from the Airport.

**2. Aircraft in Cargo Configuration/Aircraft without Passengers or Cargo**

**(A) Airport Fees - Long Haul Services**

The fee for the arrival of each aircraft in either category, the last point of departure of which is 55 nautical miles or more from Alderney Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	7.70	7.70

**(B) Airport Fees - Short Haul Services**

The fee payable for the arrival of each aircraft in either category, the last point of departure of which is less than 55 nautical miles from Alderney Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	5.30	5.30

3. **Fees for aircraft carrying out local flights**

(A) **Airport Fees**

The fee payable for the arrival of each aircraft which has taken off from Alderney Airport and returned to the Airport without having landed elsewhere.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	5.75	5.75

(B) **Passenger Fees**

The fee for the arrival of a passenger on an aircraft in passenger configuration which has taken off from Alderney Airport and returned to the Airport without having landed elsewhere.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	1.45	1.45

4. **Fees for Private Aircraft**

(A) **Aircraft not exceeding 5 metric ton maximum permissible take off weight**

(i) The fee for the arrival of a private aircraft, the last point of departure of which is 55 nautical miles or more from Alderney Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	9.10	9.10

(ii) The fee for the arrival of a private aircraft in this category, the last point of departure of which is less than 55 nautical miles from Alderney Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	7.35	7.35

**(B) Aircraft exceeding 5 metric ton maximum permissible take off weight**

(i) The fee for the arrival of a private aircraft, the last point of departure of which is 55 nautical miles or more from Alderney Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 October inclusive	14.65	14.65
From 1 November to 31 March inclusive	13.20	13.20

(ii) The fee for the arrival of a private aircraft in this category, the last point of departure of which is less than 55 nautical miles from Alderney Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	8.00	8.00

**Operators of private aircraft who do not make payment of fees and charges before departing from the Airport will be subject to a surcharge at the rate of 100% in respect of the fee for that aircraft.**

5. **Fees for Test, Familiarisation and Training Flights**

**(A) Airport Fees**

The fee payable for the arrival of an aircraft which is being used solely for a test, familiarisation or training flight.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	5.30	5.30

**(B) Runway Approach Fees**

The fee payable for an aircraft on a test, familiarisation or training flight which approaches the runway for the purposes of making a simulated landing but does not land at the Airport.

Period of Operation	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
From 1 April to 31 March inclusive	5.30	5.30

6. **Additional fees for availability of Alderney Airport outside promulgated hours**

An additional fee shall be payable for the use of Alderney Airport outside of the promulgated hours of operation for each movement of an aircraft

Hours of Operation (Local Time)	Rate at Airport for each aircraft movement	
	Present £	Proposed £
Up to 2229 hours	397.75	397.75
between 2230 hours and 2259 hours	795.20	795.20
between 2300 hours and 2329 hours	1,000.00	1,000.00
between 2330 hours and 2359 hours	2,000.00	2,000.00
between 2400 hours and the promulgated time of the opening of the Airport.	3,000.00	3,000.00

**This additional fee may be reduced or waived at the discretion of the Board.**

7. **Parking Fees**

(A) A parking fee shall be payable for parking at Alderney Airport of each aircraft after the expiration of the free period set out below from the time of the aircraft's arrival at the Airport.

<u>Category of Aircraft</u>	<b>Free Period</b>	
	Present	Proposed
(i) Private aircraft under 3 metric tons maximum permissible weight	72 hours	24 hours
(ii) Private aircraft exceeding 3 metric tons maximum permissible weight	24 hours	24 hours
(iii) Aircraft operated for hire and reward	24 hours	24 hours

(B) The parking fee shall be calculated in respect of each period of 24 hours or part thereof after expiration of the free period appropriate to the aircraft concerned and before the time of take-off.

	Rate of Airport Fee per metric ton or part thereof	
	Present £	Proposed £
(i) For the first metric ton	8.75	8.75
(ii) For each additional metric ton	1.85	1.85

**Note** Unless the context otherwise requires, words and expressions used in this Appendix have the same meanings as in the Airport Fees Ordinance 1987.

**(NB The States Advisory and Finance Committee supports the proposals)**

The States are asked to decide:-

XIV.- Whether, after consideration of the Report dated the 23<sup>rd</sup> January, 2003, of the States Board of Administration, they are of opinion:-

1. To approve the adjustment of the security fee payable at Guernsey Airport with effect from 1st April, 2003, from £1.35 to £1.75 per passenger arriving and disembarking at the Airport from an aircraft in passenger configuration.
2. To approve the adjustment of the security fee payable at Alderney Airport with effect from 1st April, 2003, from £2.00 to £2.75 per passenger arriving and disembarking at the Airport from an aircraft in passenger configuration.
3. To approve the variation in the period which private aircraft with a maximum permissible take-off weight of less than 3 metric tonnes can remain parked at either Guernsey or Alderney Airports without incurring a fee from 72 hours to 24 hours.
4. To approve that fees and charges for the use of Guernsey Airport, other than that referred to in propositions 1. and 3. above with effect from 1st April, 2003, remain as set out in Appendix 1. to that Report.
5. To approve that fees and charges for the use of Alderney Airport, other than those set out in propositions 2 and 3 above, with effect from 1st April, 2003, remain at present rates as set out in Appendix 2. to that Report.

**STATES BOARD OF ADMINISTRATION****ST SAMPSON'S MARINA TENDER SELECTION**

The President  
States of Guernsey  
Royal Court House  
St Peter Port  
Guernsey

13 February 2003

Dear Sir

**ST SAMPSON'S MARINA TENDER SELECTION****Introduction**

The Board of Administration presented its proposals for the development of leisure facilities within St Sampson's Harbour to the States of Deliberation in July 2000 (Billet D'Etat No XVIII of 2000). The States approved in principle the construction of a Marina at St Sampson's Harbour and directed the Board to submit details of tenders, designs and ancillary works to the States as soon as practicable for the construction of a Marina for a sum not exceeding £1,750,000. This expenditure to be charged to the Ports Holding Account.

At that time the States also approved the construction of temporary low cost moorings at Longue Hougue for a sum not exceeding £450,000. The Longue Hougue moorings have been completed at a total anticipated cost of £302,700 (which sum includes a provisional estimate in respect of a contractor retention). The moorings have been operational since April 2002.

The Board now wishes to report to the States on tenders received and to seek the States' approval for the Board to accept the tender submitted by the lowest tenderer and for the development works to proceed.

**Contaminated Sediment**

The tendering process for the Marina at St Sampson's has been delayed by 18 months following the discovery of contaminated sediments in St Sampson's Harbour during the initial sampling programme completed by the Board's consultants in 2001.

Detailed analysis has indicated that the sediment is contaminated with a range of compounds, including tributyl tin, petroleum hydrocarbons, polyaromatic hydrocarbons, heavy metals and inorganics including sulphur. The sampling logs indicate a depth of between 0.4 metres and in excess of 1.0 metres of sediment in the harbour. The estimated volume of sediment requiring treatment is in the range of 20,000 - 30,000 m<sup>3</sup>.

The contamination has resulted from the varying range of activities for which St Sampson's Harbour has been used in the last century. For example, tributyl tin was the active ingredient in many anti-fouling paints, the high levels in the sediment probably being due to the scraping and repainting of hulls. Petroleum hydrocarbons will have come from many sources including spillage and discharge from refuelling and maintenance operations.

Construction of the Marina will require the excavation and disposal or treatment of the contaminated sediment. The project will not be able to proceed unless this matter is resolved. The Board has been advised however that, while the sediment remains undisturbed, there is no significant environmental risk posed by the sediment, but sampling of worms had shown elevated levels of TBT and the Board has banned bait digging and fishing within the harbour as a precautionary measure on the advice of the States Analyst. However any future development within St Sampson's Harbour or proposals to remove unsightly mud and silt will remain blighted by the presence of the contaminated sediment and it will have to be removed at some time. There is therefore a significant environmental gain in proceeding with the project at this stage.

No allowance was made within the original estimated marina construction cost of £1,750,000 for the treatment of contaminated sediments, nor for any additional precautions which may need to be taken during their excavation. Accordingly, the Board approached the Advisory and Finance Committee to advise that, in addition to the sum of £1,750,000 for the Marina, further capital expenditure would be required in respect of the removal and remediation of the contaminated sediment. The Advisory and Finance Committee gave its approval for the seeking of tenders for this work and to expedite this process approved a capital vote of £42,000 to fund site investigations and sediment treatment trials. This vote was charged to the Ports Holding Account. In addition the Committee noted the Board's intention to include an additional capital provision as part of its budget setting process.

In light of advice from specialist consultants who endeavoured to establish the treatability of the sediment and the likely maximum costs of treatment, the Board accordingly increased the capital estimate for this work to £1m, which sum was noted and approved by the States of Deliberation as part of the 2003 Budget debate. The total sum allocated within the Ports budget for the project now stands at £2.8m.

The sediment treatment project and the marina development project are interdependent, as it would not be possible simply to remove the contaminated sediment alone, as it would leave the harbour bed rocky and uneven and unsuitable for continued use as a drying harbour. For this reason, and to avoid delay, the Board decided to seek tenders for the treatment of the sediment at the same time, and to report back to the States on both matters simultaneously. Accordingly, following extensive consultation with remediation contractors and relevant States departments, the Board, with the approval of the Advisory and Finance Committee, decided to go out to tender to specialist remediation contractors for the treatment of the contaminated sediment.

It is the Board's intention that the successful remediation contractor will become a nominated sub contractor to the main marina developer, in order to ensure a co-ordinated approach to the excavation, remediation and disposal of material.

The Board commenced the seeking of tenders for the remediation sub contract in spring 2002. Tenderers were selected based on their remediation capabilities and specific experience, four were listed although one withdrew shortly before the issue of tender documents. The tender set out the

standards which had to be achieved if the material was to be disposed of at Longue Hougue, these standards were set by the Board of Health's Environmental Health Department. To achieve these standards required some treatment of the material although the method was left to the contractor. The technical details of all three tenders were sent to the Environmental Health Department for its comment. The Board has at all stages been conscious of the likely high cost of the remediation, and has made every attempt to minimise these costs while still selecting a treatment and disposal route that would be acceptable to the Environmental Health Department.

In October 2002 the Board, after consideration of the tenderers' offers, the Environmental Health Department's comments and the risks associated with each tender, selected DEC Environmental Contractors as the preferred sub contractor to carry out the remediation works, for a cost of £570,407.25. DEC was nominated to all the main marina developers in order that they could consult and finalise their tender submissions for the whole project.

### **Tender Assessment – Main Development Works**

In spring 2002 the Board sought tenders for the construction of a 350 berth Marina at St Sampson's Harbour. The Board advertised both locally and nationally for expressions of interest from contractors and developed a selected list of tenderers, all of whom had experience of marine work within the Channel Islands. The contract is 'design and build' against a set of performance parameters.

The tender prices for the main development works cover a considerable range. For comparison purposes, the tender sums have been adjusted so that they all exclude the proposed North-side reclamation (detailed below) and include all the specified items. The list below shows the contractors and their adjusted tender price which also includes the additional costs of removal and treatment of the contaminated sediment.

<b>Contractor</b>	<b>Tender</b>
Miller and Baird	£3,383,638.49
Trant	£3,799,951.44
Sea Structures	£3,924,775.00
Geomarine	£4,082,180.00
Dean and Dyball	£7,173,315.80

The tender documents requested that the potential contractors should consider reducing the visual impact of the development. The tender designs were all broadly similar, with the contractors choosing conventional marina layout and systems, with the main differences being the methods of excavation and transportation to the remediation site on Longue Hougue, the treatment of harbour wall foundations and the design of tidally operated access gates. They have all provided for a floating wave screen which will consist of heavy duty concrete pontoons that will float in the impound area on the seaward side of the Marina and will have a similar appearance to the other pontoons.

On the basis of the above figures, the Board agreed that Miller & Baird should be the preferred contractor and that it should enter into post tender negotiation with Miller & Baird, although the Board did not take any final decisions with regard to the other tenderers until satisfactory agreement on the principal matters was reached with Miller & Baird.

Plans of the proposed Marina layout are shown at Appendix A and show a conventional layout using Poralu Pontoon systems and a simple single tidally operated gate similar to those used in all the adjacent French Marinas which have proved to be extremely reliable and efficient.

### **Commercial Considerations**

Following post tender negotiations with Miller and Baird, the tender price for the project is now £2,950,000. While this significantly exceeds the original £1,750,000, outlined in the July 2000 policy letter, the cost increase is the result of the following:

- It now includes the direct costs of £570,407.25 for the sediment remediation contract and additional costs of £305,000 for the main contractor to facilitate this work. It should be borne in mind that there is, as indicated above, a significant environmental benefit in having this work carried out.
- The considerable delay caused by the need to agree a satisfactory disposal route for the sediment has increased the price because of the effect of building inflation over 2 years. At 10% per annum this would result in increased costs of £350,000.

The Board would recommend that a contingency figure of £170,000 be added to the project, bringing the potential maximum cost to £3,120,000.

Discounted Cash Flow analyses (DCF's) have been prepared to include the revised project cost at £3,120,000 and the income and running costs for the designed project. These show that the project remains self-funding, even including the remediation costs, for a total Capital cost of £3,120,000 over a 20 year period at 5% DCF.

The Marina will therefore pay for itself, and will also fund the cost of removal and remediation of contaminated material that would have to be paid for out of general Harbour revenue at some time in the future.

St Sampson's Harbour has historically run in deficit and although in the last three years small surpluses have been achieved, the financial viability of the Harbour remains tenuous.

Currently two thirds of St Sampson's Harbour is made over to just 160 leisure craft and the annual income from moorings in 2001 was £16,228, the remaining one third is used for bulk cargo and commercial operations which generated an income of £570,379. The total annual expenditure at St Sampson's in 2001 was £566,166 leaving a small surplus of £20,441. There is a long waiting list of over 300 Islanders who wish to take up marina berths and the marine traders also need more berths for boat sales and commissioning. The Harbour is a valuable asset for the Island and the marina will ensure that it is properly utilised both commercially and for leisure purposes. This investment will guarantee the long term financial viability of the Harbour and revitalise the area.

The Board has already provided low cost drying and swinging moorings at Longue Hougue for those current St Sampson's mooring holders who do not wish to take up Marina berths.

### **Land reclamation**

The Board intends to utilise suitable excavated material to reclaim land in the vicinity of St

Sampson's Harbour. One possibility would be to reclaim land to the east of the Marine and General Shipyard on the north side of St Sampson's Harbour and lease the land out at a commercial rent. The cost of reclaiming the land to the east of the Marine and General Shipyard is £280,000. That is an attractive addition to the development and will produce land which will be of considerable commercial value as well as providing much needed land for marine use. The Board is confident that this area of reclaimed land will also pay for itself over a period of 20 years and recommends that it be added to the project and used as an area for boat lay ups and maintenance.

### **Construction**

Following approval by the States and tender award in April 2003, the contractor will require a period for detailed development of the design and mobilisation. The contractor plans to start on site in May 2003 and, with a construction period of eight months, should be complete by December 2003.

The contractor proposes to remove both the contaminated sediment and the rock material beneath using an excavator loading into barges. The material will be removed to Longue Hougue by water for treatment and disposal, which will significantly reduce use of the roads and the obvious disruption and inconvenience around the Harbour.

The contractor will be tidally constrained and it will be necessary to work over the low water periods both the day and night. Noise levels will be maintained to levels acceptable to the Environmental Health and Health and Safety Departments.

### **Harbour Operations**

Commercial operations will not be significantly affected by the construction process. Commercial vessels are generally confined to the outer Harbour area where no construction is taking place and movements only take place over high water so it will be easy to de-conflict operations if necessary.

During construction leisure craft will be relocated to moorings in Longue Hougue and St Peter Port, or laid up ashore depending on the owner's preference and the availability of spaces.

Once the Marina is complete the commercial part of the Harbour will continue to be able to operate at full capacity and although there will be a significant increase in leisure craft activity, it will be controlled during commercial operations by the use of light signals similar to those in St Peter Port. Commercial vessel and leisure craft movements will still be significantly less than those in St Peter Port and well within safe limits.

### **Harbour Ordinances**

The legal implications of the new Marina and Longue Hougue mooring site need to be incorporated into the Harbour Ordinances to allow the Harbour Authority to effectively control and administer the area. Following detailed discussions with the Law Officers the amendments laid out in Appendix B are recommended. This opportunity has been taken to include other minor amendments relating to St Peter Port.

**Recommendations**

The Board of Administration recommends the States:

- a) To reaffirm its approval for the construction and development of a Marina at St Sampson's Harbour in the form proposed in this report.
- b) To authorise the Board to accept the tender in the sum of £2,950,000 submitted by Miller and Baird for the marina development works, which sum includes the cost of the remediation sub contract.
- c) To approve the reclamation of the area of land situated to the east side of the Marine and General Shipyard, as proposed in this report and shown for the purposes of identification at Appendix A to this report, for the additional sum of £280,000 submitted by Miller and Baird.
- d) To vote the States Board of Administration a credit of £3,400,000 (including a contingency sum of £170,000 for unforeseen additional works) to cover the cost of the above projects, which sum shall be charged as capital expenditure in the accounts of the Harbour of St Sampson.
- e) To approve the amendments to the Harbour Ordinances 1988 as set out in Appendix B to this report.

I should be grateful if you would lay this matter before the States with the appropriate propositions, including one directing the preparation of the necessary legislation.

Yours faithfully

R C BERRY

President  
Board of Administration



## APPENDIX B

**Amendments to Definitions of “St Sampson's Harbour” in Guernsey's Harbour Legislation**

The construction of the Longue Hougue mooring facility, and the proposed creation of a new marina in St Sampson's Harbour, have prompted a review of the various references to St Sampson's Harbour within the various pieces of Guernsey harbour legislation. As a result of this review, the Board is recommending a number of amendments to the Harbours Ordinance 1988.

- (a) Section 2 defines speed limits for the harbours. The Board proposes to amend the speed limits, as it considers that, in view of the new marinas, a speed limit of 4 knots (which presently applies to the inner section of St Peter Port) is now more appropriate for St Sampson's Harbour.
- (b) Section 3(2) and 6 stipulate entry and exit requirements in respect of St Peter Port Harbour and St Sampson's Harbour. Section 5 stipulates entry and exit requirements in respect of Victoria Marina. It is recommended that Section 5 be amended to empower the Harbour Authority to control entry and departure from that Marina, the Longue Hougue mooring facility and the St Sampson's Marina, by means for the time being of a red light. It is further recommended that the Board be empowered from time to time to change, by statutory instrument, the means of signalling that entry or departure to or from the harbours and/or marinas is prohibited to any alternative means (other than a red light) which may be required in the future by any international Conventions.
- (c) Section 58(1) (b) of the Harbours Ordinance 1988 states: *“the harbour of St Sampson means the harbour area drawn to west of a line drawn from the northern extremity of the breakwater to the south-eastern extremity of the northern pier; and includes the quays, jetties, slipways, hards and roads adjacent to those Harbours respectively and under the administration of the Board”*. It is recommended that this definition be updated to include the Longue Hougue basin.
- (d) Finally, it is recommended that the various references made to the *“North Beach Marina”* throughout the Ordinance (in Section 2(1)(a), Section 4 and the definitions of *“the main harbour of St Peter Port approach limits”* and *“North Beach Marina”* in Section 58) are replaced with ***“Queen Elizabeth II Marina”***.

The Board does not consider it necessary to amend any other pieces of legislation as a result of the St Sampson's Marina proposals or Longue Hougue mooring facility development.

The President  
States of Guernsey  
Royal Court House  
St Peter Port  
Guernsey  
GY1 2PB

27 February 2003

Dear Sir

I refer to the letter dated 13 February 2003 addressed to you by the President of the Board of Administration on the subject of the construction of a Marina at St Sampson's Harbour.

The States originally approved this project in July 2000 for a sum not exceeding £1.75 million, the detailed proposals now presented to the States will cost £3.4 million for the reasons stated in the policy letter.

The Estates Sub-Committee has considered the details of the project and the tender process paying particular attention to the reasons for the increased cost. The Sub-Committee has advised that, on the basis of the information provided to it, the post tender negotiations to reduce the original tender price has not resulted in a reduction in the adequacy of the facilities originally considered by the States in July 2000. The Sub-Committee has also confirmed that the major element in the increased cost is the removal, treatment and disposal of the contaminated sediment.

The Committee has been advised that the level of contamination of the sediment and the risks to health when it is disturbed are such that the proposed method of dealing with it is the minimum required to comply with the international standards adopted by the Board of Health and for the Environmental Health Department to issue the necessary permits. The method proposed has added £800,000 to the cost of the project as opposed to the far cheaper option of dumping out to sea and relying on dilution in the vast mass of water. Reluctantly however, the Committee accepts that to meet the standards that have been adopted, there is no alternative but to incur these additional costs if the project is to proceed.

The Sub-Committee has established that the major proportion of the cost of the project will be incurred on imported materials and structures and that, predominantly, the type of labour required would not be that required for normal building projects.

Were this project to be funded from general revenue with no pay back, the Advisory and Finance Committee would question whether it should receive any priority. This project however is to be funded from the Ports Holding Account and the Board of

Administration considers that it will pay for itself over a 20-year period. Whilst under current projections and accounting practices the surplus in the Ports Holding Account will be expended by the end of 2004, this project will ultimately improve the trading position of St Sampson's Harbour and provide facilities for which, the Board advises, there is an existing demand.

The Advisory and Finance Committee therefore recommends the States to approve the proposals.

Yours faithfully

L. C. MORGAN

President  
Advisory and Finance Committee

The States are asked to decide:-

XV.- Whether after consideration of the Report dated 13th February, 2003, of the States Board of Administration, they are of the opinion:

1. To reaffirm their approval for the construction and development of a Marina at St Sampson's Harbour in the form proposed in that Report.
2. To authorise the States Board of Administration to accept the tender in the sum of £2,950,000 submitted by Miller and Baird for the marina development works, which sum shall include the cost of the remediation sub contract.
3. To approve the reclamation of the area of land situated to the east side of the Marine and General Shipyard, as proposed in that Report and shown for the purposes of identification at Appendix A to that Report, for the additional sum of £280,000 submitted by Miller and Baird.
4. To vote the States Board of Administration a credit of £3,400,000 (including a contingency sum of £170,000 for unforeseen additional works) to cover the cost of the above projects, which sum shall be charged as capital expenditure in the accounts of the Harbour of St Sampson.
5. (1) To approve the amendments to the Harbour Ordinances 1988 as set out in Appendix B to that Report.  
  
(2) To direct the preparation of such legislation as may be necessary to give effect to their above decision.

**STATES BOARD OF ADMINISTRATION****PARKING IN ST PETER PORT AND QUAYSIDE ENHANCEMENT**

The President  
States of Guernsey  
Royal Court House  
St Peter Port  
Guernsey

19 February 2003

Dear Sir

**PARKING IN ST PETER PORT AND QUAYSIDE ENHANCEMENT –  
DETAILED FEASIBILITY STUDIES – IDENTIFICATION OF CONCEPT  
SCHEME**

*The Board of Administration was directed to report back to the States of Deliberation on this subject by December 2002 (Billet d'Etat XXIV, 2001). However, certain aspects of the investigations have taken longer than expected to complete. The studies have now been satisfactorily completed together with extensive consultations (with over forty groups from the public and private sectors), providing objective information upon which to base this report.*

**1 Executive Summary**

This report presents the key findings of investigations on the subject of parking and quayside enhancement in St Peter Port, which have concentrated on opportunities at the southern end of Town – as directed by the States (Billet d'Etat XXIV, 2001 - see resolutions attached at **Appendix 1**).

It demonstrates that there is a substantial car parking opportunity that can compensate for the existing shortage of spaces, as well as addressing other issues such as the imbalance of parking provision north and south of Town. Associated opportunities to enhance the whole Quayside area, in a phased approach, have been identified. Should the States be minded to progress to the next stage, then the costs of the concept scheme as it is developed will need to be very carefully evaluated in liaison with committees and the private sector, to demonstrate beyond doubt that it is commercially viable and can provide the States with 'best value'.

There is no doubt that the costs of the scheme will require close scrutiny. The provision of additional parking will be challenging in terms of costs, consultations and negotiations. Moreover, this should be progressed alongside associated opportunities to enhance the Quayside, in a fully integrated, cross-committee approach. However, the potential ‘prize’ is very great, in terms of the delivery of much-needed new parking spaces, the improvement of the area south of Town, and the regeneration that will result.

This report identifies the ‘**Fish Quay Scheme**’ (in the Albert Basin) as the preferred option for basement parking as this out-performs the other options in terms of meeting the criteria laid down, namely:

- it can provide substantial numbers of new parking spaces south of Town (550 underground and 150 on surface with landscaping)
- it can attract private finance
- it would be least disruptive during construction
- it has reasonable price certainty
- there is relative ease of implementation
- it has the potential to ‘unlock’ future quayside enhancement schemes
- it will enhance the retail opportunities for the Town centre

The scheme can also provide for the needs of the local fishing industry and improve harbour facilities through the provision of an all states of the tide slipway and new fishermen’s building (as detailed elsewhere in this report).

This report proposes that Expressions of Interest from potential private investors/developers should be sought in relation to the Fish Quay Scheme.

## **2 Summary Technical Report (see Appendix 2) and Detailed Technical Data**

The investigations have been carried out by a professional team comprising:

- a project sponsor - Dymax Limited
- traffic engineers - Arup
- an urban designer - LDA Urban Design
- civil and structural engineers - Scott Wilson and McCathie Associates
- mechanical and electrical engineers - Hoare Lea
- cost consultants - Tillyard

This policy letter is supplemented by a fuller description of the investigations and consultations carried out by the Board’s professional advisors, together with their findings, as detailed in the appended *Summary Technical Report (Appendix 2)*.

The *Summary Technical Report* is itself supplemented by *Detailed Technical Data* held at the Board’s offices and available for inspection (traffic studies, engineering data, geotechnical reports etc.).

### 3 Background

As directed by the States, the Advisory and Finance Committee convened and led a cross-committee working party involving that Committee, the Board of Administration, the States Traffic Committee and the Island Development Committee. The working group produced a Brief for the appointment of consultants to carry out detailed feasibility studies.

The Board and its advisors have considered in more detail the commuter parking needs statistics produced in 2001 by the Chamber of Commerce alongside the traffic data and analysis produced subsequently by the appointed traffic consultant, Arup. The Chamber's statistics indicated that an additional 1,772 parking spaces were needed (page 1642, Billet d'Etat XXIV, 2001). However, these statistics can now be read against the findings of the traffic analysis which shows that **a net increase of around 800 parking spaces is the probable maximum that can be accommodated** without unacceptable additional congestion in the roads feeding St Peter Port, and that these 800 bays could replace those lost from the development of land temporarily used for publicly available car parking (Royal Hotel, Savoy Hotel, Charroterie sites etc.). While each of these named sites will incorporate some parking provision as part of the new office/residential developments, there has still been a net loss of parking in addition to the demand for extra parking to meet commuters' needs. It is well recognised that some long-term commuter parking currently occupies short-term spaces, which is a problem for shoppers and others.

### 4 States Traffic Committee (see Appendix 3)

Whilst wider traffic issues fall clearly within the States Traffic Committee's mandate (with whom the Board has worked closely), the Board considers that the provision of a basement parking scheme can complement other measures to manage traffic and parking. It is proposed that basement parking south of Town will meet the needs of commuters and some Town residents for long-term bays near to their place of work or residence.

The comments of the States Traffic Committee, which is supportive of the Board's proposals, are attached to this report (**Appendix 3**).

#### An Investigation into Paid Parking

This report acknowledges that the States Traffic Committee's own report on paid parking (Billet d'Etat IX, 2002) was sursied, and that debate will be deferred until after the Board has reported to the States on the possible provision of additional car parking, as is done herein. It is acknowledged that the possible introduction of paid parking is of definite interest in relation to any future basement scheme, even though advice received indicates that a basement can be commercially viable on its own merits.

Whilst the possible introduction of paid parking is not prerequisite to ensuring the financial viability of the Fish Quay Scheme, it is evident that the possible continued provision of free parking, alongside a paid parking basement scheme, will have an influence on the proposals and future revenue streams for any investor.

#### Possible Relocation of the Bus Terminus, South Esplanade

This is a matter for the States Traffic Committee. The States have already approved, in principle, the construction of properly landscaped surface parking at the bus terminus once it has been established that the relocation of the terminus is feasible on a permanent basis (Billet d'Etat XIII, 2001). Investigations leading to this report included a study undertaken by Southern Vectis, commissioned by the Board in consultation with the States Traffic Committee. The study showed that the relocation of the bus terminus (to the North Beach) is indeed feasible without any adverse effects on services. Passengers would still be able to embark and disembark at the South Esplanade, but the terminus itself would move to the North Beach. Around 100 short-term bays would be relocated from the North Beach to the South Esplanade.

### **5 Traffic Studies**

It became apparent during the investigations that an additional car deck over the North Beach is not a viable alternative to additional parking south of Town (as has been suggested previously in debate). The implications of Arup's work are that any significant increase in parking numbers at the North Beach would lead to unacceptable congestion at St Julian's Roundabout.

### **6 Planning Issues – Island Development Committee**

The Island Development Committee has communicated its support, in principle, for the provision of additional parking in St Peter Port, and agrees with the Board's findings that the Fish Quay is the most practical location for new parking facilities. It would, however, hope to see significant environmental improvements (quayside enhancements) and notes that contributions from the public purse may be needed to fund non-revenue generating improvements. The Board is advised by King Sturge, however, that additional revenue could be generated from a new fish restaurant or new commercial harbour buildings, and that these could fund enhancements. The Retail Strategy Working Group of the Board of Industry particularly commends the maximisation of such retail opportunities. The Board of Administration hopes that the Island Development Committee will adopt a supportive stance should any such proposals be put forward. The Board is, of course, mindful that any such development should be visually sensitive, and should complement rather than compete with retail activity in St Peter Port itself. Indeed, it would add substantially to the marine/harbour related tourist offer and enhance Castle Emplacement as a working and amenity area

## 7 Guernsey Chamber of Commerce (Appendix 4)

The Chamber of Commerce has consistently supported the principle of additional car parking provision to meet the genuine needs of the business community in the Island. It has offered its written support for the proposed Fish Quay Scheme as described in this report (see **Appendix 4**).

## 8 Basement Parking - Options Rejected

*Please Note: Illustrations and more details on all these options are included in the Summary Technical Report which is appended at **Appendix 2**.*

### Albert Marina

Provision of 680 bays

Estimated capital cost of £29.5 million / £43,000 per bay

A net increase of 480 spaces is provided (given consequential losses of surface parking on Albert Pier)

The Albert Marina scheme was rejected for the following reasons (see Summary Technical Report for more details)

- Higher cost than the recommended (Fish Quay) scheme
- Unsatisfactory traffic engineering
- Unsatisfactory urban design
- Loss of Marina facilities

### Castle Emplacement

This scheme is entirely unsatisfactory (see Summary Technical Report for more details)

- Provision of 400 bays at the model yacht pond location
- Helical design sterilises surface for other uses
- Extensive disruption including the possibility of ground contamination
- Due to the above factors, a detailed costing exercise was not carried out

### Havelet Bay

Provision of 600 bays

Estimated capital cost of £30.5 million / £50,000 per bay

The Havelet Bay scheme was rejected for the following reasons (see Summary Technical Report for more details)

- Unacceptably high cost
- Lack of cost certainty
- Loss of Town bay

- Traffic engineering difficulties with access from Castle Pier
- Poor urban design

### Victoria Marina

Provision of 440 bays

Estimated capital cost of £20 million / £45,000 per bay

A net increase of 90 spaces is provided

The Victoria Marina scheme was rejected for the following reasons (see Summary Technical Report for more details)

- It does not satisfy the brief
- Loss of revenue generating and enhancing marina facilities
- Its implementation would be premature in advance of a wider strategy

However, the findings in respect of the Victoria Marina are presented for information and future consideration since they could satisfy many of the points raised in the Traffic Committee's overall strategy - namely urban enhancements, improved traffic flow, and the removal of surface parking from the piers.

## **9 Basement Parking at the Fish Quay (Albert Basin) – the Recommended Concept**

The preferred option based on the extensive investigations and consultations carried out is to site basement car parking adjacent to the Fish Quay (in the Albert Basin), albeit that the current proposals are in concept form only and do not represent a final, detailed design.

Subject to States approval, Expressions of Interest from potential private investors/developers will be sought in relation to this scheme. The concept basement parking scheme is estimated to cost in the region of **£25 million** (including fees). To this sum must be added the cost of the proposed new slipway, replacement fishermen's building, and any possible future associated enhancement and traffic management works south of Town.

The cost of the Fish Quay concept scheme, which is being recommended, consists of the following elements (see Summary Technical Report for more details):

- £25 million including fees
- The above equates to £35,000 to provide each bay
- Basement parking for 550 spaces over 3 levels
- Additional 150 surface spaces with appropriate surface landscaping/planting etc.
- **A net increase of 600 spaces** given the loss of some surface parking - plus the following features

- New ‘all states of the tide’ slipway replacing the existing slipway
- Replacement fishermen’s building (ramp access to the new car park will be sited in the location of the existing fishermen’s building)

The Fish Quay scheme is the recommended option as it meets all the criteria laid down in the Brief as listed in the Executive Summary to this report. It can also allow for the implementation of future initiatives (such as the provision of a new museum complex at the slaughterhouse and other urban enhancements along Castle Esplanade and at the bus terminus, for example).

### The Fish Quay Scheme - Balancing Town

A net increase of 600 car parking spaces south of Town will provide some of the balance required to complement the spaces provided at the North Beach car park (there are around 850 spaces at the North Beach). This will redistribute pedestrian footfall south of Town, as commuters park their cars at the Fish Quay and walk to their place of work. It has been recognised for some considerable time that additional parking should assist in the regeneration of areas around the Markets, including Fountain Street, Mill Street and Mansell Street. Also, the possible future relocation of the bus terminus will relocate around 100 short-term (shopping) spaces from the North Beach to the South Esplanade. It is also possible that the States might arrange with a developer for the 150 surface spaces at the Fish Quay to be designated as short-term spaces for shoppers.

### Phased Quayside Enhancements

The Fish Quay Scheme that is being recommended reduces to a minimum any immediate call for funding from the public purse, on the basis that the £25 million scheme will be funded privately. Over and above this, a new slipway plus new fishermen’s building must be provided, at a cost of £1.3 million (funding options can be explored in more detail in the course of commercial negotiations). Essential minor road works and resurfacing etc. must also be undertaken and this will cost around £300,000.

It is understood that investors/developers might only fund the basement parking and any other element that can provide a commercial return (such as a fish restaurant or harbour buildings). They might not fund additional enhancements such as new surfaces and pedestrian/road layouts. This can be explored further in due course. It is of course possible that the costs of any wider, phased improvements such as enhanced pedestrian access along the quayside might need to be funded by the States in the future unless additional commercial opportunities (such as a fish restaurant) can be developed on their own merits as well as to subsidise wider improvements.

## **10 Parking Provision and Urban Regeneration**

Although not the immediate focus of this report, it is recognised that the provision of car parking can have the effect, alongside other factors, of regenerating urban areas. Additional parking will meet the needs of individual commuters, and can, in particular, provide companies with essential spaces en bloc to complement new and existing commercial office accommodation. It is accepted that spaces may also be taken directly by individual St Peter Port residents, by landlords to offer alongside property to rent, and by developers alongside properties for sale.

#### **11 Board of Industry Retail Strategy Working Party (Appendix 5)**

The Board of Industry's Retail Strategy Working Party strongly supports the need to enhance the parking facilities in the south of Town. **It is considered by the Working Party that adequate parking and an efficient bus service are an essential part of the enhancement and regeneration of St Peter Port as a shopping centre.** The comments of the Board of Industry's Retail Strategy Working Party are set out in greater detail in the attached letter (**Appendix 5**).

#### **12 Sea Fisheries Committee – Fishing Industry Improvements (Appendix 6)**

**If the Fish Quay Scheme is to be progressed, then there must be very close liaison with the Sea Fisheries Committee, given the opportunities arising from the replacement of the slipway and fishermen's building.** Options for funding the replacement slipway and fishermen's building must also be addressed. The Sea Fisheries Committee has already given its in-principle support to the Fish Quay Scheme, having noted the significant advantages that can be offered by an all-tides slipway and purpose-built fishermen's buildings. This support is subject to the industry's needs being properly taken into account as plans are progressed (**see Appendix 6**).

#### **13 Funding the Fish Quay Concept Scheme - Proposed Private Investment of £25 million**

Fish Quay basement - 550 spaces over 3 levels, plus an additional 150 space on the surface. £25 million (£35,000 per bay including fees)

#### Possible Requirement for Public Funding of Essential Additional Works of £1.6 million

The following elements have been identified in addition to the basement parking:

- replacement fishermen's building      £600,000
- minor road works, resurfacing etc.      £300,000
- replacement slipway                              £700,000

Total £1.6 million

### Optional Additional Works

- new roundabout by slaughterhouse £500,000 - not essential immediately although it can re-route traffic around the Havelet Bay side of the slaughterhouse (making this two-way), providing a traffic free, pedestrian friendly entrance and exit on the Albert Marina side for any future museum complex
- associated road works, rationalisation and surface parking on Castle Pier £400,000

Total £0.9 million

The above does not include the relocation of the Bus Terminus (which has not yet been costed), further quayside enhancement or any other possible alterations to the road layouts along South Esplanade.

## **14 Commercial Viability**

The Board considered that a States debate on this report should take place before Expressions of Interest are sought. However, the Board has received advice from King Sturge which provides information supporting the position that the scheme is of a sufficient size and may provide a satisfactory commercial return to attract private investment, with certain caveats. It is acknowledged, however, that any financial package will require very careful consideration indeed.

If the States approves in principle a basement parking scheme at the Fish Quay, then this will provide a basis from which to seek Expressions of Interest from the private sector. Further consultations with various committees will be required, together with further work to improve planning certainty. In this way, private interest can be offered within a context of clear parameters having been laid down. Such planning certainty should not, however, be so prescriptive as to inhibit creative approaches from the private sector to meeting the Island's needs for additional parking and the objective of achieving associated quayside enhancements.

## **15 Alternative Funding Options**

### Traditional Procurement

The starting point for any form of evaluation of alternative funding options must begin with looking at the traditional direct procurement route, albeit that the Board does not consider this to be either politically or financially desirable in respect of this scheme. Traditional procurement would involve the direct funding of the facility by the States, through a building contract.

The States would build the car park through a construction contract, paying for the development directly and then collecting revenues by way of a return on its capital investment. The States would have full control of the scheme during both the construction and operational phase of the project, and would receive all the receipts and bear all the costs associated with the scheme.

The Board cannot recommend direct public funding for the scheme (£25 million), and neither can it recommend that the States take on the risks attendant in direct contracting (with all the cost over-run possibilities that may arise) for a project of this nature.

#### Cost and Risk – Management and Mitigation

The following alternative scenarios can address the States concerns in a variety of ways. A balance needs to be struck between securing the optimal financial position and the mitigation of risk – each alternative allows for possible compromises to be reached.

#### Sale and Leaseback

The most common route to defray the financial risk is for the procuring party to undertake a sale and leaseback of the car park. On completion, the asset transfers over at a premium to a third party investor – in return for the States entering into a lease agreement for a defined period of time at a prescribed rental level. The car park does not have to be sold freehold. Long leaseholds for this type of asset are now commonplace.

A lease of 125 years may be needed to secure the investor's position. Given the high build cost, a significant proportion of the rental payment may need to be guaranteed by the States – if significant third party income (for example from a fish restaurant or harbour buildings) in addition to car parking rental revenues is not secured.

The ability to include alternative uses within the development which can be let to other private sector occupiers (a fish restaurant, harbour related accommodation etc.) would subsidise the States commitment, offsetting the rental requirement from the car park. The required planning and other consents could secure a pre-funded solution, but an investor will not accept planning risk if it is perceived to be in the States' gift. Planning clarity is therefore a key element in attracting commercial interest.

#### Design Build Finance and Operate (DBFO) Contract

There is a clear move towards DBFO solutions in public sector procurement through the adoption of Private Finance Initiatives (PFI). It is a natural extension to the sale and leaseback scenario. Design and construction procurement risk is removed, as is ongoing management and maintenance – in return for an all-inclusive charge. The States would set rental charges but would take market risk as to the extent of the use of

spaces. Again, this liability can be offset to a degree by bringing in third party revenue from commercial occupiers (or indeed users of the car park willing to pay a capital sum to secure a space as opposed to paying rental). Risk transfer always comes at a price, either through a higher unitary charge base, or a longer concession period.

### Private/Public Partnership

This allows for more flexibility than traditional PFI solutions. The contract can flex in either the term or financial return in the short term where the key drivers of returns are uncertain or subjective. Examples include road and toll-bridge contracts, which often allow for a variable concession period over which time the provider has the ability to secure his target level return on the project. This variation on the traditional PFI model may be more appropriate for the car park as it can allow for a variety of risk sharing positions to be adopted. This has become a development route widely accepted by private sector partners.

The Board of Industry Retail Strategy Working Party recommends the development of a private/public partnership for the construction, funding and operating of the car park (**Appendix 5**). Such concepts are advocated in the Board of Industry's report 'Guernsey Constructing the Future' as providing new ways of funding, developing and operating projects for the benefit of the Island community and the States of Guernsey.

## **16 Progressing the Fish Quay Concept Scheme – Seeking Expressions of Interest – Further Funding Requirements**

It is estimated that around £50,000 of the original £300,000 voted for detailed feasibility studies will remain unspent when all professional fees have been paid in relation to this report. It is proposed that this sum should be used as appropriate in the preparation of Expressions of Interest, and in the provision of any supporting information, as necessary.

It is anticipated, however, that this relatively minor sum will be insufficient to cover additional activities as the following examples illustrate:

- Preparation of a project brief for investors
- Preparation of tender documentation, issue and analysis
- Provision of further planning data, including that relating to new harbour buildings
- Legal and commercial advice, including assessment of commercial options/offers and associated negotiations
- Further technical data as required

It is proposed that the next stage should allow for additional investigations and studies, together with the preparation of all necessary documentation and the assessment of

offers. Consideration must be given to the views of relevant committees on the detail of what is being proposed, together with due consideration of private sector interest.

The next stage should continue to be a cross-committee approach, with planning, traffic, environmental, retail, tourism/heritage and other issues being taken into account. An integrated approach must be maintained, so that proposals can be refined to sit within the context of wider States strategies. It is therefore proposed that an additional sum not to exceed £500,000 should be made available for use by the Board, under the auspices of the Advisory and Finance Committee, to fund the above processes as necessary. The Board will then return to the States with the results of the approach to the private sector in due course. By way of illustration, pre-contract costs on a traditional procurement basis (to fund investigations, consultancy, design work, tender documentation) could cost around 10%. On a £25 million scheme this would equate to £2.5 million.

## **17 Conclusion**

Investigations have shown that additional basement parking can be constructed at the Fish Quay, and the indications are that this can meet the criteria described at the beginning of this report. If the States approves the Fish Quay concept scheme in principle, Expressions of Interest can be sought in due course. The results of that process can then be reported to the States. The States will then have the opportunity to consider the implementation of the project, providing much needed extra car parking capacity south of Town, alongside other quayside enhancements, on a phased basis.

As stated earlier in this report, the provision of additional parking and quayside enhancements will be challenging in terms of costs, consultations and negotiations. A corporate approach is needed to take proper account of all the issues that must be addressed. However, there is much to be gained and the Board can recommend, on the basis of findings thus far, that the opportunities that have been identified should be pursued further.

## **18 Recommendations**

The Board recommends the States to:

1. Approve in principle the provision of basement car parking at the Fish Quay (Albert Basin) along the lines of the concept scheme described in this report, and subject to further consultations as outlined herein.
2. (a) Direct the Board of Administration to seek, in consultation with the Advisory and Finance Committee, Expressions of Interest from private sector investors/developers regarding the above concept scheme, taking into account the findings and advice of the cross-committee working group, as described below.

- (b) Direct the Board of Administration to report back to the States of Deliberation with the results of the above process, including Expressions of Interest, the scope of recommended works and associated quayside enhancements, together with details in respect of funding.
3. Direct the Advisory and Finance Committee to convene and lead a cross-committee working group to include the Board of Administration, States Traffic Committee, Island Development Committee, Board of Industry, Sea Fisheries Committee and others as appropriate, which group is to
    - consider issues under the various committee mandates represented in respect of the Fish Quay concept scheme and quayside enhancements
    - assist the Board of Administration in its seeking Expressions of Interest, prior to its reporting back to the States of Deliberation.
  4. Authorise the Board of Administration to appoint consultants and commission investigations as necessary in respect of this project, subject to the approval of the Advisory and Finance Committee.
  5. Vote the Board of Administration an additional credit of £500,000 to cover the costs of the above, which sum shall be charged to the Board's capital allocation.
  6. Authorise the Advisory and Finance Committee to transfer the sum of £500,000 from the Capital Reserve to the capital allocation of the Board of Administration.

I have the honour to request that you will be good enough to lay this matter before the States together with appropriate propositions.

Yours faithfully

R C BERRY

President  
States Board of Administration

**IN THE STATES OF THE ISLAND OF GUERNSEY**

**ON THE 9TH DAY OF JANUARY, 2002**

The States resolved as follows concerning Billet d'Etat No. XXIV dated 23rd November, 2001

(Meeting adjourned from 13th December, 2001)

**STATES BOARD OF ADMINISTRATION**

**PARKING IN ST. PETER PORT AND QUAYSIDE ENHANCEMENT**

- X. After consideration of the Report dated 30th October, 2001 of the States Board of Administration:-
1. That additional investigations and consultations on the subject of parking and quayside enhancement in St. Peter Port shall be carried out and that further work shall concentrate on opportunities at the southern end of Town as identified in that Report.
  2. To direct the States Advisory and Finance Committee to convene and lead a cross-committee working group involving that Committee, the States Board of Administration, the States Traffic Committee and the Island Development Committee to produce a brief for the appointment of consultants to carry out detailed feasibility studies and following agreement of a brief the lead role will be taken by the States Board of Administration which shall report back to the States by December 2002.
  3. To direct the States Board of Administration to consider in more detail the commuter parking needs statistics produced by the Chamber of Commerce, in consultation with that Chamber, States Traffic Committee, Island Development Committee, St. Peter Port Traders Association, Institute of Directors, St. Peter Port Douzaine and other bodies as appropriate, and to include refined statistics in a future report to the States on parking and quayside enhancement.
  4. To vote the States Board of Administration a credit of £300,000, this sum being in addition to the £16,500 vote open currently for Parking Feasibility Studies, to cover the costs of the above appointments and investigations, which sum shall be charged to that Board's capital allocation.
  5. To authorise the States Advisory and Finance Committee to transfer the sum of £300,000 from the Capital Reserve to the capital allocation of the States Board of Administration.

APPENDIX 2

Summary Technical Report



Parking in St Peter Port  
and Quayside  
Enhancement



A report prepared on behalf of the  
States of Guernsey

*by*

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December 2002

Final Report

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- 1.0 Executive Summary
- 2.0 Background
- 3.0 The scope to increase parking in the study area
- 4.0 The scope to combine new parking provision with other objectives
- 5.0 Options
- 6.0 The preferred option - The Fish Quay
- 7.0 Conclusion and recommendations

## 1. Executive Summary

1.1 This study presents the results of investigations and consultations on the subject of parking and quayside enhancement in St Peter Port, which have concentrated on opportunities at the southern end of Town - as directed by the States (Billet d'Etat XXIV, 2001). It demonstrates that there is a substantial car parking opportunity that can compensate for the existing shortage of spaces, as well as addressing other issues such as the imbalance of parking provision between the north and south of Town.

**“concentrated on opportunities at the southern end of Town - as directed by the States”**

1.2 In October 2001 the GMA document reported that the Chamber of Commerce had identified the need for additional car parking spaces. It had arrived at this conclusion following the results of its own survey which had estimated the number of spaces lost to development in the town centres since 1999, and the demand for new spaces coming forward from its own membership and businesses in the town. Despite this, the traffic analysis undertaken as part of this study concludes that a net increase of approximately 800 car parking spaces in the south of the town is the probable maximum requirement.

**“a net increase of approximately 800 car parking spaces in the south of the town is the probable maximum requirement”**

1.3 The study examined a number of different locations for basement car parks along the southern waterfront including Havelet Bay, Albert Marina, Victoria Marina, Castle Emplacement, and the Fish Quay (located in Albert Basin).

1.4 This study identifies the Fish Quay Scheme as the preferred option for basement parking as this out-performs the other options in terms of meeting the criteria laid down, namely: it can provide substantial numbers of new parking places south of Town; it can attract private finance; it would be the least disruptive during construction; it has reasonable price certainty; relative ease of implementation; and it has the potential to “unlock” future opportunities to enhance the amenity value of St Peter Port.

**“Fish Quay Scheme as the preferred option for basement parking “**

1.5 This study proposes that the Fish Quay Scheme (and minimum associated works on the Castle Emplacement) should be developed further, in consultation with the relevant States Committee and other parties, enabling more detailed development planning with the Island Development Committee, the States Traffic Committee and Sea Fisheries Committee in particular. This approach will improve project certainty as regards exactly what can and cannot be undertaken at this sensitive location, so reducing project risk. It would then be possible to demonstrate to potential private investors/developers that the project is viable. Without such certainty, detailed dialogue and the issuing of expressions of interest and tender documentation would be premature.

1.6 Although the emphasis of the study is specifically directed at parking it is evident that the provision of a basement parking scheme can complement other measures to manage and improve traffic and parking, with all the consequential benefits that will

accrue. Basement parking will meet the needs of commuters and possibly Town residents for long term bays near to their place of work and residence.

**“a basement parking scheme can complement other measures to manage and improve traffic and parking,”**

1.7 It is acknowledged that the possible introduction of paid parking is of interest in relation to any future basement parking scheme. This study acknowledges that the States Traffic Committee’s own report on paid parking will be deferred until after the Board of Administration has reported on the findings of this study. The findings of this study sit comfortably alongside the States Traffic Committee’s own policies and aspirations.

**“The cost of constructing the Fish Quay proposal is £25m”**

1.8 The cost of constructing the Fish Quay proposal is £25 m including Professional Fees, contingencies and all equipment necessary for the operation of the basement. The minimal road improvements required to make it function would require an additional £300,000. Also excluded from the overall cost is new slipway (£700,000), the replacement fishermen’s building (£600,000), and other optional additional works such as traffic located behind the Slaughterhouse with the attendant roundabout improvements at Castle Pier junction (£900,000). The average cost per bay for the Fish Quay is £35,000. This compared favourably with costs of between £43,000 and £50,000 per bay for the other options.

**“The average cost per bay for the Fish Quay is £35,000”**

1.9 That is to say £25m would be financed privately and that the £2.5m equalling the essential works (£1.6m) and the optional additional works (£0.9m - traffic relocated behind the Slaughterhouse with attendant roundabout improvements) would have to come from the Treasury. There is clear interest in the parking provided and the project can be financed.

1.10 The combination of basement parking and potential enhancements to the waterfront would clearly bring about much wider urban regeneration benefits to St Peter Port. This study was not directed to quantify these benefits. However, this should be considered in any future commercial appraisal of the preferred scheme.

1.11 The key recommendations of the study to the States are as follows:

- to approve in principle the provision of a basement car park at the Fish Quay;
- to undertake the necessary commercial appraisals;
- to issue expressions of interest documentation to potential investors/developers incorporating such further planning and commercial advice as may be necessary.

## 2. Background

2.1 In January 2002 The States of Guernsey passed a resolution to undertake a car parking and enhancement study for the southern waterfront of St Peter Port. In particular, it directed the study to examine opportunities at the southern end of town. It directed the States Advisory and Finance Committee to convene a cross party working group to include that Committee, the States Board of Administration, the States Traffic Committee and the States Island Development Committee. This group were then charged with preparing a brief for the study and appointing consultants to carry out the work under the direction of the States Board of Administration. The resolution also directed the team to consider commuter parking needs and to examine statistics provided by the Chamber of Commerce and others. The appointed team were directed to report back to the States by December 2002.

2.2 A brief was prepared by the States, and its overall aim was to investigate the practicalities of providing substantial new car parking facilities on States and Crown



St Peter Port's waterfront

owned land around the quayside and the southern waterfront of St Peter Port, and to generate a range of options for consideration by the States. The brief stated that all options should be presented with reference to the following considerations:

**Commercial viability** - the degree to which the option would be self-financing, and how it can contribute to enhancement;

**Cost certainty** - reliance on cost of implementation;

**Minimising disruption** - effect of development on wider area;

**Ease of implementation** - readiness, compatibility, phasing;

**Enhancement** - potential to deliver environmental enhancement and other benefits.

2.3 In April 2002 a team were appointed. The team comprised a project manager, urban designers, landscape architects, traffic engineers, civil and structural engineers, mechanical and electrical engineers and cost consultants. The study was undertaken over a period of 8 months, and commenced with an extensive and wide-ranging consultation process. In parallel with the consultations, the team undertook a desk review of existing data and background information. This was augmented by first-hand observation and an analysis of current use and prevailing conditions. The team applied best practice methodologies to gain a clear understanding of key issues and to generate a range of different options. The options presented resulted from close collaboration between the different disciplines. During the course of the study, many options and sub-options were considered and evaluated by the team, and only the best or the most representative of these were considered worthy of further study. This report is a summary of the team's findings and recommendations, and is supported by a separate technical appendix describing the study's findings in more detail.

2.4 Although neither the States resolution nor the brief explicitly directed the study to only examine opportunities for basement parking, this is essentially what it does. It is inconceivable that the car parking needs identified could be accommodated on or above the surface. All surface space is highly prized on the Island and there are no other credible options except those that seek to locate parking below ground, somewhere along the southern waterfront. In considering the location of basement parking it must be recognized that the waterfront is vital to island life in so many different ways, and that any changes must at the very least maintain its value, or preferably enhance it in accordance with the Strategic and Corporate Plan.

2.5 In October 2001 the GMA document reported that the Chamber of Commerce had identified the need for additional car parking spaces. It had arrived at this conclusion following the results of its own survey which had estimated the number of spaces lost to development in the town centres since 1999, and the demand for new spaces coming forward from its own membership and businesses in the town. The survey concluded that there was a need for between 1500 and 2000 parking bays. These figures were built up from many different sources and relied on a number of different assumptions. At the time, this survey was undertaken without the benefit of a traffic analysis, and it was impossible

to assess whether the road system in St Peter Port could cope with the volume of traffic generated by this number of parking bays. Now, with the benefit of a traffic analysis, this study is able to make that assessment.

### 3. Scope to increase parking in the study area

3.1 The study concludes that a net increase of approximately 800 car parking spaces in the south of the town is the probable maximum, and these 800 bays replace those lost from development of land temporarily used for parking. The study also concludes that the additional volume of traffic generated by these 800 parking bays should not lead to unacceptable delays.

“a net increase of approximately 800 car parking spaces in the south of the town is the probable maximum”

#### Traffic Demand

3.2 To assess the impact of changes in traffic flow due to increased car parking, a gravity type traffic model has been developed. This is based on parish population (sub-divided in the case of St. Peter Port), the size of car parks, and the likely routes between the two. The analysis shows that additional demand will arise mainly from the major population areas to the west and north.

#### Preliminary Tests

3.3 Preliminary capacity tests were carried out for 600 space long stay car parks at:

Castle Pier;  
Havelet Bay accessed from South Esplanade and Castle Pier;  
Victoria Marina, accessed from The Quay;  
Albert Marina, accessed from the bus station.

Tests were also carried out for combinations of the above.

3.4 From these preliminary tests conclusions were drawn which guided the development of the preferred option. These conclusions were:

- one 600 space car park should not cause unacceptable highways impact;
- the combined effect of two 600 space car parks would be unacceptable
- access to car parks in the Victoria or Albert Marinas would be difficult to integrate into highway network if parking remained on the Piers
- a two-way access to the rear of the slaughterhouse from a roundabout on South Esplanade could accommodate a new 600 space car park and existing parking on the pier. However, significantly more than 600 new spaces would overload the approach to the roundabout in the peak period;
- for the Havelet Bay option parallel to Castle Pier, the proximity of the

slaughterhouse and the height of the sea wall meant that safe access could not be achieved with a two way road to the rear of the slaughterhouse.

**“One 600 space car park should not cause unacceptable highways impact but the combined effect of two 600 bay car parks would”**

3.5 The model predicts additional congestion on St. Julian's Avenue and The Grange. Highway improvements to increase capacity are not feasible. In practice, the response of drivers will be to change either their route or their time of journey. This is likely to make Val des Terres more attractive for trips from the west of the Island. Overall, it was concluded that a net increase of approximately 800 car parking spaces in the south of the town should not lead to unacceptable delays, but may require some modifications of junctions on the waterfront.

### **Further Tests**

3.6 Further tests were carried out with the assumption that the current surface parking on the Albert and Victoria Piers was transferred to an underground car park. It was concluded that this option would be feasible, subject to the caveat that the net increase in new parking did not exceed the 800 spaces referred to above.

3.7 There are two other factors that are almost as important as the overall number of car parking bays required. The first is the type of car parking required, and this largely falls into two categories. The first is dedicated long term parking for commuters (arising mainly from the needs of the financial sector) and local residents, and the second is short term parking for shoppers and visitors.

### **Other factors**

3.8 The other key factor is location. When North Beach and La Salerie car parks were established, the net effect was to concentrate pedestrian flow through the northern end of town, ultimately at the expense of the southern end. This has established a clear imbalance which has undoubtedly damaged business interests in the southern end of town. Places such as Fountain Street, Market Street, Mill Street, and Mansell Street could all benefit from regeneration. The balance of parking needs to shift back so that the centre of gravity is firmly located in the centre of town with roughly the same number of parking bays at either end of town. There are roughly 850 spaces on North Beach and there could potentially be a similar number south of town.

**“The balance of parking needs to shift back so that the centre of gravity is firmly located in the centre of town with roughly the same number of parking bays at either end of town”**

3.9 The provision of basement parking at the southern end of town supports the aims of Planning Policy CEN6 which in turn, supports the provision, where appropriate, of high quality parking in purpose-built well designed, preferably underground and security

conscious facilities.

*Policy CEN 6*

*The IDC will seek to ensure that there is sufficient and suitably managed public or customer off-street parking to meet the operational needs of Town, The Bridge, public facilities and the essential needs of commercial developments.*

*Proposals for the provision of car parking will only be permitted where:-*

- a) the site has been identified by the States for the provision of public car parking;*
- or*
- b) the parking is required as part of a development proposal or an Outline Planning Brief.*

## 4. Scope to combine new parking provision with other objectives

### The character of the waterfront - planning policy

4.1 The fundamental aim of the study is to examine the car parking issues and not to produce a vision for the waterfront. However, the construction of basement parking to accommodate these sorts of numbers potentially represents a very significant change to character and the quality of the St Peter Port Waterfront, the kind of change not witnessed since the construction of North Beach and the QE II. It will substantially change the relationship between the land and the sea - something that has happened many times in the history of St Peter Port, and, not always for the best. Change will affect everyone, from those who earn their living on the water - the fishermen, the marine traders and so on, to those who use the waterfront as their playground - the yachtsmen, the rowers and the anglers.

4.2 It is clear from the consultations undertaken that the waterfront is also a special place and its qualities transcend the functional needs of those who use it. It's a place to meet, a place to enjoy the view, a place to enjoy the ever-changing conditions of tide, weather and light. Its value as a place is hard to quantify, until it is lost. For this reason, it is important that change on this scale leaves the waterfront in a better state than it is at present. It is clear that this development must support the aims of planning policy DBE2 of the Urban Area Plan, namely:

#### *Policy DBE 2*

*Development proposals, which will result in a significant change to the character of the surrounding townscape, will be required to:*

- a) make a positive contribution to townscape quality, in terms of layout, density, height, massing, architectural style, materials and landscaping;*
- b) facilitate safe and convenient access, including movement by pedestrians and cyclists, both within the development and between the development and the surrounding areas; and*
- c) retain, enhance and/or create urban spaces, public views, skyline landmarks, and other townscape features, which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view."*

4.3 The visual qualities of the waterfront are recognised by everyone. The basement car park scheme should support the aims of policy DBE 6 which seeks to protect the visual qualities across Town and the waterfront and to maintain views of key landmarks and features.

#### *Policy DBE 6*

*Development will not normally be acceptable if it adversely affects an important public view of a landmark, the skyline or the sea.*

4.4 The opportunities to develop the potential of the harbour and to enhance the quality of the quayside environment is recognised in the Urban Area Plan and supported by policies ETL1, ETL2, ETL3 , and ETL4.

4.5 Policy ETL1 seeks to safeguard port related activities. Policy ETL 2 relates to the construction of new harbour facilities. The quality of the quayside environment is emphasised in Policy ETL 3, and the need to include public uses within quayside development is supported by Policy ETL 4.

### **Movement through town and along the waterfront - Traffic**

4.6 During the summer of 2002 The States Traffic Committee circulated a consultation document on future traffic policy in Guernsey. It raised a number of fundamental questions concerning the high level of car usage in the Island and the detrimental effects on the environment and on people's quality of life. The key purpose of the new strategy is to reduce car usage to ease traffic congestion, reduce vehicle emissions and improve quality of life. The Strategy also addresses the issue of car parking. Amongst other aims the Strategy proposes the introduction of paid parking and recommends that new car parks will only be built to replace existing car parking and /or to enable the Piers to be pedestrianised. The Strategy goes on to state that all new car parks should be constructed where practical underground.

### **Consultations - what people had to say**

4.7 On any island the most highly prized asset is space. The construction of the basement car parking will require a change to the existing pattern of surface space, and could potentially affect those whose livelihoods depend upon the use of that space. For this reason, this study embarked upon an ambitious consultation process reaching out to all those who might be affected. The purpose of the consultation was two-fold. Firstly, to gain a better understanding of the way in which the waterfront works and partly, to identify the amount of space needed by all the various users and occupiers. At the same time, consultees were also encouraged to share their own vision for the waterfront. The process involved over 40 different organisations, and a full list is included in the technical report.

4.8 The consultations ranged from detailed discussions on the space needed by harbour users, right through to the need for a large flexible public space for Liberation Day, and so on. The key concerns and the key issues that emerged from the consultation process can be summarized as follows;

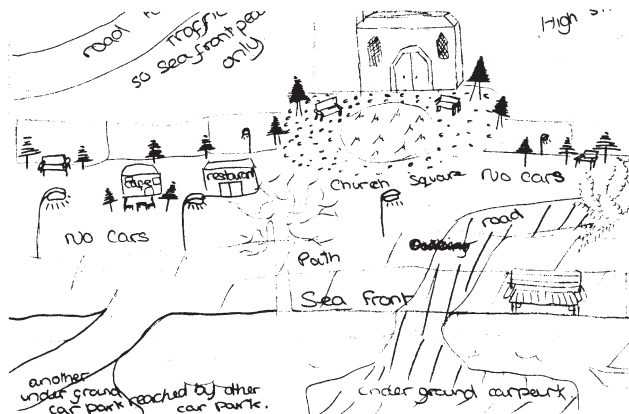
- additional car parking is needed south of town - both long and short term parking;
- reduce amount of surface car parking - particularly on the Piers;
- improve the pedestrian environment;
- possibly relocate the bus terminus and provide a bus service to connect the

waterfront from the Ferry Terminal to the Castle, particularly during the visitor season;

- create a real car-free public space on the waterfront, centrally located - with flexible use;
- better access to Castle Cornet - for pedestrians, buses, cars;
- better and more effective space on Castle Pier for key users and potential users - harbour authority, fishermen, rowers, Boatworks, sailing trust, yacht club, dive school, anglers, marine traders, model yacht pond users, heritage - Asterix Museum/Victor Hugo, ferries, cruise passengers

### The children's view

4.9 The main consultation process was wide-ranging, but was primarily focused on those who were likely to be directly affected by the proposals. However, it is clear that change to the waterfront on this sort of scale will also affect future generations, and so it is equally important to understand how children view the future of the waterfront. Representatives from all the main secondary schools in St Peter Port were invited to a special workshop to identify and discuss those things that were most important to them. The results were very interesting. Many of the children were concerned about the level of traffic along the waterfront and would like to see less traffic and a better pedestrian environment. Others mentioned the absence of good quality public spaces either in the form of promenades or gardens or town squares. Many of the children bemoaned the absence of good shops, cafes and facilities for the young along the waterfront. The overwhelming view was that the waterfront could be made much more attractive than it is now and that this development provided the ideal opportunity to put that right.



"If I wanted to have a good day on the seafront, I would want no traffic, less parked cars and a place where people can go and relax outdoors. There would be easier access to the shops and cafes along the seafront. The pavement is always crowded, so making that bigger would make the area better"

A pupil at St Sampson's Secondary School

A vision for the waterfront drawn by a pupil from St Sampson's Secondary School

## Other key considerations

4.10 As well as undertaking the consultations and identifying the key issues, the team undertook its own appraisal of the waterfront and the town centre. Using good principles of planning and urban design that should apply anywhere, the team identified a number of critical issues or considerations that need to be addressed. It may be that not all of these issues can be fully addressed through the development of the car parking options, although there will never be a better opportunity to do so. However, at the very least, none of these issues or considerations should be made more acute or more problematic as a result of this development. Many of these issues are interrelated. They are summarised as follows:

### Making the waterfront a better place for pedestrians

4.11 This issue was raised time and again by consultees. The existing quality of the pedestrian environment along the waterfront is poor. Pedestrians are confined to narrow pavements, crossing places on the esplanade are too infrequent and those crossing the



Crossing the road at the Town Church

road are frequently required to cross 3 or 4 lanes of moving traffic to get to the other side. Once pedestrians have made it on to the quayside they are typically confined to narrow footways sandwiched between moving traffic and the harbour. Along Castle Pier pedestrians are forced to share space with moving traffic and even those pedestrians who walk to the Castle along elevated section of the pier are still forced to go up and down steps to overcome the obstruction of the bunker. On the Piers themselves pedestrian access to the harbour edge is typically obstructed by car parking, and seating areas are limited in number and often difficult to get to. The lack of comfortable seating areas and attractive public places is an issue throughout the town centre and the waterfront.

4.12 There are proposals to convert the Slaughterhouse on Castle Pier into the Asterix Museum and the Victor Hugo Centre. The Slaughterhouse is located on one of the narrowest parts of the Pier and at the present time, traffic is directed either side of the building. This situation is unsatisfactory for pedestrians now, but will become much more so when the building is converted. At the very least, a new Museum will require a comfortable and attractive pedestrian environment at its main point of access. The enhancement proposals for Castle Pier must include a resolution of the conflict between pedestrians and vehicles on the northern side of the building. The most satisfactory solution would be to put two way traffic behind the slaughterhouse making the front of the building car-free.

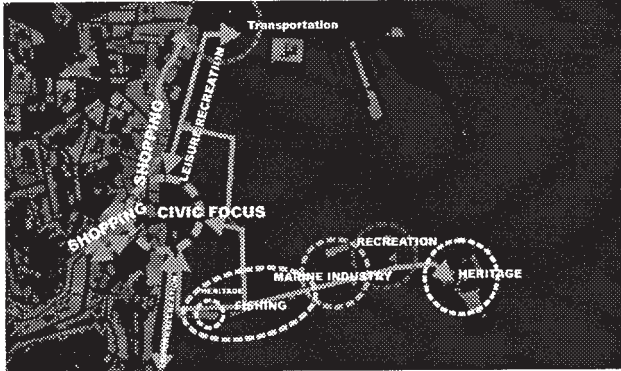
### **Making better use of the space that is available**

4.13 The most highly prized asset is surface space. This issue was raised by many of the harbour users who typically have to compete for space with each other. The most highly valued use of surface space is car parking itself, and it occupies by far the biggest area on the Piers and along the waterfront. One of the greatest opportunities afforded by this project is the opportunity to locate some of this underground. Not only would this free up space for other uses but it would also limit the visual dominance of the car on the waterfront. The recent consultation document on "Future traffic policy in Guernsey" produced by the States Traffic Committee recommends the removal of surface car parking from the Piers. The other closely related issue is the amount of road space, and this goes back to the previous issue on the pedestrian environment. It is clear that despite the volume of traffic on the waterfront and the potential increase in volume resulting from additional car parking there are still opportunities to reduce the amount of road space in places down to 2 lanes rather than the 3 or 4 lanes that exist at present. This principle of reducing road width has already been reported on by the traffic engineers in a previous study. That study confirmed that it was both feasible and desirable.

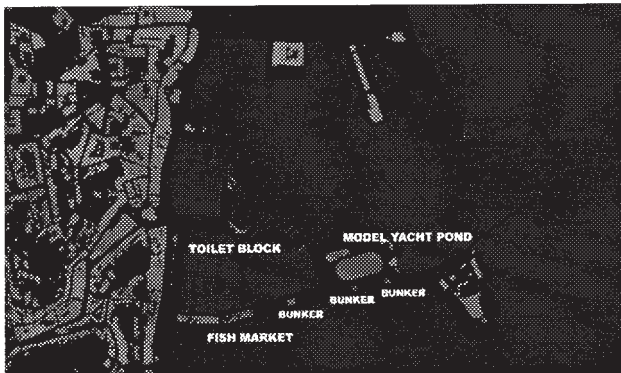
4.14 The bus terminus occupies most of the area between the Fountain Street and Castle Pier junctions, and yet much of this space is only used for bus parking and bus lay-over. It is clear that this could be rationalised and that bus parking and bus layover and other terminus facilities could be located in a less prominent place, without disadvantaging bus users. In other words, in its present location, it should be a first class bus facility, but not a bus terminus. In August 2002 the States Traffic Committee commissioned Southern Vectis to advise on the relocation of the bus terminus. The report concluded that the relocation of the bus terminus to North Beach would have no detrimental effect on the successful operation of the bus service providing that drivers facilities are provided. It also concluded that there would be no significant impact on costs resulting from relocation.

4.15 Nowhere is there more competition for space than on Castle Pier. Car parking, boat storage, operational space for fishermen and general manoeuvring space all compete, and on occasions conflict with each other at various times of the year. A number of factors contribute to this situation. Firstly, the model yacht pond occupies a substantial area, particularly in relation to its level of use and the number of individual users. If the model yacht pond could be relocated, or at least reduced in size, then the residual space could have much greater flexibility for a range of different uses. Secondly, some of the individual structures and buildings are either located on the narrowest parts of the Pier, or in locations where they disrupt circulation, or, they are poorly located for their operational use. The fish market buildings for instance, are positioned in the optimum place for locating the ramps into the basement. This situation is described later in the document. This study concludes that in order to make Castle Pier work more efficiently in terms of space and movement some of the buildings and structures may need to be demolished and their functions and uses accommodated in other new buildings. These include: the existing fish market building; the fishermen's ice store; and, the two other WW2 bunkers. Although it is recognised that these buildings and structures have some historic significance, the overall aim is to improve access to the most important heritage asset,

and that is the Castle Cornet.



Plan showing zoning of uses on waterfront



Plan showing building and structures for possible relocation or demolition

4.16 It is not simply about the amount of space created through rationalisation either. It is also about how spaces work with each other. For example, the small green area on the central part of the pier is isolated from other pedestrian spaces and only reached by crossing two lines of moving traffic. Its use is very limited. It would also make much more sense for example, to locate the ice plant as close to the fish quay as possible. There is need to amalgamate operational space and make the zoning of space on the Pier work much better for users, so that it is clear where boats are stored, where cars park, and where people walk.

### Making more of the Guernsey's heritage

4.17 This issue is also closely bound up with the previous two issues. The waterfront is the setting for Guernsey's built heritage and also its natural heritage. Castle Cornet is clearly the prime destination, yet reaching it at present requires determination and resourcefulness. This is particularly so for those arriving at the ferry terminal who might wish to visit the Castle. The journey by foot involves walking along narrow footways close to busy traffic, it involves crossing busy roads, and negotiating steps. Even for those who drive there is no dedicated parking for the Castle, nor any direct means of getting there by bus. This clearly needs to be addressed when considering the rationalisation of space on Castle Pier.

4.18 Connected to this is also the space needed for the island's traditional events, such as Liberation Day. At present these events make use of the space made available when cars are excluded from the waterfront, but a more flexible, permanent public space or arena needs to be considered. This would not only be better for these events, but may also encourage more events of this type to take place.

4.19 When considering the rich heritage of the waterfront it is also important to consider how change may affect the classic views across the town. The quality of the views from places such as the Town Church towards the Castle Cornet are part of the everyday experience - indeed, they are part of St Peter Port's townscape qualities. These qualities are often difficult to describe but they add to the richness of everyday life in the town. It is key that these qualities are recognised, and that the views themselves, and crucially the quality of views are maintained or if possible, even enhanced. It is clear that the amount of surface car parking on the Piers at present detracts from these views and that the removal of some of this will undoubtedly improve the quality along the waterfront. This aim supports one of the key objectives included in the States Traffic Committee's consultation document on Future Traffic Policy, which proposes pedestrianisation of the Piers.

## 5. The Options

5.1 The previous GMA report identified a number of very basic locations for underground parking along the waterfront: Under Albert Pier, under the Bus Terminus, in the Fish Quay, under Castle Emplacement, under South Esplanade and finally, in Havelet Bay. In their report they dismissed the location of underground parking in South Esplanade, under the Bus Terminus, and under Albert Pier as being too disruptive, impractical and of insufficient capacity. None of these potential locations have been revisited in this study as we concur with these findings

5.2 Nevertheless, this study has considered three of the options identified in the GMA Report - in the Fish Quay, under Castle Emplacement and in Havelet Bay. To these have also been added options for Albert Marina and Victoria Marina. The basic model used for each of the options was the provision of approximately 600 underground spaces in a single location. The preliminary traffic analysis has already concluded that even improved road junctions would not be able to accommodate the traffic generated by anything in excess of 800 additional spaces. It is clear therefore that only one basement car park can be built to accommodate the demand for additional spaces.

A description of the basic options follows:

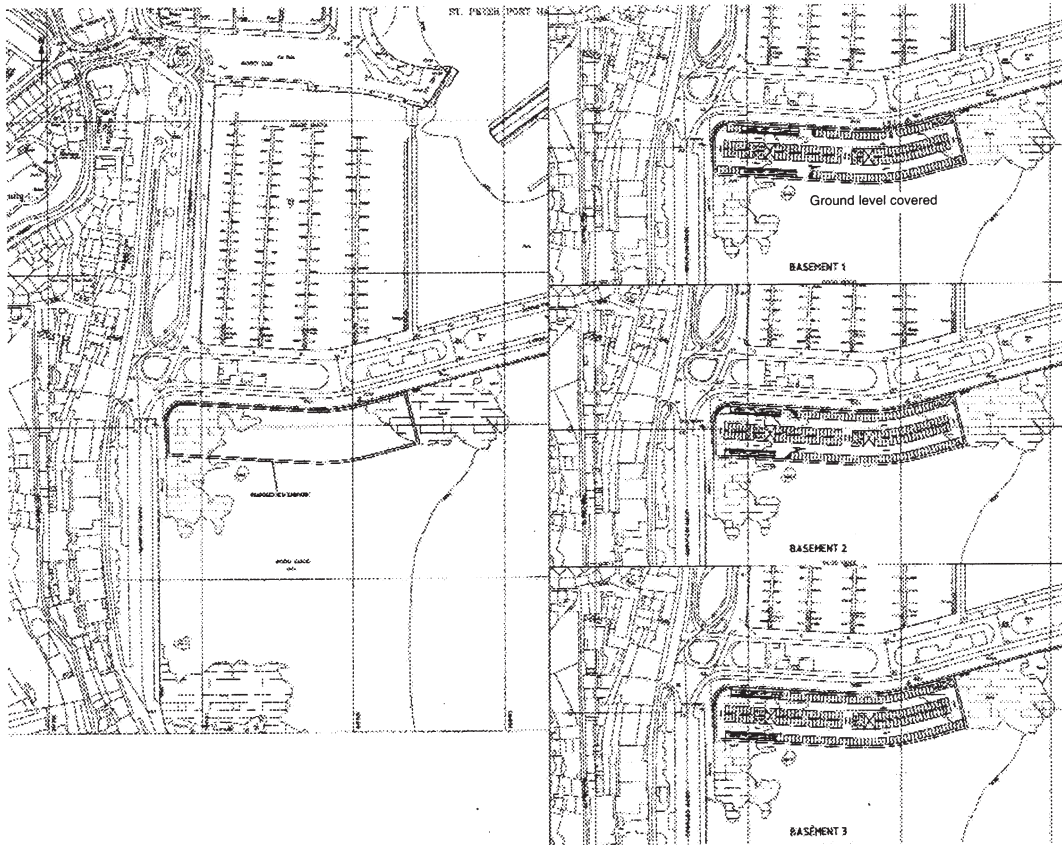
### Havelet Bay

5.3 The option to locate the basement car park in Havelet Bay involves the construction of two levels of basement parking with two possible sub options. One sub-option arranges the basement structures parallel to Castle Pier on two levels with parking on the top surface. This would provide 600 new parking bays. The other sub-option arranges basement parking parallel to South Esplanade on two levels with a public space on the upper deck. This would also create around 600 new spaces.

5.4 The most significant consideration for either sub-option is the prevailing sea conditions and its influence on the type of construction required. Unlike any of the other options, a basement car park located in Havelet Bay has to contend with exposure to heavy seas and significant wave action. The effect of this is to greatly increase the thickness of the external walls (over and above those required for the other options), and would require the construction of a sea wall with substantial rock protection. Initial designs indicate the construction of a 7m high rockfill varying in thickness from 3m at the top to 17m at the base.

5.5 The other significant consideration for the sub-option that is located parallel to the shore is the presence of the high voltage electricity cable from France. The construction of this option would require either re-routing of the cable or building a culvert around it. Either option would be expensive, and potentially disruptive

5.6 For both options the construction work would be prone to disruption by bad weather and the risk of delays. The cost of temporary works would be substantially higher than the other options.



Plans showing one of the options for Havelet Bay

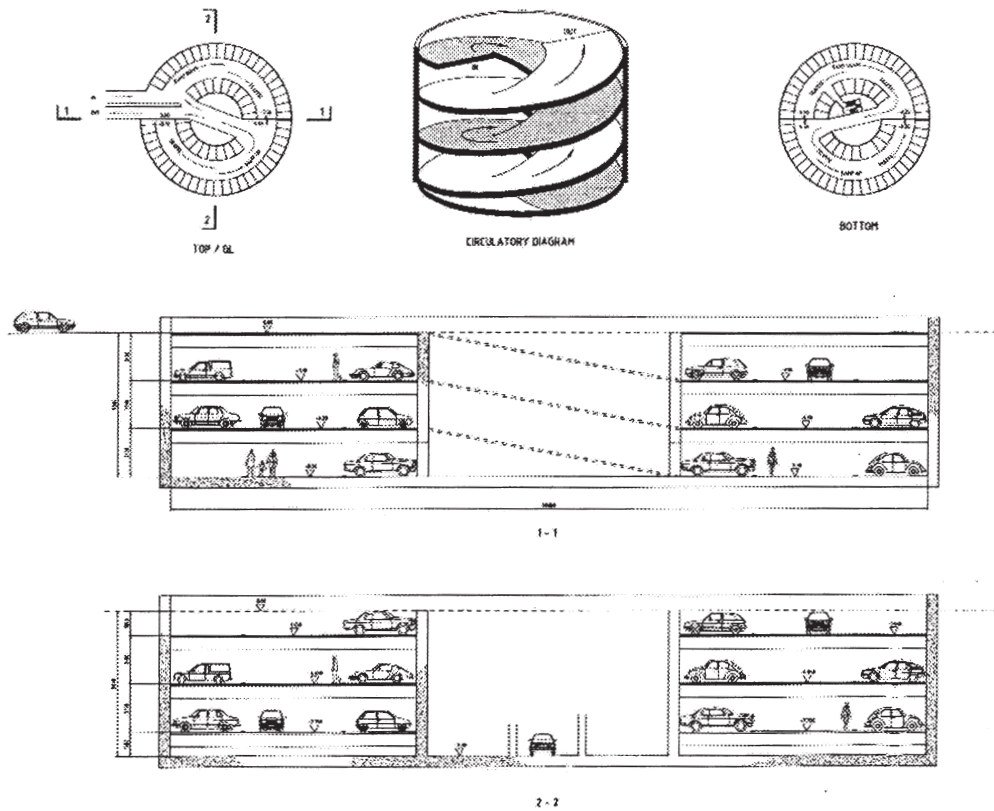
5.7 As well as these implications on the cost of construction there were also other factors which make Havelet Bay unattractive as an option. These include the landscape and visual impact of locating a major new structure in a part of the waterfront that is unspoilt. It was also felt that the option running parallel to the south Esplanade would significantly change the relationship between the front of town and the waterfront and that any public space created on the upper level would be poorly located for town and consequently, would only have limited appeal. Other issues included the loss of the town beach and the practical difficulties of gaining access to the basement from South Esplanade.

5.8 It was concluded that the cost of the option per parking bay would be significantly higher than the other options. Therefore for reasons of lack of cost certainty, lack of commercial viability and limited enhancement opportunities, it was decided to reject this option.

**Castle Emplacement**

5.9 In the process of researching various designs for underground car parking, the helical design emerged as a possibility. It comprised an ingenious spiral ramp with parking spaces immediately accessed from the ramp. The user passes each and every space. The best example of this type is under Bloomsbury Square in London. Its advantages are that it is very compact and highly efficient in terms of space. Each cylindrical structure is only 50m in diameter and 9 m deep and can accommodate 200 cars. This design was considered ideal for locating basement parking under Castle Emplacement, if conditions would allow it. Two of these structures could be located together, directly in the space currently occupied by the model yacht pond, and together they would provide 400 new spaces at the end of Castle Pier.

5.10 The key consideration for this option was the presence of rock underneath Castle Emplacement and, the nature of the ground conditions generally. Some preliminary site investigation work was undertaken and the presence of rock was confirmed. It was considered that to build the basements in this way would involve substantial excavation and the disposal of significant quantities of excavated material, some of which might contain contaminated material. It was also concluded that the construction of the



Plan showing option for Castle Emplacement

basements would involve large scale disruption on Castle Emplacement and the temporary relocation of existing uses.

5.11 There were in addition a number of other considerations that make this option less attractive. It would involve drawing most of the traffic right to the end of Castle Pier. This would interfere with access to the Castle. It would also fail to address most of the needs of the various occupiers and users on Castle Pier. The design of the structures would also inhibit any opportunity to create public space on the top surface and it was felt that this option provided very limited enhancement opportunities generally.

5.12 For reasons of lack of cost certainty, its limited capacity of 400 cars, disruption, and negligible enhancement opportunities, this option was rejected.

### **Albert Marina**

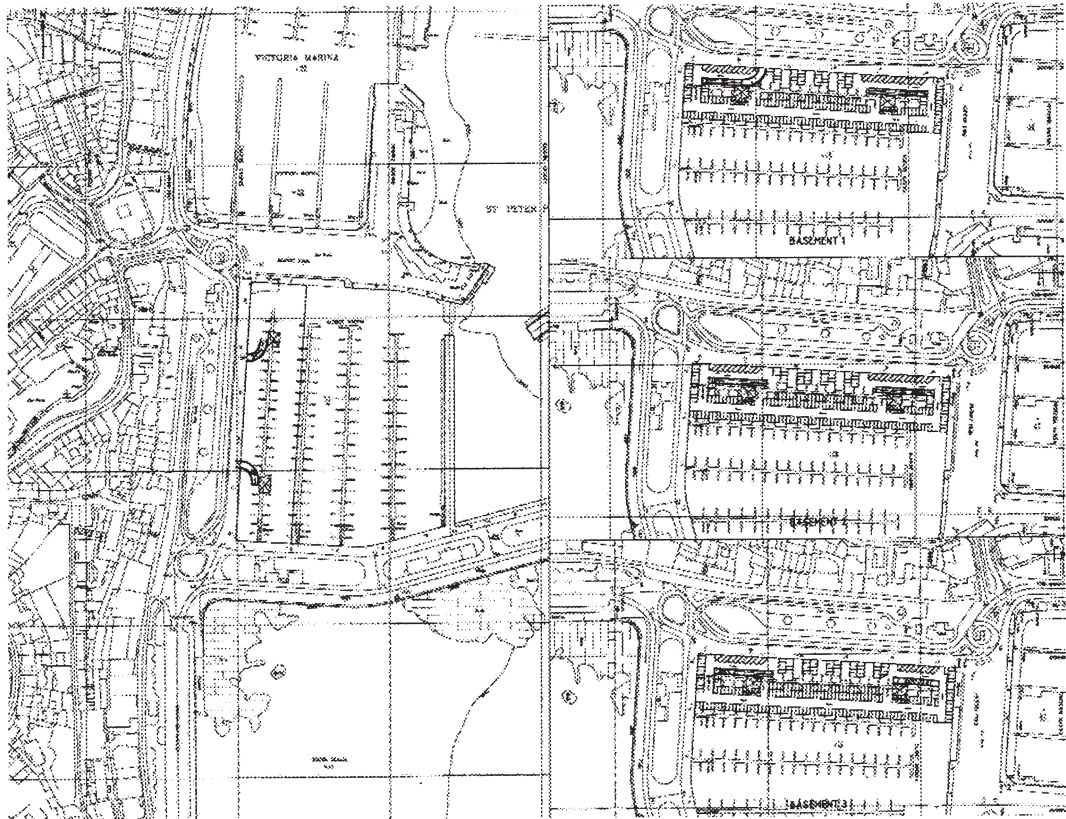
5.13 The option to locate in Albert Marina involves the construction of a 3 level basement car park. The depth of Albert Marina necessitates the construction of 3 levels of parking. The structure extends approximately 35m out into the Marina. It is estimated that the car parking capacity would be approximately 680 spaces. It would create a large public space on the surface and would have the effect of further extending the area between the building line and the edge of the harbour to a distance of around 100m. This will significantly alter the relationship between the edge of town and the seafront.

5.14 Although this option provides a substantial number of parking places close to town, there are a number of quite significant implications arising from the construction of a basement in this location. Firstly, this option will require the removal of surface car parking from Albert Pier to meet traffic engineering requirements, and therefore, the net gain in parking spaces is around 480. Secondly, the stretch of road between the Castle Pier junction and the Fountain Street junction is relatively short and a separate exit and entrance ramps into the basement would have to be threaded between the existing trees, through the existing bus terminus area and new short term surface car parking. The improvements required to the existing road system to make it work are quite complex and expensive.

5.15 The extension of the basement car park out into Albert Marina will result in the loss of a significant number of local moorings and change the characteristics of the enclosed water space. The high walls and the greater depth of the Albert Marina will create a much deeper, narrower harbour which could be oppressive for those mooring in it, and visually unattractive .

5.16 At face value, the cost comparisons for the Albert Marina are favourable and is only marginally more expensive than the Fish Quay. This is largely as a result of the number of spaces provided against the overall construction costs. Inevitably, any 3 level basement structure is bound to come out favourably in this analysis. But, because the net gain in parking spaces is only 480 this makes the option less attractive in its own right.

5.17 On the subject of enhancement, this option is also less attractive. Although the basement would provide a substantial new public space along the waterfront it is poorly located and its urban design characteristics are not especially favourable for the creation of an attractive public space. In essence, the space is too large, particularly when it is an extension to a space that is already too large. It has little or no active building frontage on to it and does not benefit from the enclosure provided by buildings. Public spaces with these characteristics are often underused and undervalued.

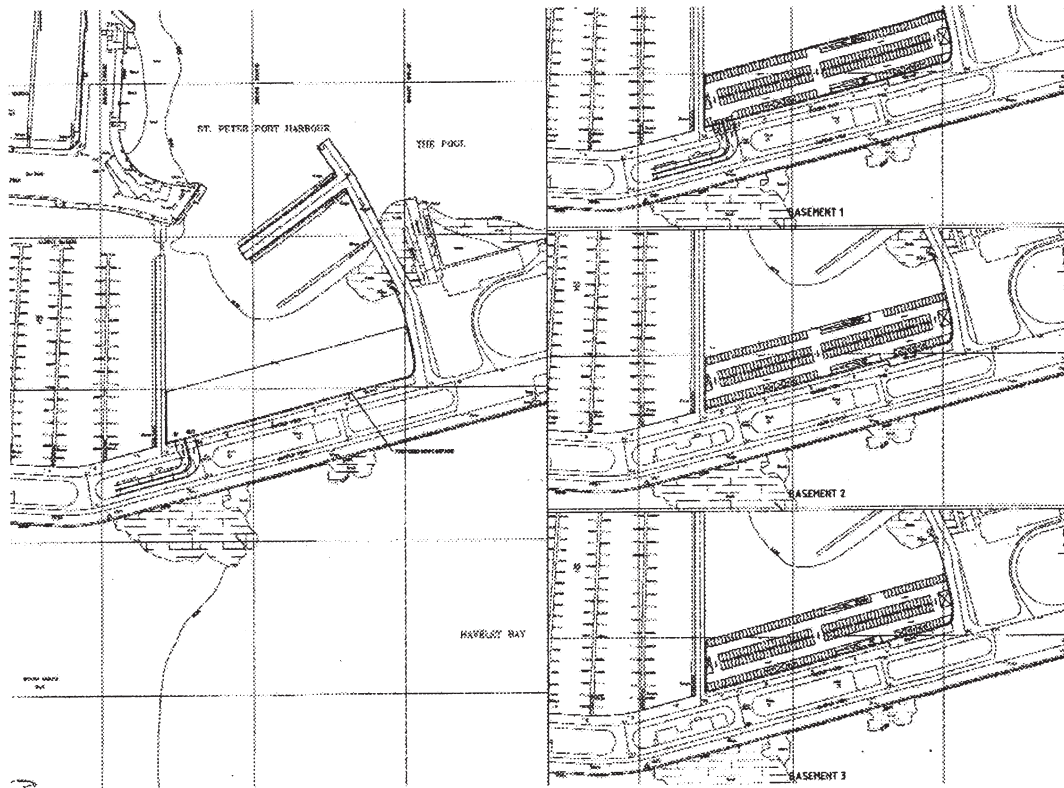


Plan showing option for Albert Marina

5.18 The study concludes that although the Albert Marina clearly has a number of positive features it is not one of the preferred options at this stage. The key criteria working against it includes the relatively low net gain in parking places, the complex highway requirements required to make the basement work, and the relatively modest environmental enhancements resulting from this option.

### **Fish Quay**

5.19 The location of the basement in the Fish Quay provides the catalyst for the rationalisation of Castle Pier and is the preferred option. Its location in the shallower part



Plan showing option for the Fish Quay

of the Fish Quay only results in the minimal loss of operational water. By constructing the basement outside of the harbour walls it results in minimal disruption and provides cost certainty. Most importantly, it liberates surface space, which in turn allows for rationalisation of surface space and provides the opportunity to improve operational efficiency. Its benefits include a new “all states of the tide” slipway for the fishermen and leisure use, new facilities for the fishermen to replace those demolished for access to the basement, better access to the Castle, better boat storage and boat handling facilities, more room for leisure users, and more manoeuvring space.

5.20 The basement would be constructed on 3 levels and would accommodate around 550 new spaces underground and 150 spaces on top. The basement would be accessed from ramps constructed inside the line of the existing pier. The location of the ramps would necessitate the demolition and relocation of the existing fish market. One of the key advantages of locating the ramps here is to keep the main traffic flow to the basement car park to the western end of the Pier. The traffic flow is directed behind the slaughterhouse to create a car free space. This effectively removes traffic from the front of the slaughterhouse and provides a suitable pedestrian forecourt for the Victor Hugo Centre and the Asterix Museum - when they are relocated there.

5.21 The prevailing sea conditions and the degree of natural shelter for the Fish Quay would be very similar to that for the Albert Marina. And, on this basis the method and type

of construction would be very similar. The main construction for the basement will be outside of the line of the existing Pier and this will help minimise disruption on the Pier during the construction period.

5.22 Most of the direct enhancement benefits resulting from this option involve a better use of existing spaces and the introduction of clear zoning for all the various activities that take place on Castle Pier. The most obvious benefit will be the creation of a direct pedestrian route to the Castle to complement the high level walkway on the Pier. The removal or even the reduction of the model yacht pond will allow for the creation of a fully flexible public space on Castle Emplacement. It is envisaged that this could fulfil a number of different functions, ranging from activities on Liberation Day, to regattas and events linked to the Castle. The rationalisation of space on Castle Pier will also provide the opportunity to locate a dedicated bus stop close to the Castle and to provide a small number of dedicated parking spaces.

5.23 This option performs well against most of the criteria set out in the brief and it is therefore recommended that this option be given further consideration at the next stage as the preferred option.

### Victoria Marina



Plan showing option for Victoria Marina



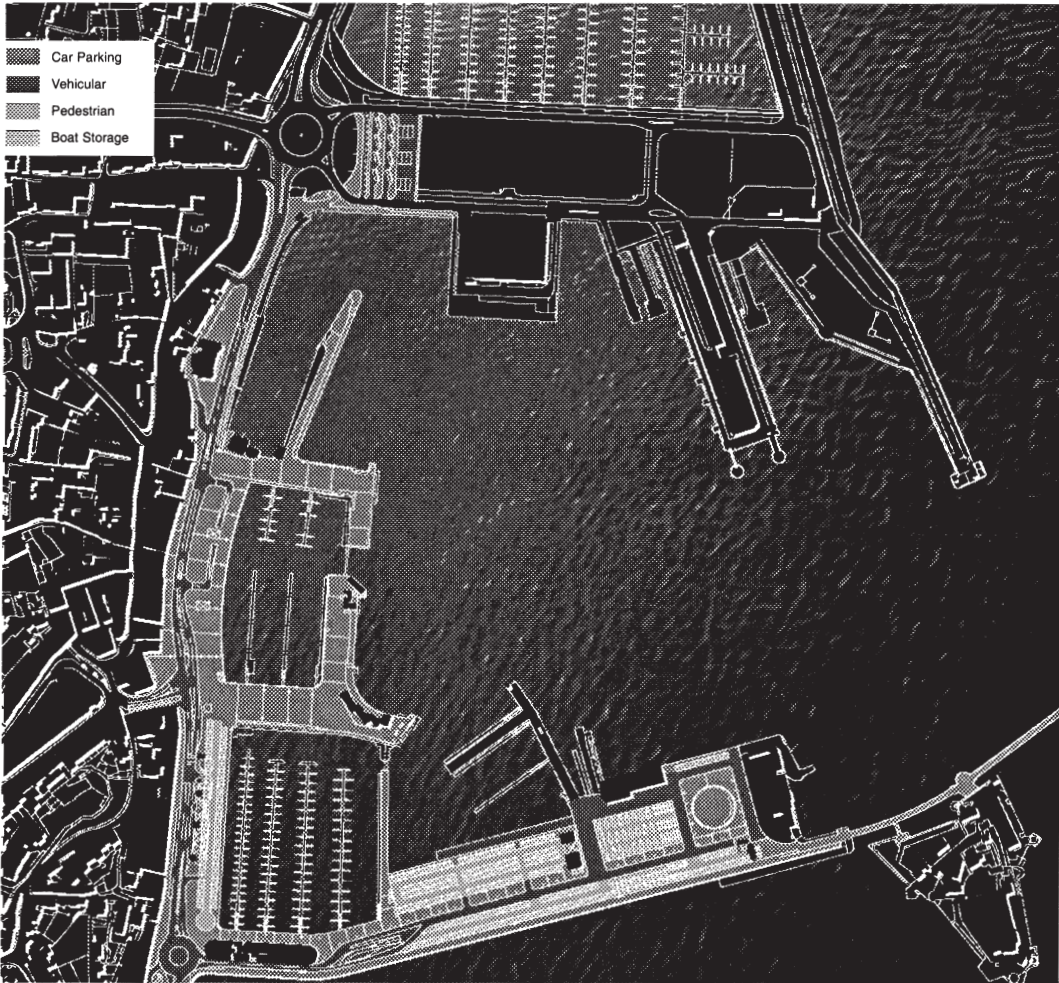
Before and after, a visualisation of a new town square in front of the town church, some time in the future

5.24 This study has explored the option for locating a basement car park in Victoria Marina. At first glance this may appear quite controversial given its location so close to town and its historic importance as the first harbour constructed for St Peter Port. The team believe that there are some convincing reasons for considering this as an option and that these are bound up in a vision for the waterfront which go beyond the creation of a basement car park. It was felt that although this option may be ahead of its time, it nevertheless should be considered now in order to highlight the need for a long term vision for the waterfront. This may appear to go well beyond the brief but it was felt that the enhancement opportunities afforded by this option were so compelling that it is worth considering as a future option. It is not anticipated that this option would be an option on its own but would be a second phase option following the construction of the Fish Quay.

5.25 The key factor driving this option is the need to make the waterfront much more pedestrian friendly and to create a "town square" right in front of the Town Church. This option tackles head on the most difficult part of the waterfront, which is the lack of space at the Fountain Street junction. The proposals include a new Fountain Street junction and the complete re-alignment of the Esplanade moving it away from the buildings on the front to run over the top of the basement car park. The net effect will be to liberate a large traffic free area on either side of the road which can operate as the town's focal public space in front of the Town Church. In the bigger vision for the waterfront it would involve the creation of a series of connected public spaces and promenades stretching the Castle right through to the North Plantation and the Liberation Monument. Another advantage of this option is that it will be able to solve the flooding problem along the Esplanade at periods

of Spring tides.

5.26 The basement car park in Victoria Marina is based upon 2 levels and extends around 35m out into the Marina. The total capacity of the car park would be around 440 spaces. The creation of this option would require the removal of surface car parking on both Albert and Victoria Piers. The net gain in car parking spaces would therefore, be around 90 spaces, although these could be short term spaces right in the heart of town. The construction of the basement would result in the loss of around 80 moorings for visiting yachts. The Victoria Marina is only very busy with visiting yachtsmen for relatively short periods during the height of the season. Improvements to the general environment around the Marina could well extend this period.

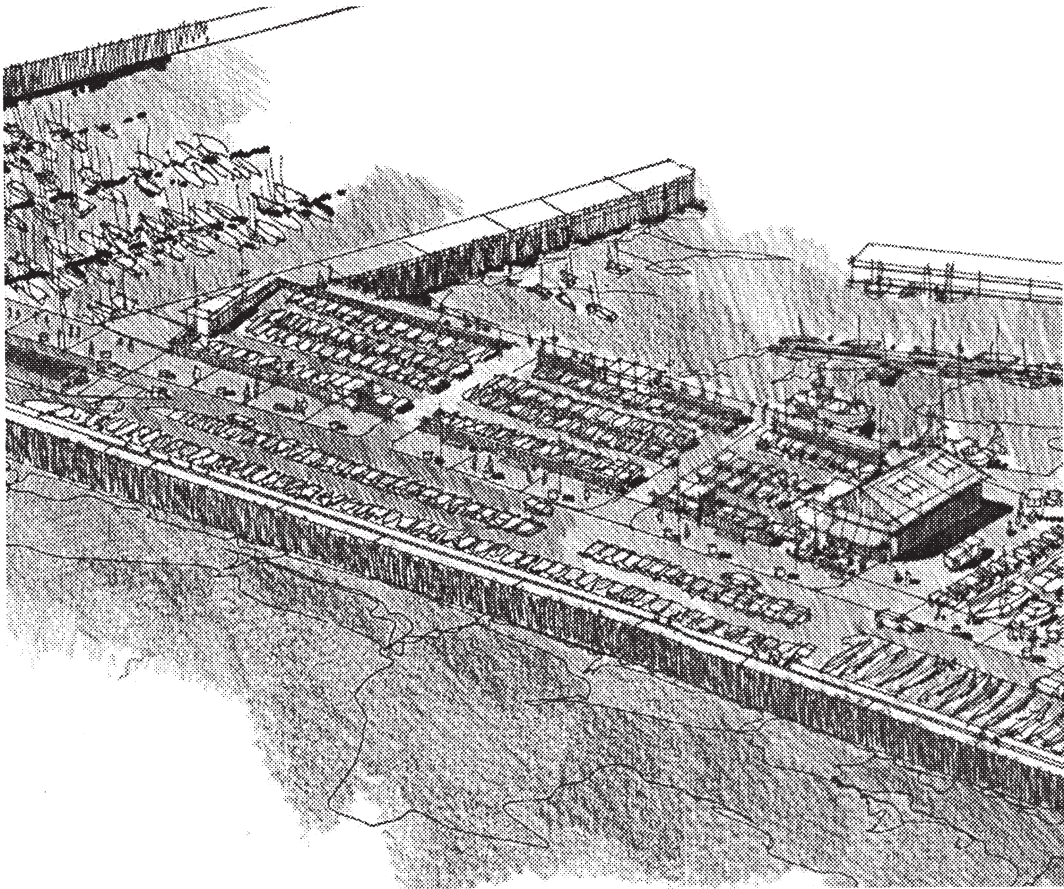


The bigger picture- possible highway improvement and enhancement across the whole waterfront including Fish Quay and Victoria Marina

5.27 The construction of the basement in this location would be very straightforward. Temporary works across the mouth of the harbour would allow for construction in the dry and a good working area for the contractor. The existing historic harbour walls would be left in situ during the construction of the basement.

5.28 The study concludes that although this option may be considered by many to be too far reaching at this stage it should be considered as a future option or as a later phase, particularly if paid parking becomes a reality in the future.

## 6. The preferred option - The Fish Quay



Sketch illustrating the Fish Quay scheme

6.1 A number of forms of construction have been considered for the basement car park at the Fish Quay, and two schemes have been selected as appropriate. Due consideration has been given to the fact that the building work is within the harbour area and construction activities will be required to meet the criteria of minimum disruption to the area. Consequently, greater consideration has been given to forms of construction where structural elements are fabricated off site, structural steel and/or pre-cast concrete units are extensively used. In all cases preliminary designs have been undertaken on the basis of the recommendations of British Codes of Practice. Imposed loading for typical area of the car park have been established on the basis of BS 6399 Part 1 and the roof of the car park has been designed to accommodate the loading from both cars and emergency vehicles (e.g. fire engines).

6.2 It is envisaged that a ring of sheet piling will be constructed around the extent of the car park and slipway to enable construction activities to take place in the dry. The sheet piles will be driven into weathered rock. Along the Castle Pier the lower end of the piles can be further stabilised by anchorage ties into the rock beneath the pier and a tie at the top into the pier structure itself. These piles on the inside will become part of the completed structure. Sheet piles within the harbour will be keyed into the harbour bottom.

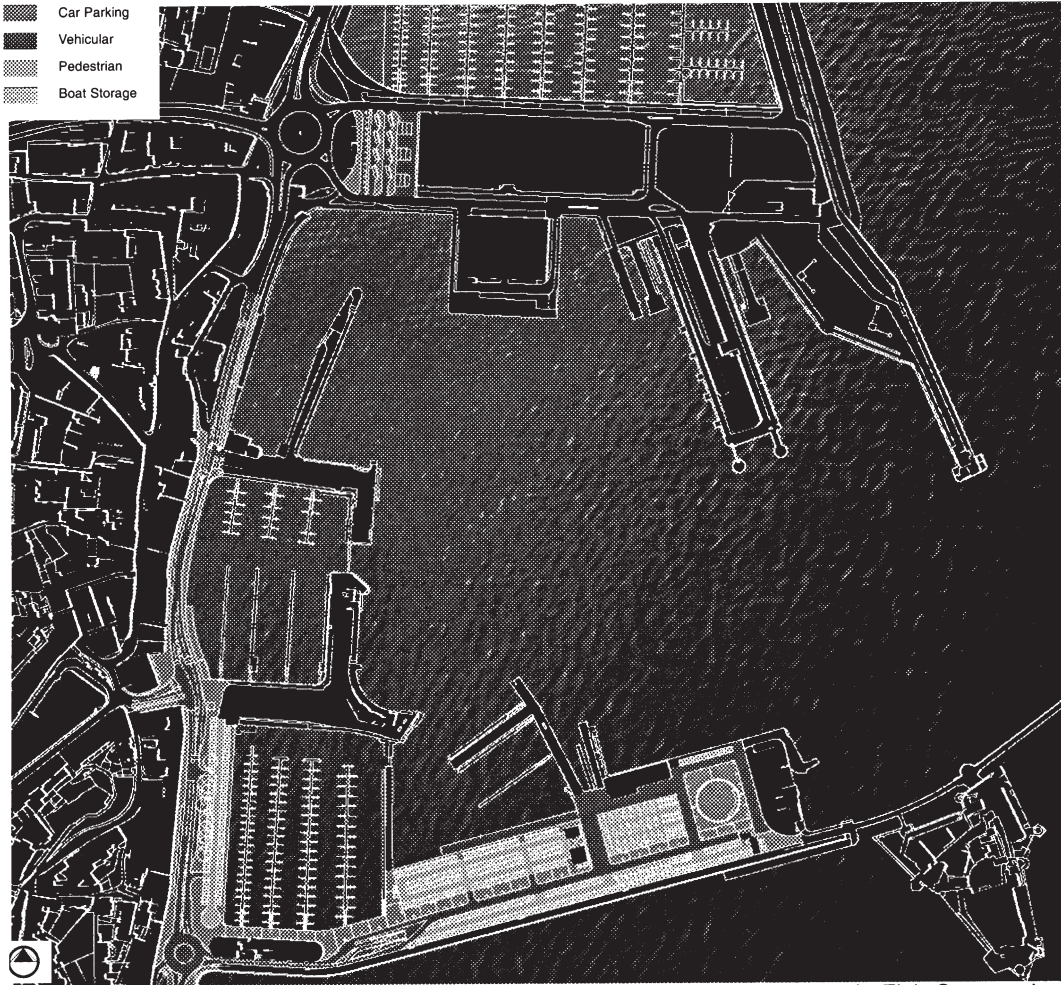
For additional support for the sheeting at high level an angled strutting system will be used on the dry side and an angled tension tie, secured into harbour bottom rock, on the wet side. The intention is to construct the car park and slipway in the dry and withdraw for reuse any sheet piling not included in the permanent works. Conditions within the harbour are relatively predictable and the design of temporary works can take advantage of the available records of water levels. It is expected that some excavation of weathered and unweathered rock will be required at the southern end of the car park. The excavation will then be capped and a system of tension piles installed to prevent any flotational effects when the completed structure is submerged.

6.3 Following construction of the basement level 3 slab, the car park can be constructed in a traditional manner using waterproof walls with a clear space within the external walls, which ideally suits the steelwork framed scheme or the pre-cast concrete schemes under consideration. The ramps within the Castle Pier, which will be within their own surround of sheet piling, would be constructed at the same time.

6.4 Construction of the main car park and slipway can take place at the same time. The slipway consists of an insitu concrete frame supporting structure. For the slipway surface pre-cast concrete planks will be placed between the supporting insitu concrete walls and firmly bolted down with stainless steel bolts. Facing to the exposed concrete to the car park and slipway can be undertaken in the dry. Granite facing can then be applied to the visible vertical surfaces of the basement

6.5 Electrical and mechanical systems will be provided under the development. All systems shall be designed to meet all statutory requirements and recommendations of the Guernsey Fire Prevention Officer and Building Control. Incoming electrical supplies will include a new Guernsey Electricity substation and independent back up supply for the mechanical ventilation and the smoke clearance system. There will be a main LV switchboard and sub-main distribution to local lighting and power distribution boards, ventilation control panels, lift supplies and ancillary systems. There will be lighting and emergency lighting within the basement car park, access ramps, and surface car parking. The fire alarm system will comprise manual and automatic smoke detection systems. Also included is electricity supply to vehicle access controls, automatic barriers and ticket machines. The basement will be designed to the highest standard of security with CCTV and a monitoring system.

6.6 Mechanical ventilation is provided throughout with sufficient air changes to satisfy building regulations. There will be an automatic sprinkler protection throughout in compliance with the Guernsey Fire Authority requirements, with mains water supplied through a connection from the Guernsey Water Board distribution network. The design will include pressurisation ventilation systems to fire escape stairs to ensure smoke-free exit routes from the basement. The lift installation will comprise two pairs of duplex controlled 13 person passenger lifts located at the main stairwell locations.



Plan showing highway and enhancement proposals for the main Fish Quay option

### The highway changes required to make the Fish Quay option work

6.7 The study has already identified the limitations imposed by the existing road system on the number of car parking bays. It has concluded in reality only one basement car park can be constructed to accommodate the additional parking bays, and that this should be in the Fish Quay, and, that the maximum number of additional parking bays is 800. In the big picture, ultimately these 800 additional spaces would comprise a net gain of 600 in the Fish Quay basement car park, 60/80 in the area of bus terminus - if it was relocated to North Beach, and possibly 80/90 in Victoria Marina - if the basement was constructed and all surface parking was removed from Victoria and Albert Piers, and finally, 60 potential extra spaces created through the redevelopment of property on the South Esplanade. This totals around 800.

6.8 One of the key questions is, to what extent are the road and junction improvements necessary to facilitate the construction of the Fish Quay basement car park,

and which improvements are simply desirable for improving efficiency. To help answer this question the study has identified what it calls a "do minimum" scheme for the Fish Quay. In this scheme there are basically no frills. The scheme is described at the end of this section.

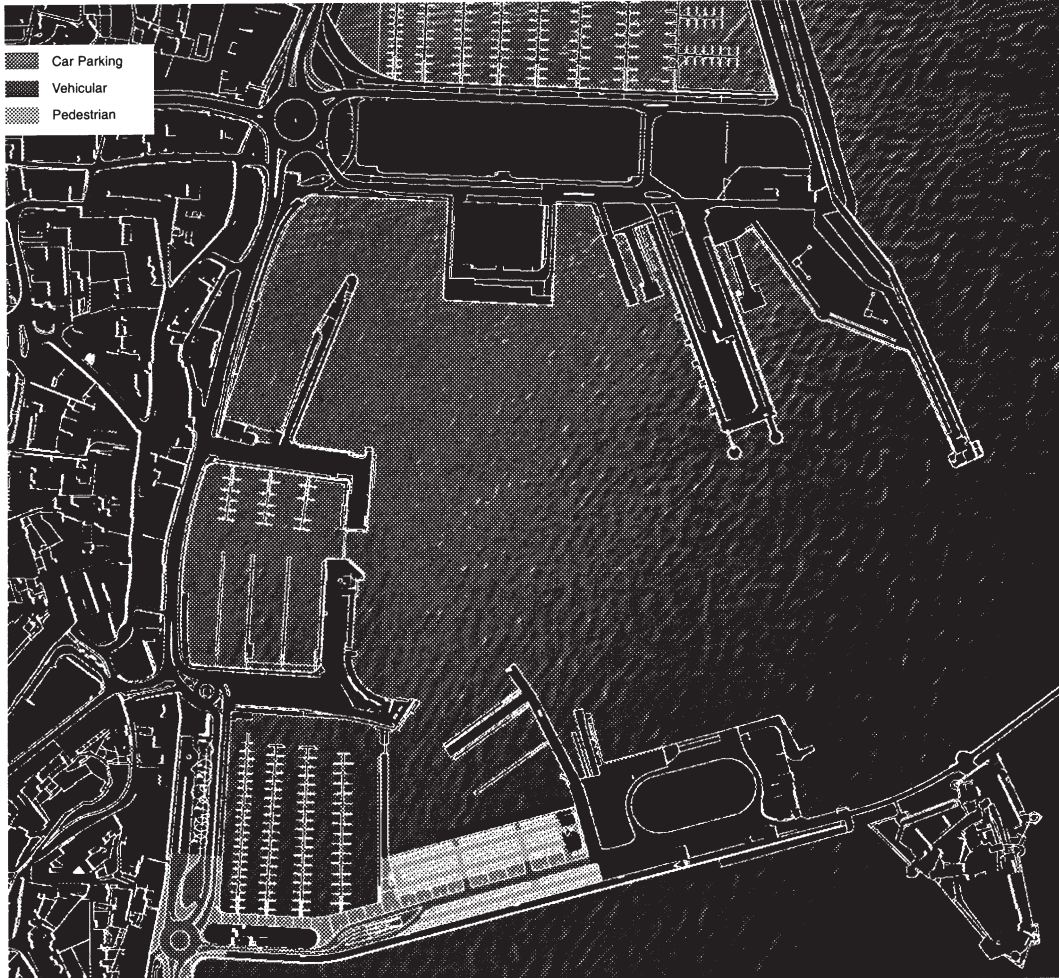
### **The bigger picture - road improvements along the Esplanade**

6.9 In order to support the aims of the earlier traffic study carried out by the traffic engineers and to address many of the aims included in the States Traffic Committee's consultation document on Future Traffic Policy, improvements need to be made to the road system along the waterfront. It is important that these are not carried out in a piecemeal fashion, but that they are part of a comprehensive improvement that benefits all users and not just motorists. In the bigger picture, there is a new Castle Pier junction which is a basic requirement for the basement car park on Castle Pier. The main traffic route is then moved from the area in front of the bus terminus to the area between the bus terminus and the shops on South Esplanade. This coincides with the relocation of the bus terminus to North Beach.

6.10 The net effect of these changes is to provide some more short term surface car parking close to town, a much less trafficked edge to the Albert Marina -and as a result a much better pedestrian environment. A new road alignment necessitates the demolition of the toilet block, and this forms part of the new Fountain Street junction. The new junction would be traffic signal controlled. It would be a three way junction as opposed to the four way junction that it is now. Access to Albert Pier would be via the new short term surface car park.

6.11 One of the great benefits of this arrangement would be the creation of a much more pedestrian-friendly space and the opportunity to make the area around the Albert Statue pedestrianised. The corner of Victoria Marina would be built out to create more space for the junction, while at the same time make the pedestrian environment much more comfortable. This build-out into the Victoria Marina would require the reshaping of the slipway. At the northern end of the Esplanade the main carriageway would be reduced to a basic two-way/two lane arrangement, with widening on the approach to junctions. A left-only slip road would included on the northern leg of St Julian's roundabout to improve its efficiency. The advantages of relocating the bus terminus have already been described earlier in the study.

6.12 If at some future date there was a decision to construct the Victoria Marina, then, in addition to those benefits already described, there would be a the opportunity to create a large promenade and public space - the town square. The Esplanade would be moved from its current alignment beyond the edge of the existing Marina. This would liberate more space on the building side, providing space for outdoor cafes and so on.



The "do minimum" scheme for the Fish Quay

### The "Do Minimum" scheme on the Fish Quay

6.13 All of the improvements described above would make the waterfront work much better for all those using it. However, the basement car park could still be provided without these improvements. The "do minimum" scheme excludes most of the spatial reorganisation described in the main Fish Quay scheme, and leaves the area of Castle Emplacement east of the Fish Quay, exactly as it is. The Model Yacht Pond remains, as do the bunkers. This scheme does not seek to address the needs of those who were consulted - it simply addresses the basement car park requirements.

6.14 In the "do minimum" scheme the Esplanade could remain on its original alignment. The signalisation of the Fountain Street junction is desirable but the existing layout could be retained initially and then a judgement made as to whether the additional

signalisation is installed. This would require the demolition of the toilet block. In the "do minimum" scheme the bus terminus remains where it is. A roundabout at the Esplanade end of Castle Pier is needed to provide a two way road behind the Slaughterhouse if the the museum is built, but the existing arrangement could remain if the museum does not go ahead.

6.15 It is clear that although this scheme would work from an operational viewpoint and would also be the cheapest option, it would not leave the waterfront in a much better state than it is now. It would only marginally address the enhancement requirements of the brief. There would be virtually no improvements to the pedestrian environment. The purpose for illustrating the "do minimum" scheme was to identify the basic requirements of the basement car park. The study concludes that the "do minimum" option satisfies the core aim of the study which is to arrive at a workable and commercially viable parking solution. However, the team also conclude that it would be short-sighted to embark upon this solution without assessing the wider benefits that would almost certainly arise from carrying out the associated enhancements at the same time.

### **The commercial realities - costs and viability**

6.16 One of the key criteria in the brief was that any scheme should be financially viable and be commercially achievable.

6.17 In order to test the demand for parking bays, an advertisement was placed in the Guernsey Press seeking letters of interest for parking in a basement south of town at an annual rental to cover the cost of marine construction. Letters were received confirming an interest in over 400 bays. Given the lack of detail and that these bays may not be available before 2005, this appeared to indicate a positive take -up.

6.18 In respect of the financial feasibility, King Sturge, London were asked for a commentary on whether the preferred scheme could be financed. At this stage no developers and/or operators were approached as it was deemed proper that the States should debate the Policy Letter and report before it got into the public domain. For the sake of completeness, King Sturge's letter is inserted.

*'I refer to a meeting on Thursday October 31st 2002 and my various telephone conversations in respect of the above over the past month with Mr Smail.*

*Before commenting on the funding issues which surround the construction and on going management of the new car park facility, I set out below the fundamental elements of the scheme as I understand them.*

*Location:- St Peter Port, Guernsey*

*Size:- 700 Car Parking Spaces over 4 storeys (550 enclosed and 150 open)*

*Cost:- £25m (inclusive of professional fees but excluding relocation costs of fisheries buildings on site and associated road works)*

*Scheme Design:- Now established after extensive investigation into alternative locations in and around the Port area. Traffic engineering solution designed by Ove Arup adopted within proposed location.*

*The underlying need for the provision of new car parking facilities within St Peter Port is well established and I will not dwell within this letter on the raison d'etre for this proposal, save to say, it would appear a vital component for the future successful expansion of the Port as a vibrant commercial centre. Similarly, its location and design solution need no further comment as I understand detailed work has already been carried out in this regard. Clearly, this is a prime factor in arriving at the costed solution now reached, which although high is nevertheless understandable given the varied and special constraints faced.*

*Given this scenario, you have asked me to consider the alternative solutions that the State could adopt in arriving at an acceptable financing solution given the current capital funding constraints in place.*

*To answer this question we agreed upon the following principle assumptions which any solution must have regard to.*

- 1. The states of Guernsey will only grant leasehold interest over the subject site to any potential funder.*
- 2. The solution must pass all procurement risk over to the identified Private Sector Partner (PSP)*

**Please note: This letter has not been reproduced in full for reasons of commercial sensitivity.**

*I feel this particular set of circumstances offers a number of significant advantages over other comparable schemes on the mainland faced with these financing considerations.*

*Firstly, I feel the demand risk associated with this scheme is relatively minimal and is in effective, controlled by the States themselves. Any potential partner will wish to understand the potential for competition fully, but I believe this is not an insurmountable problem.*

*Secondly, the tariff rate appears relatively modest and is therefore capable of supporting annual uplifts over the life of the concession. Again this is an area that will need to be controlled but a variety of well established mechanisms can be adopted.*

*Finally, and probably the most important aspect, is the demand already established from existing business's within the Port who desperately need long term secure parking provision.*

*a lease arrangement could be put in place between the State and a Private Sector Partner for the remaining element which would still be subject to the PSP largely basing his income on the general public with a small possibility that a limited guarantee as to annual rental may also be required from the State.*

*Given the degree of work undertaken to date and the market testing exercise undertaken in respect of occupier demand I do not anticipate this to be a lengthy process and would feel comfortable producing a report having consulted with potential investors/operators as to their interest in the financial options proposed, approximately eight weeks from the date of appointment.*

*I trust the above is satisfactory for your purposes at the present time but please do not hesitate to contact me should you wish to discuss the above in further detail.'*

*Kings Sturge*

6.19 Other methods of financing were discussed but have been omitted until authority to negotiate with developers/operators has been granted by the States. However, the above letter implies that external financing ( a condition of the last policy letter) could be achieved.

6.20 No consideration has been taken in the figures of the potential revenue that would arise from new buildings that could be constructed on the basement. It is clear that this would significantly improve the revenue and consequently the feasibility of the project.

6.21 The introduction of paid long term parking, which is the subject of another debate, would reduce the competitive differential and provide more cost certainty.

6.22 The cost of constructing the Fish Quay proposal is £25 m including Professional Fees, Contingencies and all equipment necessary for the operation of the basement. The

following elements have been identified in addition to the basement parking:

- replacement fishermen's building      £600,000 - required under the preferred scheme;
- minimal roadworks                              £300,000
- replacement slipway                              £700,000 - recommended under the preferred scheme

Total    £1.6 million

In the earlier description of the preferred scheme a number of optional additional works were also identified. These are as follows:

- a new roundabout at Castle Pier to allow the re-routing of two-way traffic behind the back of the Slaughterhouse, thereby creating a traffic free entrance area for any future museum    £500,000;
- associated roadworks and surface parking on on Castle Pier                                      £400,000.

Total    £0.9 million

6.23 That is to say £25m would be financed privately and that the £2.5m equalling the essential works (£1.6m) and the optional additional works (£0.9m - traffic relocated behind the Slaughterhouse with attendant roundabout improvements) would have to come from the Treasury. There is clear interest in the parking provided and the project can be financed.

6.24 The costs of constructing the Fish Quay compare favourably with the other options described earlier in Chapter 5. These comparisons can be summarised as follows:

<b>Fish Quay</b>	<b>700 bays</b>	<b>£25M</b>	<b>£35,000 per bay</b>
<b>Albert Marina</b>	<b>680 bays</b>	<b>£29.5</b>	<b>£43,000 per bay</b>
(This scheme produces only 480 net spaces)			
<b>Havelet Bay</b>	<b>600 bays</b>	<b>£30.5M</b>	<b>£50,000 per bay</b>
<b>Victoria Marina</b>	<b>440 bays</b>	<b>£20M</b>	<b>£45,000 per bay</b>

## 7. Conclusions and Recommendations

7.1 The study concludes that the main scheme for the Fish Quay is the preferred option. It should be stressed at the outset that the preferred option described in this study is conceptual and is not a detailed design. Much more work needs to be done. In order to arrive at a scheme that is sufficiently detailed for submission as a planning application there would need to be more detailed design and feasibility work and the preparation of an environmental assessment. Further work would need to be done on the commercial viability. There are commercial car park operators and developers who will be keen to explore ways of making the scheme happen. At this stage it would be inappropriate to sound out commercial operators and potential investors until the study is in the public domain.

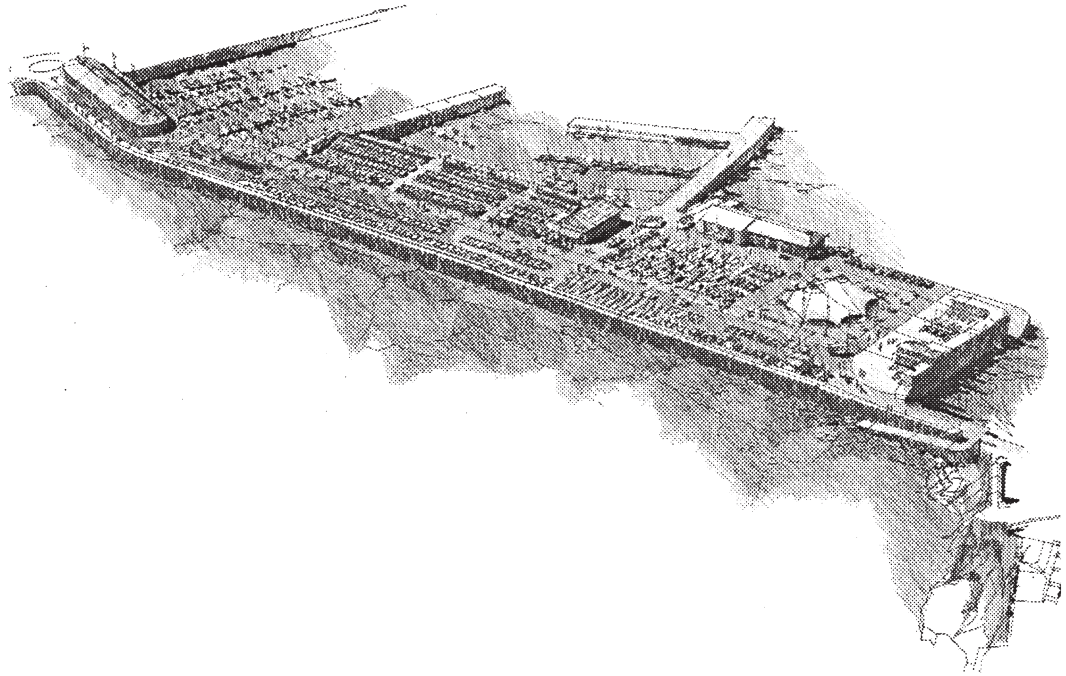
7.2 The extraordinary costs associated with any major construction project in Guernsey makes commercial viability a great challenge. Any scheme that costs up to 50% more than it would in the UK would struggle to remain viable without a corresponding uplift in income. This study has demonstrated that self financing schemes for basement car parks are possible but that the major enhancement costs and costs associated with the road improvements have to be found from the public purse.

7.3 Although at face value these appear as costs, in reality these enhancements are themselves a major catalyst for regeneration and can bring with them enormous benefits such as major retail investment in the town, higher property values, increased rental values and other economic spin-offs. The brief for this study did not address the potential for urban regeneration. There is compelling evidence of the benefits of waterfront regeneration from many different places around the world. Targeted investment in infrastructure and in particular on creating beautiful public spaces leads on to much greater economic benefits all round. It is clear that putting the right public sector investment into the waterfront enhancement will lead to substantial private sector investment in retail, housing, leisure and employment. It would be short-sighted to embark upon development of this scale without assessing the broader economic and social benefits that are likely to come from making the right kind of investment.

### Other visions

7.4 In the same way that the option for the Victoria Marina has been declared too far reaching in the current climate, there have been other interesting and worthwhile ideas coming out of this study that have not been made part of the options. These included the idea of creating a new fish market on top of the Fish Quay Basement. This would involve the construction of a number of very high quality buildings which could house fish processing, fish selling and fish restaurants, and enhance the revenue stream which in turn makes the funding of the basement less marginal. This would act as another important destination and draw people along Castle Pier. One of the interesting ideas emerging from the study is the idea of creating pedestrian bridges linking each of the Piers using either wave gates or bascule bridges.

7.5 It may well be that some of these ideas could become more attractive in the future or could be explored in more detail at the next stage.



Aerial sketch illustrating the Fish Quay scheme with a wide range of enhancements to Castle Pier

### The Next Steps

7.6 The States of Guernsey, and in particular the cross party working group will consider the conclusions of this study in due course. This study is inevitably bound up in some of the other fundamental decisions facing the people of Guernsey such as the introduction of paid parking and traffic issues generally. All of these issues are closely related. If the States decide to take forward the preferred option then a number of things need to happen. Firstly, more work needs to be done on market testing and identifying potential developers/operators/investors. Secondly, more work needs to be done on design development to put together a comprehensive planning in principle application. This will include the need for an environmental assessment. Consideration will need to be given to the wider issue of public consultation and how the work will continue to engage with those who are directly affected by change and others who simply care about the future of the waterfront.

7.7 The key recommendations of this study are as follows:

- **to approve in principle the provision of a basement car park at the Fish Quay;**
- **to undertake the necessary commercial appraisals;**
- **to issue expressions of interest to potential investors/developers incorporating such further planning and commercial advice as may be necessary.**

The President,  
Board of Administration,  
Sir Charles Frossard House,  
La Charroterie,  
St. Peter Port,  
GUERNSEY, GY1 1FH.

18th December, 2002.

Dear Deputy Berry,

#### PARKING AND QUAYSIDE ENHANCEMENT

The Committee has recently had an opportunity to consider a draft report from the Board of Administration's consultants on the above.

In considering this matter, the Committee has taken into account the proposals set out in its recent consultation document for a future integrated traffic strategy for the Island. The Committee will be bringing forward to the States a report with the results of the consultation exercise and its recommended integrated strategy in 2003.

The Committee has noted that the main conclusions arising from the parking and quayside enhancement study are consistent with some of the following proposals contained in the Committee's consultation document on a future traffic strategy:-

- a) that any new parking facilities that are created in Town should be to replace existing parking and, wherever practical, should be located underground;
- b) that new car parks should be built to enable the piers to be pedestrianised and facilitate the reduction of on-street parking.

The Committee has noted the traffic analyses that have been undertaken, which demonstrate that a net increase of around 800 car parking spaces in the south of Town is the maximum that can be accommodated by the highway network.

The Committee has also noted that the proposal to proceed initially with the development of plans for a new car park at the Fish Quay would provide between approximately 550 and 700 spaces. This is broadly consistent with the number of spaces (around 600) that the Committee recommended to the States in its policy letter on parking in St Peter Port in 2001 should be constructed as 'replacement' parking facilities.

Against this background, the Committee is generally supportive of the main conclusions reached by the study and specifically:-

- a) that plans for a car park with between 550 and 700 spaces should be progressed at the Fish Quay;
- b) that, as part of a longer term vision for the Waterfront, consideration should be given to the development of plans for car parking at the Victoria Marina, provided that this tied to the removal of the surface car parking at the Victoria and Albert Piers.

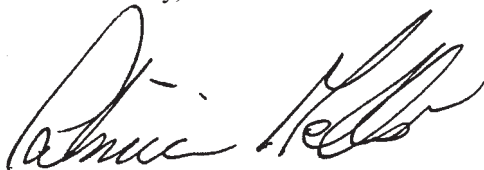
In respect of the Fish Quay scheme, the Committee is strongly in favour of plans for two-way traffic behind the Slaughterhouse. This will provide important opportunities for quayside enhancement in front of the Slaughterhouse and much better, and safer segregation of traffic and pedestrians.

In respect of the longer term vision, the Committee particularly welcomes the opportunities that this will also provide for providing improved and more continuous pedestrian links along the Waterfront area.

In the light of the report, the Committee will now also give further detailed consideration to the relocation of the bus terminus to the North Beach. One important consideration which has not been identified in your consultant's report would be the cost of civil works involved and the improved passenger and driver facilities that would be essential at the North Beach. I would be grateful if you could confirm whether consideration has been or will be given to this as part of your study.

Thank you for providing the Committee with an opportunity to comment on the report at this stage. We look forward to continuing close involvement with the Board on this project.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Deputy P Mellor', written in a cursive style.

Deputy P Mellor,  
President,  
States Traffic Committee.

Deputy R. Berry,  
President,  
Board of Administration,  
Sir Charles Frossard House,  
La Charroterie,  
St. Peter Port,  
GY1 1FH.

6th February, 2003.

Dear Deputy Berry,

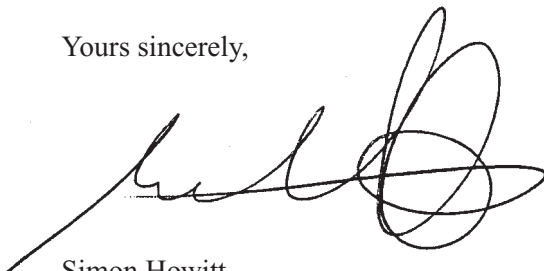
Thank you for the opportunity for the Chamber of Commerce to consider the Board of Administration's draft policy letter *Parking in St Peter Port and Quayside Enhancement*.

We welcome the proposal to provide additional parking in the south of Town through a self-funded basement car park at the Fish Quay and commend it to the States. In our opinion an additional 600 paid car spaces will go some way towards replacing the parking lost through developments in Town and La Charroterie.

Chamber believes the Fish Quay Scheme and plans for the bus station area will help rebalance long and short-term Town parking, which will be essential for the future success of the market and the Town shopping centre.

Our view is that the proposal is essential for the regeneration of St Peter Port in conjunction with the ongoing work of the Town Centre Partnership. St Peter Port is the jewel in the crown of Guernsey and is important to our future as an international business and visitor destination.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Simon Howitt', with a large, stylized flourish at the end.

Simon Howitt,  
President,  
Chamber of Commerce.

*Members Note Retail Strategy Working Party*

*This letter comes from the Board of Industry Retail Strategy Working Party. The Working Party was established by the Board of Industry to examine the retailing needs on the Island and develop an Island retail strategy. It includes representatives of Town Traders, Island retailers, the Women's Institute and the Chamber of Commerce. The Economic and Strategic Adviser of the Board of Industry is the Executive to the Working Party and Deputy Prevel, Vice-President of the Board of Industry, is the Chairman.*

The President,  
Board of Administration,  
Sir Charles Frossard House,  
La Charroterie,  
St Peter Port,  
Guernsey.

24th December, 2002.

Dear Sir

**APPENDIX TO POLICY LETTER -  
"PARKING IN ST. PETER PORT AND QUAYSIDE ENHANCEMENT"**

I refer to your letter dated 24 December 2002, entitled "Parking in St. Peter Port and Quayside Enhancement" and addressed to the President of the States of Guernsey. I would ask that this letter be appended to the above policy letter for the information of the members of the States of Deliberation.

The Board of Industry's Retail Strategy Working Party strongly supports the need to enhance the parking facilities in the south of the Town. Adequate parking facilities and an efficient bus service are an essential part of the enhancement and regeneration of St. Peter Port as a shopping centre. The movement of pedestrians (known in the trade as the "footfall") follows the route taken from and to car parks and bus stops. This determines the retailing opportunity upon which the Town depends.

The Town as a whole is now in competition with out of town retail stores and centres where adequate parking is integrated into the scheme design. In contrast there has been no new provision of parking facilities for the south of the Town. There is expected to be an overall loss of parking places as indicated in the Board of Administration's policy letter with the developments on land temporarily used for public parking. The net increase of 600 car parking spaces in the south of Town will complement the provision of parking at North Beach. This will better balance the footfall in the Town restoring the Town Church and Market development area as the natural pedestrian centre for St. Peter Port.

Such a provision will support the commercial rejuvenation of the Market and the surrounding area. It also supports the States policy for St. Peter Port in enhancing the Town as a primary retail centre (Paragraph 8.5 of the Strategic and Corporate Plan refers to “Reinforcing the role of the town and securing improvements to the shopping environment”).

Conversely, without the provision of additional parking facilities, the retail opportunities in the Town may further decline and make any regeneration of the retail offer, particularly in the south, much more difficult to achieve. Many members of the Working Party would have preferred an even greater provision of additional parking spaces. However, considering the balance of feasibility and affordability of the schemes and the traffic impact assessment, the Working Party has unanimously supported the Board of Administration’s preferred option of the fish quay scheme with the provision that the surface parking (120 spaces) be available for short term shopping parking.

As a part of the scheme, the Working Party also particularly commends the following:

- The relocation of the Bus Terminus with additional parking available for shoppers on the South Esplanade. This proposal to be linked with a regular bus service along the Town front.
- The enhancement of pedestrian access, traffic flow and landscape schemes linking in with the Floral Guernsey initiatives.
- The maximisation of the retail opportunities within the proposed development, including a fish restaurant and mini retail centre around fishing interests associated with the proposed development.

On the viability of the proposed fish quay scheme, the Working Party recommends including consideration of the specialist retail opportunities and the development of a public/private partnership for the construction, funding and operating of the proposed development. Such concepts are advocated in the Board of Industry’s report “Guernsey Constructing the Future” as providing new ways of funding, developing and operating projects for the benefit of the Island community and the States of Guernsey.

Accordingly, the Working Party commends the Board of Administration’s policy letter and its preferred option for Parking in St Peter Port and Quayside Enhancement to the States of Guernsey for approval of the proposals.

Yours faithfully,



Deputy Kevin Prevel,  
Vice-President, Board of Industry  
Chairman, Board of Industry Retail Strategy Working Party

The President,  
Board of Administration,  
Sir Charles Frossard House,  
La Charroterie,  
St. Peter Port,  
Guernsey, GY1 1FH.

5th November, 2002.

Dear Roger,

**PARKING IN ST. PETER PORT AND QUAYSIDE ENHANCEMENT AT THE  
CASTLE EMPLACEMENT**

I should like to thank you on behalf of the Sea Fisheries Committee for the opportunity to meet with John Silvester and Ian Smale, the Board's Consultant Engineer to discuss the proposed parking in the south of St. Peter Port and redevelopment of the fish quay.

The Committee is also grateful that it has been involved in this project from the outset and that the views expressed to you in our letter of 3rd December 2001 and subsequent correspondence to John Silvester have been given consideration when formulating the plan for the construction of underground car parking at the fishermen's slip.

The main features that the Committee see as significant advantages to the fishing industry are the provision of an all tide slipway for loading and unloading vessels and a purpose-built structure to replace the buildings currently occupied by the Guernsey Fishermen's Trading Co-op. It is intended that the structure will also be large enough to accommodate an ice storage area, market and fishermen's stores. We are informed that the exact detail of this structure will be agreed during subsequent phases of the development planning.

The Committee is, however, slightly concerned that due to the size of the project and the possible problems that may be encountered in obtaining the finance for developers to undertake the project, that the final outcome may be quite different to what is proposed at present.

The Committee would, therefore, like an assurance from the Board that the fish quay and facilities will be constructed as an integral part of the parking project and be completed as a priority whilst the quay is being converted. The loss of the fishermen's slip and the disruption caused by construction operations will cause a great inconvenience to fishermen and therefore their facilities need to be replaced as quickly as possible.

In order for the Committee to support the proposals, I request that the above issues be addressed in the Board of Administration's policy letter to the States on the parking in the south of St. Peter Port proposals. In the meantime I would be grateful of your assurance in writing to the Committee that the requirements of the fishing industry will take precedence during the construction of the new facilities at the Castle Emplacement.

Yours sincerely,

A handwritten signature in black ink, appearing to read "L S Trott". The signature is written in a cursive style with a prominent loop at the end.

L S Trott,  
Vice-President,  
States Sea Fisheries Committee.

The President  
States of Guernsey  
Royal Court House  
St Peter Port  
Guernsey  
GY1 2PB

27 February 2003

Dear Sir

**PARKING IN ST PETER PORT AND QUAYSIDE ENHANCEMENT –  
DETAILED FEASIBILITY STUDIES – IDENTIFICATION OF CONCEPT  
SCHEME**

I refer to the policy letter dated 19<sup>th</sup> February 2003 from the President of the Board of Administration on the above subject.

The Advisory and Finance Committee considers that the feasibility studies commissioned by the Board of Administration have proved very helpful in exploring the potential to provide additional parking facilities in the southern waterfront area. It agrees that the preferred Fish Quay Scheme appears to be the best option to fulfil the terms of the conceptual brief prepared by a cross-committee working party under the Committee's leadership. A copy of the brief is attached for information.

Although the findings of the studies are that it *may* be possible to fund a large basement car park on a commercial basis, it is recognised that this is by no means a foregone conclusion because of the level of costs involved. Certainly, it seems unlikely that a developer would also be able to contribute substantially to the cost of the road works and other ancillary development necessary to implement the scheme let alone to fund the environmental works required to achieve the important objective of enhancing the waterfront.

In these circumstances, the Committee agrees with the Board that the overall viability of the concept scheme should be rigorously tested before any recommendation is presented to the States and it is happy to lead a further cross-committee working group to ensure that progress is made in a way that integrates the view points of the many States Committees and other interested parties.

While the studies have been undertaken independently from the development of the States Traffic Committee's Integrated Road Transport Strategy, which is also before the

States, it is noted that the Traffic Committee has confirmed that the concept scheme for the Fish Quay could be compatible, in principle, with its own objectives although there are also issues to be resolved.

In the Committee's opinion, there would be great benefit in pursuing the Fish Quay option within the framework of a Road Transport Strategy as agreed by the States and a linked strategy to improve the attractiveness and accessibility of the area for a wide variety of users. Assuming that a viable package of proposals can be put together, car parking proposals could then be progressed incrementally within a broader vision for the future of the St Peter Port waterfront.

Yours faithfully

L. C. MORGAN

President  
Advisory and Finance Committee

**PARKING IN ST PETER PORT AND QUAYSIDE**  
**ENHANCEMENT**

**THE CONCEPTUAL BRIEF FOR THE PREPARATION OF  
DETAILED FEASIBILITY STUDIES**

**1. Context**

The proposed study is being commissioned as a result of the report of the Board of Administration on Parking in St Peter Port and Quayside Enhancement (which was considered by the States of Deliberation in January 2002) and the subsequent States Resolutions.

The St Peter Port waterfront and harbour areas are a very important element of the Town and an intrinsic part of its visual and historic identity. From the sea, the waterfront provides the foreground to the best known vistas of St Peter Port and is of great visual importance. In views from the Town and along the East coast, the waterfront is not only a feature in itself but also impacts on views of the sea and the other islands beyond.

In recent decades, the seafront from Salerie Corner in the north to the Havelet area the south has been used to provide large, surface car parks for commuters and short stay visitors to the Town. This has been seen as a necessity in practical terms but has detracted from the appearance of the area as a whole and has restricted the opportunity to use the waterfront for other purposes.

Current land use planning policy at strategic and local levels is that the majority of the Island's development needs should be met within the urban area. As more people live and work in Town, which has only limited areas of public open space, there is an increasing need to look creatively at opportunities to improve amenity and public access and to enhance the general environment when meeting other development needs. In this respect, the waterfront and harbour have enormous potential.

Planning policies also recognise the importance of maintaining and reinforcing the vitality and viability of St Peter Port as a commercial centre and acknowledging that there are differing views in the community about public/private transport and parking issues, this project focuses on the practical options which may be available to increase the volume of parking in support of those policies whilst also obtaining other benefits.

**2. Objectives of the Study**

Within the context of the relevant States Resolutions, **the overall objective** of the study project is to investigate the practicalities of providing substantial, new car parking facilities on States and Crown-owned land around the quayside and southern waterfront of St Peter Port and to generate a range of options for

consideration by the States. These options should be presented with reference to the following considerations:

**Commercial viability** – the degree to which the particular option may be self-financing and how far it can additionally contribute to the cost of associated environmental enhancements

- **Cost certainty** – the reliance which may be placed on the estimated cost of implementation
- **Minimising Disruption** – the effect of development works on the immediate area and the wider Town
- **Enhancement** – the potential to deliver environmental improvements and other benefits in the public interest
- **Ease of Implementation** – the readiness with which the proposals could be implemented as compared with other options and their compatibility with other options as part of a package or phased series of proposals.

As part of the study process it will be necessary to ascertain that there is sufficient demand for long-stay parking on a commercial basis to justify the level of provision proposed. It will also be necessary to consider the effect of the additional parking on traffic flows and existing parking arrangements in the Town. It is not intended, however, that the feasibility studies should address broader issues of traffic and transport policy.

### 3. Refining the Brief

It is proposed that the detailed feasibility studies should take place in two stages. The first stage will be to consider the options generated in the initial study carried out by GMA in relation to the bullet points set out above in order to determine which approach or combination of approaches is likely to meet the objectives of the Brief. Other possible options not identified by GMA Architecture Ltd (GMA) should also be considered if they are within the scope of this Brief.

On the basis of recommendations put forward by the Study Team, the Steering Group representing the various States Committees will then refine the Brief to direct subsequent work towards those options that are likely to offer the optimum value in terms of overall costs and benefits.

### 4. The Study Area

The GMA Report identifies options to create additional parking in the area extending from the Albert Pier in the north to the southern limit of Havelet Bay and this area represents the main area for further study. In considering the

potential to enhance the southern waterfront as a whole, however, the detailed studies may also take into account the wider context including the area from Havelet Bay to the Guernsey Aquarium.

### **5. Practicality and Good Design**

The role of the Urban Designer within the Study Team will be to ensure that design considerations are an integral aspect of the feasibility studies and not a cosmetic addition at the end of the process. The objective is to generate practical and cost effective options for additional parking facilities which work well in themselves and also make a positive contribution to the attractiveness of the waterfront and harbour for a wide variety of users.

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The States are asked to decide:

XVI.- Whether, after consideration of the Report dated 19<sup>th</sup> February 2003, of the States Board of Administration, they are of the opinion:

1. To approve in principle the provision of basement car parking at the Fish Quay (Albert Basin) along the lines of the concept scheme described in that Report, and subject to further consultations as outlined therein.
2. (1) To direct the States Board of Administration to seek, in consultation with the States Advisory and Finance Committee, Expressions of Interest from private sector investors/developers regarding that concept scheme, taking into account the findings and advice of the cross-committee working group, as described in proposition 3.  
  
(2) To direct the States Board of Administration to report back to the States of Deliberation with the results of that process, including Expressions of Interest, the scope of recommended works and associated quayside enhancements, together with details in respect of funding.
3. To direct the States Advisory and Finance Committee to convene and lead a cross-committee working group to include the States Board of Administration, States Traffic Committee, Island Development Committee, States Board of Industry, States Sea Fisheries Committee and others as appropriate, which group is to
  - consider issues under the various committee mandates represented in respect of the Fish Quay concept scheme and quayside enhancements
  - assist the States Board of Administration in its seeking Expressions of Interest, prior to its reporting back to the States of Deliberation.
4. To authorise the States Board of Administration to appoint consultants and commission investigations as necessary in respect of that project, subject to the approval of the States Advisory and Finance Committee.
5. To vote the States Board of Administration an additional credit of £500,000 to cover the costs of the above, which sum shall be charged to that Board's capital allocation.
6. To authorise the States Advisory and Finance Committee to transfer the sum of £500,000 from the Capital Reserve to the capital allocation of the States Board of Administration.

## STATES HOUSING AUTHORITY

## REVIEW OF THE RENT AND REBATE SCHEMES

The President,  
States of Guernsey,  
Royal Court House,  
St Peter Port,

20 February 2003

Dear Sir

REVIEW OF THE RENT AND REBATE SCHEMES

Executive Summary

- 1) This policy letter outlines the outcome of a major review of the Authority's Rent and Rebate Schemes. The policy letter takes the form of a "green paper", which the Authority is submitting for debate under Rule 11(4) of the Rules of Procedure.
- 2) Since the last comprehensive review of Rents and Rebates policy (in 1992), there has been an ever widening differential between States and private sector rents. States' rents are now substantially lower than their private sector equivalents. These artificially low rents:
  - increase demand for States' housing;
  - discourage movement within the Authority's housing stock leading to underoccupation of family homes;
  - discourage existing high earning tenants from seeking accommodation in the private sector;
  - lead to an overall inefficient use of the Authority's housing stock;
  - hide the true cost of providing States' housing.
- 3) The Authority has, therefore, reviewed the Rents and Rebates Scheme with the dual objectives of:
  - designing a system of rental setting that carries no general hidden States' subsidy;
  - designing a rebate system that will provide financial protection for every tenant whose social and financial circumstances mean they

will be unable to pay the true rental for their property.

- 4) Various means of setting rent at an appropriate level have been assessed, as a result of which the Authority recommends the adoption of a robust, durable formula that properly reflects the value of each house. This formula differs from the method employed to set rents in the private sector to recognise the fact that different considerations apply to the valuation and setting of rents for social housing purposes.
- 5) The formula comprises six elements:
  - reinstatement building costs;
  - administrative costs, inclusive of "on cost" items;
  - minor repair costs;
  - a "sinking fund" charge for major repairs;
  - a contribution to future capital expenditure; and
  - a "voids" charge to take account of the proportion of States housing untenanted due to renovation works at any one time.
- 6) The formula is calculated over a 25 year period, to take account of the fact that most dwellings will be in need of major refurbishment after that period of time.
- 7) By applying this formula, the Standard (maximum) Rent for a typical three bedroomed States house will increase from £75/£85 per week to £140.00 per week. Applied across the Authority's housing stock, Standard Rents need to increase by 70% on average.
- 8) However, these very significant increases in Standard Rents will affect individual tenants in different ways:
  - tenants who are already in receipt of a rent rebate will generally not see any increase in the amount of actual rent that they will be asked to pay;
  - tenants paying the current Standard Rents unrebated will be given the opportunity to apply for a rent rebate;
  - some higher earning tenants will be assessed as able to pay the substantially higher Standard Rents, but to enable them to reorganise their

household expenditure to pay these increases, transitional arrangements will apply.

9) To ensure that no tenant pays more in rent that they can reasonably afford based on their income, various changes to the Rent Rebate Scheme are proposed, the most significant of which are:

- the removal of the upper income limit for rebate claims (currently £415 per week);
- the substitution of charges for non-dependents to replace the Principal Earner rule;
- the discontinuation of the Single Parent Allowance and the introduction of a Child Care Expenses Allowance.

10) These changes are particularly focused on assisting those tenants with low incomes and/or large families, who are most in need of rent rebate assistance.

11) Taken together, the effects of substantially higher Standard Rents and the revised Rent Rebate Scheme will mean that:

- 43% of tenants will see a reduction or virtually no change in the actual rent that they pay. These are mainly families on low incomes and pensioners, especially single pensioners;
- 57% of tenants will pay an increased rent. These are mainly:
  - employed couples with no dependents;
  - families with high incomes;
  - tenants who have non-dependents living with them.
- 12% of all tenants will be assessed as able to afford the new Standard Rents.

12) For tenants assessed as being able to pay the new Standard Rents, a three year transitional period is proposed, whereby rents will be increased in steps to the new levels. Many tenants will, however, pay the new Standard Rents and/or become eligible for a rent rebate before that three year transitional period expires.

13) The Authority also proposes to phase out the income-related surcharge scheme designed to encourage higher earning tenants to vacate States' accommodation and move into the private sector.

- 14) Under the proposed new scheme, approximately 300 tenants will be charged new Standard Rents that are little different to what would be paid under the surcharge scheme. The combination of generally higher rents, plus the provision for the Authority to nominate higher earning tenants to occupy Guernsey Housing Association properties, will thus achieve the same policy objective as the present surcharge scheme.
- 15) The Authority, therefore, proposes that:
- tenants currently subject to a surcharge will pay the new Standard Rent for their property without the benefit of any transitional arrangements;
  - tenants whose circumstances substantially improve during the transitional period will pay the new Standard Rent where a surcharge would historically have been applied;
  - tenants who have paid surcharges prior to their phasing out, will still be able to claim a refund of 95% of those payments if they move to the private sector or a Housing Association property within 5 years of the surcharge first being applied.
- 16) It is estimated that application of the proposed Rents and Rebate Scheme will increase net rental income to the States Houses Fund by approximately £1.2 million, although due to the transitional arrangements the full effect of this increase will not be achieved for three years from the introduction of the scheme.
- 17) This additional income will be used to maintain, refurbish, enhance and rebuild existing States properties, and contribute to the funding of the Authority's new build programme.
- 18) There will, however, be some increases in administrative costs as the number of rebate applications under the new Scheme are likely to triple as more tenants will be eligible to apply for a rebate. This has staffing implications for both the Housing Authority and the Social Security Authority (who carry out rent rebate assessments on the Housing Authority's behalf).
- 19) Initial indications are that, excluding arrears management, possibly four new staff will be required - two in each department - but to offset these potential increases appropriate software to automate assessment processing is being investigated.

20) These increased administrative costs and staffing requirements are, however, outweighed by the benefits of introducing new methods of setting and rebating rents that:

- are transparent;
- reflect the true cost of social housing provision;
- provide better financial protection for those tenants who really need it;
- provide an incentive for underoccupying tenants to move to smaller properties (with lower rental levels); and
- better encourage higher earning tenants to vacate States' property and move to the private sector.

## Introduction

- 21) The last major amendment to the Authority's Rents and Rebate Scheme occurred in 1992 when the States approved the introduction of income related rents (i.e. rent surcharges) for those tenants who were more able to pay commercial rents than those persons on the Authority's waiting list. Since that time, in its annual reviews, the Authority has only sought to vary both rent and rebate levels by increases similar to, or the same as, the increase in the Retail Price Index (as at September each year), although it has been committed to undertaking a comprehensive review of rents and rebates policy for a number of years.
- 22) This report summarises the outcome of this comprehensive review and takes the form of a consultation document, which the Authority recommends is debated under Rule 11(4) of the Rules of Procedure to enable the broad policy principles to be debated without amendment. This is because while the Authority is confident that the proposals contained in this policy letter are fair and equitable to all parties, they are nevertheless far reaching. Consequently, before making firm recommendations the Authority wishes to take into account the views of the States and to receive feedback from its tenants, with whom the Authority is concurrently conducting a major consultation exercise. The Authority will thus report back to the States with final recommendations as soon as possible, with a view to introducing the new scheme in 2004.
- 23) In the meantime, until these final recommendations are passed and implemented, the Authority recommends, in a separate policy letter, that rents and rebates should be increased in May 2003 by the rate of inflation as at 30 September 2002, i.e. 3.9%.

## Scope of the review

- 24) When the Authority reported to the States in February 2001 (Billet D'Etat III - 28 February 2001), it drew attention to the fact that not only had the Authority assigned a short-term priority to the review of its policies regarding Rents and Rent Rebates but also, following consideration of the Social Policy Working Group's response to the Requete on Low Income Earners and Households (Billet D'Etat XII - 12 May 2000), the Authority had been directed to lead inter-departmental investigations into possible measures to address the problems of high private sector rental costs, including the possibility of introducing a scheme of housing allowances or housing benefit for private sector tenants.
- 25) After reviewing the problems surrounding these issues, the Authority reported that it was of the view that neither public nor private rental costs, and their means of abatement, should be addressed in isolation and, therefore,

that it intended to embark upon a full scale review of both public and private sector rents.

26) However, shortly after commencing this review, it became evident that if progress was to be made in a reasonable timescale the issues surrounding public and private sector rents needed to be resolved separately. In particular, it became apparent that the issues surrounding the private rental sector were far more complex and involved a large number of interested parties, whereas a review of States rents while complex could be undertaken with comparative ease.

27) This report thus focuses exclusively on a review of the Authority's Rents and Rebate Scheme, leaving private sector rental costs to be addressed at a later date as part of the proposed Corporate Housing Programme.

#### **Membership of the Working Party to review the Rents and Rebate Scheme**

28) The proposals set out in this policy letter were formulated by a staff level working party chaired by the Authority's Chief Executive. This working party comprised senior officers from the following States Committees:

- Housing Authority
- Advisory & Finance Committee
- Guernsey Social Security Authority

A representative of the Law Officers of the Crown also attended some meetings.

29) The Working Party also took expert advice from representatives of King Sturge and David Adamson and Partners<sup>1</sup> on methods of rent setting employed in the social rented sector by local authorities and housing associations.

#### **A Brief History of States Rents and Rebate Policy**

30) Prior to 1972, States' rents operated through basic house rents with nominal surcharges. In 1971, the States approved fundamental changes that introduced Standard Rents, i.e. the maximum rents payable, together with a system of rebates to assist those who could not afford the new rental levels.

31) The Authority's 1971 policy letter (Billet d'Etat V - 26 May 1971) identified three key criteria in relation to rent and rebate setting that, over the last 30 years, have been

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<sup>1</sup> David Adamson and Partners are Chartered Surveyors who undertook a stock condition survey of the Authority's housing stock in 2000. This included various methods of valuing the Authority's property portfolio.

ratified annually by the States. These key rent and rebate setting criteria are as follows:

- rent subsidies should not be used to keep rents low;
- subsidies should not be distributed to tenants who do not need them; and,
- subsidies should be restricted to those on low incomes, large families or both.

32)The Authority believes that these three criteria remain as relevant today as in 1971 and they have, therefore, guided the Authority in reviewing the rents to be charged and their means of abatement.

33)Details of the current scheme, which in the most part is as approved in 1971, are set out in Appendix 1.

### **Policy context**

34)Since the last major review of the Rents and Rebate Scheme, there have been concerns expressed by the Advisory and Finance Committee that the levels of rent charged by the Authority have not kept pace with the movements in house prices and private rental costs, resulting in a loss of rental income for the States from those tenants who could afford to pay more. The Authority has, therefore, been pressed to charge more realistic rents for its properties. In particular, it has been suggested that income-related rents, which apply to higher earning tenants, should be applied to all.

35)The counter argument has been that to charge higher rents is inflationary and only serves to encourage private sector landlords to increase their rents: therefore, increases in rents should be kept to as low a level as possible in order to set a good example to the community as a whole.

36)The latter argument has recently been shown to be flawed as a recent report commissioned by the Authority and the Advisory and Finance Committee<sup>2</sup> found that whereas there had been substantial increases in real private sector rental levels over the last decade - greater than that which has applied to house prices - during this same period increases in States House rents have generally been conservative (generally at or around RPI), leading to a ever widening differential between States and private sector rents.

37)This finding has significant implications for the management of the Authority's housing stock and the operation of the housing market in general and, therefore,

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<sup>2</sup> Published as an appendix to the policy letter on "The Development of a Housing Strategy and Corporate Housing Programme" (Billet d'Etat II - 26 February 2003)

it is in this context that the review of States House rents and rebates has been undertaken.

### **The Purpose and Objectives of the Review of Rents and Rebate Policy**

- 38)The Authority is acutely aware of the fact that just over 9% of the Island's housing stock is social rented accommodation and, therefore, that the proper administration of this stock plays an important role in the overall operation of the housing market. The rents set by the Authority and their relationship to private sector rental levels will directly affect the demand for both States' accommodation and accommodation in the private rental sector. If the Authority's current Standard Rents are set at a level where in effect they are heavily subsidised, then it actively encourages persons to seek States' accommodation when they may equally be able to afford accommodation in the private sector.
- 39)Similarly, heavily subsidised rents actively discourage existing States' tenants from seeking accommodation in the private rental sector (or indeed, from becoming owner-occupiers).
- 40)Both are further exacerbated by the fact that a Rent Rebate Scheme applies to States' housing, but not to the private rented sector.
- 41)There is, therefore, an increasing demand for States' housing, which cannot easily be met from higher earning tenants vacating Authority properties through a move to the private sector or into owner occupation. A change in rental policy to attempt to restore the equilibrium and establish a "throughput" in tenants is thus required.
- 42)Furthermore, where there is insufficient differential in the rents charged by the Authority for a one-bedded property and, say, a 4 bedroomed house, it becomes more difficult to persuade a States' tenant, whose household size has declined, to move to another States' property more suited to their needs. This prevents the Authority from making best use of its own housing stock and can result in a more expensive building programme, in order to address the needs of those on the waiting list. For example, with proper utilisation of the stock the focus can be on building small units in which to re-house under-occupiers, but if under-occupiers remain in family houses, the focus may have to shift to the construction of additional family houses for those in need on the waiting list.
- 43)Matching housing needs to available stock is a task that the Authority performs on an almost daily basis and, therefore, any policy that acts against the proper assignment of stock needs to be reviewed.

44) Consequently, taking account of the above, the Authority has concluded that artificially low rents:

- increase demand for States' housing;
- discourage movement within the Authority's housing stock;
- discourage its existing tenants from seeking accommodation in the private sector;
- encourage overall inefficient usage of its housing stock; and
- hide the true cost of providing social housing.

45) This latter point is significant because although the intention has been that subsidies should not be distributed to tenants who do not need them, the Authority has, over the last 30 years, found great difficulty in maintaining rents at levels which do not carry some general subsidy. As a consequence, the true cost of providing, maintaining and replacing social housing has often been understated.

46) The purpose of the Rent Review has, therefore, been:

- to identify clearly the real cost of social housing provision;
- to ensure the scheme is administered on a more commercial basis in line with the establishment of the States Houses Fund<sup>3</sup>;
- to ensure that those tenants who can afford to pay more realistic rents do not receive unnecessary indirect subsidies;
- to assist the Authority in making best use of its housing stock in order to provide affordable accommodation for those Islanders who have a real social housing requirement; and
- to encourage tenants to vacate or transfer as their life circumstances change.

47) Ensuring that the Authority applies the most appropriate level of rental for its accommodation is, of course, only half the picture. The Authority recognises that it provides

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<sup>3</sup>The States Houses Fund was established in 2001. Whereas previously rental income was retained by the Treasury for General Revenue purposes, States house rents, net of rebates, are now retained by the Authority in order to fund general maintenance, the long-term estate refurbishment and enhancement programmes, together with new Authority housing developments. The Fund is "topped up" for these purposes from capital allocations via the Policy and Resource Planning process.

accommodation for many of those Islanders with the lowest levels of income. **For these tenants unsubsidised social rents are as unaffordable as rents charged in the private sector.**

48) It is, therefore, essential that the Authority makes sure that adequate safeguards exist within the Rebate Scheme so that tenants on low income do not suffer financial hardship. In this respect, the Authority has always identified that those least able to afford unsubsidised rents will be families on low income, particularly where the family has an above average number of dependent children.

49) The objectives of the combined Rents and Rebate Review might thus be summed up as follows:

- to design a system of rental setting that carries no general subsidy; and
- to design a rebate system that will provide financial protection for every tenant whose social and financial circumstances mean that they will be unable to afford the full rental charge for their unit of accommodation.

#### **Application of Rents and Rebate Principles**

50) The remainder of this report is in nine sections, dealing with the following matters:

- **Section 1** - Setting Rents in the Public Sector
- **Section 2** - Review of the Rebate Scheme
- **Section 3** - Application of the combined Rent and Rebate proposals
- **Section 4** - Other issues including:
  - Transitional arrangements;
  - Income related rents (surcharges);
  - Minimum rents.
- **Section 5** - Effects on total rental income
- **Section 6** - Consultations
- **Section 7** - Staffing and IT requirements
- **Section 8** - Summary and conclusions
- **Section 9** - Recommendations

**SECTION 1****Setting Rents in the Public Sector**

51) As has been stated previously, setting rents at an appropriate level for a sustained period has been a difficulty that the Authority has faced for many years. The Authority has identified three root causes as to why this is the case:

- No directly comparable accommodation exists locally - there is no other major social housing provider in Guernsey - so the determination of an appropriate rent cannot be judged against an existing yardstick. Attempts to make direct comparisons with rent setting in private rented accommodation are generally regarded as inappropriate, because it is acknowledged that social rented accommodation attracts rental levels lower than those that would apply in the private sector.

This problem is exacerbated when any attempt is made to label the rent for a States house by referring to it as an "economic", "market", "fair" or indeed, a "commercial" rent. This is because a market-based system of valuation focuses upon a dwelling's intrinsic quality and locality, whereas social landlords (local authorities and housing associations) place greater weight upon dwelling utility, i.e. the accommodation available within the dwelling, plus its amenity provision, e.g. central heating, double glazing, etc. There is also a stigma attached to social housing, which depresses market values. Reflecting these differences in approach, rental levels for social rented housing are, therefore, generally set at levels below their potential market valuations<sup>4</sup>.

- Notwithstanding that direct comparisons for rent setting purposes are invalid, as explained above there is clearly a relationship between rents charged in the public and private sectors. Historically, however, comparisons have been difficult in Guernsey as there has been a lack of reliable and comprehensive information about rents charged in the private rental sector;
- To date, the Authority has been unable to devise an appropriate and cost-effective formula for annually updating rents in the periods between major reviews.

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<sup>4</sup> As will be seen later in the report, application of a Reinstatement Building Cost formula requires rental increases of the order of 70%. If a Market Valuation formula was applied, this would give rise to rental increases of around 120% demonstrating the difference between social and private sector rent setting.

For example, in 1983, local estate agents were brought in to provide advice on the level of rents to be charged, but this was a snapshot of *market not social housing valuations* and a costly exercise to repeat on a regular basis.

52) After careful consideration of the above points, the Authority concluded that to meet the objectives of the present review it had to:

- devise a robust formula for establishing a level of rent that properly reflects the value of the property *as social housing*;
- devise a formula which ensured that the rent levels remained realistic year-on-year;
- ensure that, in conjunction with the above, it designed a rebate scheme that adequately protected tenants who could not afford those rent levels.

#### **The Components of the Rent Setting Formula**

53) During the course of its investigations, the Authority has been advised by experts in the field that for social housing a rental setting formula (and its individual components) should be:

- clear and unambiguous;
- founded on sound and detailed information;
- capable of producing an annually revisable rent; and
- have a long durability.

54) Taking account of the above, the formula that the Authority proposes to use for establishing rents comprises six separate components of varying importance. The components used are as follows:

- reinstatement building costs;
- administrative costs, inclusive of "on-cost" items;
- minor repair costs;
- a "sinking fund" charge for major repairs;
- a contribution to future capital expenditure; and
- a "voids" charge to take into account the proportion of the Authority's housing that is not tenanted at any

given time (because, for example, it is undergoing maintenance work prior to reoccupation).

These elements are further explained below.

#### **55) Reinstatement Building Costs**

The Authority considered both "Market Valuations" and "Reinstatement Building Costs" as the basis for a rental formula, but dismissed "Market Valuations" for the following reasons:

- Market Valuations are relevant in the private sector which is profit driven, but they are not suitable for setting rentals for social housing which is "not for profit";
- Market Valuations are subjective and liable to significant fluctuations year-on-year.

56) The Authority, therefore, considered "Reinstatement Building Costs" to be the appropriate basis for setting its Standard Rents. Indeed, the Reinstatement Building Cost is by far the most important component of the formula.

57) The rebuild cost of a dwelling is taken to be the cost of rebuilding that unit in the same style and to the same size, but using modern materials, modern practices, and providing up-to-date facilities.

#### **58) Administrative Costs inclusive of "on-cost" items**

This element of the formula represents the annual administrative costs directly associated with the Authority's management of its social housing stock, i.e. in dealing with tenancy issues, collection of rents, etc. For the purposes of the formula, the annual gross cost has been divided equally between the approximately 2,100 units of accommodation administered by the Authority.

#### **59) Minor repair costs**

The Authority's annual expenditure on minor repairs has been apportioned to each of the 2,100 units according to the approximate size of the unit concerned.

#### **60) A "Sinking Fund" charge for the provision of long-term works**

This element of the formula provides long-term funding to meet the cost of major refurbishments, and to contribute to the cost of eventual rebuilding. The element included in the formula is initially set at 0.8% of the reinstatement building cost.

#### **61) A contribution to future capital expenditure**

Included in the formula is an element to assist in meeting the cost of future capital works. This contribution will assist in meeting the cost of enhancements such as car parking, landscaping, provision of play areas, improved lighting, and other community facilities. It will also assist in meeting any shortfall in the "sinking fund" provision for the long-term refurbishment or rebuilding of dwellings. This element is initially set at 1% of the reinstatement building cost.

**62)A "voids" charge set at 2% of the rental to be collected**

When a tenant vacates a property either because they have left States' accommodation or they have transferred from one unit to another, the opportunity is taken to carry out whatever renovation work is necessary before the property is re-tenanted. The nature of the renovation can vary from minor decoration to major works including re-wiring, new kitchens and bathrooms, etc. At any one time, around 45 properties are unoccupied due to this process and, as a result, no rental income is collected from these properties. To compensate for this loss of income the formula adjusts the rent payable by 2%.

**63)Period of formula computation**

The formula is computed over a 25-year period on the basis that it is likely that most dwellings will be in need of major refurbishment after that period of time.

**Annual and Periodic Reviews**

64)Individual elements of the rent setting formula will be reviewed annually to ensure that rental levels accurately reflect the value of the property and also that rents remain at realistic levels. It is proposed that a more fundamental review of the structure and content of the formula will take place at periods of no more than 5 years.

65)Annual reviews of individual elements of the formula, combined with longer term periodic reviews, will:

- help to ensure that the formula produces rents that reflect the true cost of social housing provision; and
- avoid the current position whereby Authority rents become highly subsidised and generally out of kilter with accommodation costs on the Island.

**Application of the Formula to a typical unit of States' Accommodation**

- 66)When the formula is applied to an average 3 bedroomed States' house it produces an annual rent of £6,998 (or £139.95 per week), inclusive of water and occupiers rates.<sup>5</sup>
- 67)Rents charged currently for this type and classification of accommodation range between £75 and £86 per week. The formula will thus increase the rental for this type of property to approximately £140 per week (over a 50-weekpayment year).
- 68)Application of the formula across the entire housing stock demonstrates that if the Authority is to apply levels of rent that represent an unsubsidised charge for its accommodation that meet the criteria set out above, it needs to increase many of its rents by 70% on average. (If the Authority had applied a Market Valuation formula, rents would have increased by around 120% .)
- 69)This very significant increase in the level of rents charged will, however, affect different tenants in different ways, depending upon their financial and household circumstances:
- tenants who are already in receipt of a rebate will continue to have their rent rebated so that the amount that they are required to pay will not generally increase;
  - those tenants who currently pay Standard Rents will have the opportunity to apply for a rebate so that they pay a rent commensurate with their income. (In other words, by charging more realistic rents more tenants will be drawn into the rebate net.);
  - some tenants with higher levels of income will be able to pay the new Standard Rents but because, in some cases, the increases are substantial, transitional arrangements will apply.
- 70)Before, however, these effects are discussed in detail, the proposed changes to the Rebate Scheme are outlined, as this will operate to ensure that tenants of modest means do not suffer financial hardship as a consequence of the introduction of higher rents.

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<sup>5</sup>The translation of the formula into a weekly rent is a complex series of calculations. Any States' Member interested in this matter is asked to contact the Authority and request an explanatory briefing.

**SECTION 2****Review of the Rebate Scheme**

71)The current Rent Rebate Scheme is intended to assist:

- the low paid;
- those tenants with large families; and, in particular;
- those tenants with low incomes and large families.

72)The Authority believes that the current Rebate Scheme generally provides for the needs of the aforementioned groups of tenants. However, with the application of significantly higher rents the Authority is particularly keen to ensure that the Rent Rebate Scheme continues to provide a level of protection, not only for those tenants already identified as being unable to pay Standard Rents, but also for those tenants who will experience hardship if they are required to pay the proposed new increased rents.

73)Furthermore, based on its long experience of operating the current Rebate Scheme, the Authority has identified some adjustments that are necessary to ensure that it continues to meet its objectives. These adjustments have been developed in conjunction with the Social Security Authority and take into account the position of persons in receipt of welfare benefits, or those tenants with incomes similar to benefit levels.

74)The changes are also designed to ensure that those tenants who are among the groups of people identified in the Survey of Guernsey Living Standards Report as most likely to be in relative poverty - single pensioners and single parents - receive appropriate protection via the Rebate Scheme. The changes can thus be viewed as a response, in part, to the findings of that Report.

**75)Principal Earners**

The current Rebate Scheme provides that in certain circumstances, a tenant's rent will be based on the financial circumstances of a non-dependent child and not those of the tenant. The purpose of the Principal Earner rule has been to ensure that realistic rents were charged in respect of tenancies where the tenant's income was low but that of the non-dependent enjoying the same accommodation was much higher.

76)The Authority proposes that the Principal Earner rule no longer be applied, primarily because the Authority has been advised that it is not Human Rights compliant. There is also evidence that on occasions an elderly tenant will be charged a Principal Earner rent but will receive little or no contribution from the non-dependent child upon whose

income the rent is based. The tenant will as a result have to get by on a very reduced income. The proposal is to remove the Principal Earner rule but to substitute more realistic non-dependent charges.<sup>6</sup>

**77) Treatment of Capital.**

Very few tenants have capital resources of any note, and those that have accumulated moderate savings may have done so over many years. The Authority has no wish to erode a tenant's life savings and, therefore, proposes that all capital sums and any income derived therefrom are disregarded for the purpose of rent rebate assessment. The Authority will, however, review applications for a rebate - and, indeed, continued occupancy of a States' House - where there is evidence that the tenant has been the subject of a capital "windfall" - particularly where this relates to a share of an inherited property.

**78) Single Parents Employment Allowance.**

The current scheme grants an allowance which is offset against gross earnings for all single parents who are in employment. Examination of different cases has revealed that application of this rule can result in two parent families paying larger rents where they are on the same level of income as a single parent. This is anomalous and was never the intention of the allowance. The Authority, therefore, proposes that the Single Parent Allowance be discontinued, to be replaced by a Child Care Expenses Allowance granted to all tenants who can demonstrate that they have incurred legitimate child care costs. For assessment purposes the allowance will be offset against gross income.

**79) Upper Income Limits for Rebate Claims.**

Under the current rebate rules if a tenant's joint gross weekly income exceeds £415 per week the tenant is not eligible to apply for a rebate. With the introduction of substantially higher rents, the proposal is to remove this limit completely, enabling all tenants to be eligible to apply for a rebate.

80) Taking account of these changes, the proposed rebate factors and rules are detailed below:

- every tenant will be eligible to apply for a rebate no matter what the level of their income or joint gross income;

there will be no restrictions on the frequency of applications;

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<sup>6</sup>This proposal is brought forward at an early date in the accompanying policy letter on the "Annual Review of States' House Rents and Rebates".

- any tenant who applies for a rent rebate will be required to complete a form providing details of:
  - gross income of tenant and spouse/partner (if earning);
  - number of children at education establishments or under school age;
  - number and ages of children in employment (earnings not required);
  - number of lodgers and/or additional families (earnings not required).

(Note: The gross income of the tenant/partner includes wages or salary from employment or business, bonuses, overtime, commission and part-time or casual earnings all totalled before deduction of Income Tax, Social Security contributions, or any other contributions deducted from earnings, but excludes war disability pension, family allowance and attendance allowances.)

- verification of gross earnings and other income will be required as deemed necessary by the Authority, and in cases where false information is knowingly provided appropriate action will be taken;
- the gross income of the tenant and/or their partner will be reduced by an allowance in respect of child minding costs incurred by the tenant or their partner, subject to the provision of suitable documentation;
- a tenant's income will be assessed differently according to their household composition. There will be three classifications of tenant:
  - tenants who live by themselves (i.e. without a partner but not necessarily without a non-dependent residing within their household) will be classified as "Single Householders";
  - tenants who live with a partner (married or unmarried) but have no dependent children will be classified as a "Couple". This classification will include tenants that have non-dependent children and other non-related persons residing in their household; and
  - tenants who have dependent children will be classified as a "Family". This classification will not differentiate between one and two parent families. Some family units will also have non-dependent children and other non-related persons residing in the tenant's household.

- where the tenant accommodates a parent or parent-in-law who is aged 65 or over, a charge will be levied in assessing any entitlement to rent rebate. If the parent is below age 65 and in employment, the normal "over age 25" charge will apply;
- further adjustments to the rent payable may be made in special cases of personal hardship e.g. invalidity, handicapped persons;
- where a tenant has been offered alternative accommodation, in essentially the same area on the grounds that his dwelling is under-occupied and rejects such offer, the Authority may withdraw the rebate;
- no rebate shall be awarded to a tenant carrying on a business unless he can produce irrefutable evidence that he is entitled to such rebate;
- rebates will only be granted to tenants whose rent account is in arrears if agreement is reached for the payment of an amount above the rebated rent in order to clear the arrears;
- rebates will be calculated having regard to the factors set out in Appendix 2;
- rent charges and rebates will be assessed on a 50 week year basis;
- the scheme will be reviewed annually.

81)The application of a revised Rebate Scheme will ensure that all tenants are charged an affordable rent by:

- maintaining and, in some cases, improving the value of the rebate for persons on benefit levels;
- increasing the value of the rebate to persons outside of benefit levels; and
- providing the opportunity for persons who have never previously been eligible for a rebate to apply for a reduction in their rent.

**SECTION 3****Application of the combined Rent and Rebate Proposals**

- 82) The effects of applying the revised rebate rules are set out in Appendix 3, which include some simple assessment examples of families with set circumstances, but varying levels of income. In these examples, it will be noted that tenants with lower levels of income will generally experience a reduction in their current rental charge but those tenants with higher levels of income, particularly above £500 per week, will experience increases; and, in some cases, these increases will be significant.
- 83) However, testing the new proposals against simple theoretical circumstances is a crude method of assessing the overall effect of combining significant rental increases with enhanced rebate factors. The Authority has, therefore, applied the proposed level of rental increases and rebate changes to a wide range of tenants. The financial circumstances and household composition of these tenants were known to the Authority in sufficient detail to allow a reasonable assessment of a new rent/rebate entitlement to be undertaken.
- 84) 350 tenants were involved in this test exercise, representing approximately 17% of the Authority's tenants. Broad outline details of the sample data may be found in Appendix 4.
- 85) The findings of the sample data can be summed up as follows:
- gross rental increases are in the region of 70% across all units of the Authority's accommodation;
  - 43% of tenants would benefit from a reduction in their rental charge (even in 2002 terms) due to the improved rebate factors;
  - 57% of all tenants would experience increases in their rental charges due to either the level of their income or the fact that their household included non-dependents, or both these factors;
  - 12% of all tenants would be assessed as being able to afford the new Standard Rents;
  - those tenants most likely to experience no change or a reduction in their rental charge are families on low incomes and pensioners, particularly single pensioners; (See Appendix 5.)
  - those tenants most likely to experience an increase in their rent would be:

- employed couples who have no dependents;
  - families with high incomes; and
  - tenants with non-dependents living with them.
- some tenants will experience increases because charges for non-dependents and additional families currently abated by the low Standard Rents will be added to the charge based on tenant's income. The charges will become effective for the first time since 1971.

## SECTION 4

## Other Issues

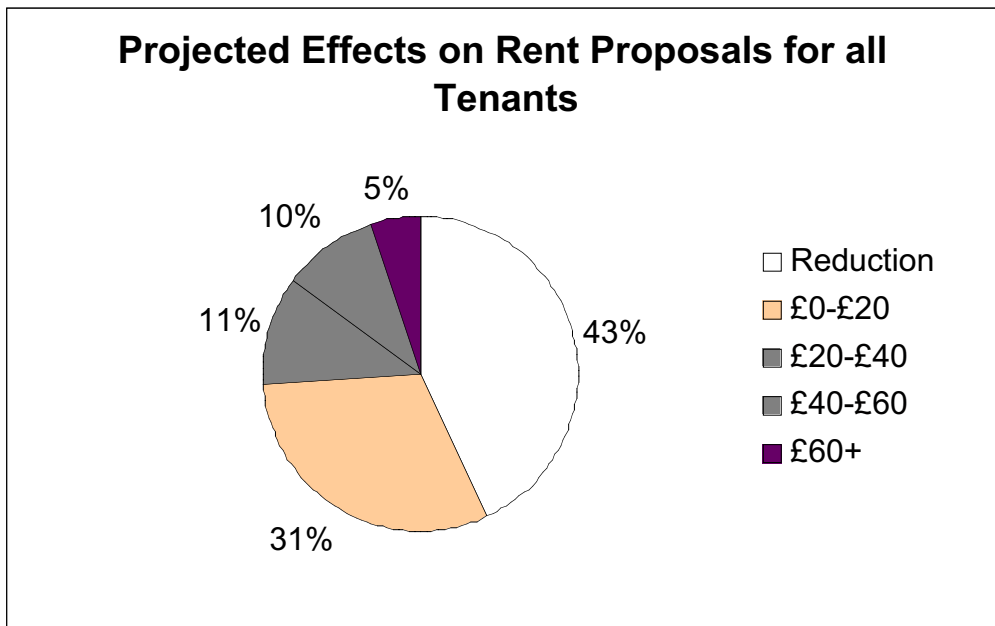
## Transitional Arrangements

86) Under the Authority's proposals, the minimum gross rental increase would be £47.96 per week, whilst the largest gross rental increase would be £91.25 per week. However, these are the extremes, and most tenants would experience a gross rental increase of around £60 per week, were this to be introduced immediately.

87) It must be stressed, however, that only a small proportion of tenants will see this gross rental increase translate into an actual increase in their rent payable, because the majority of tenants will become eligible for a rebate.

88) As noted above, 43% of existing tenants would experience a rent reduction despite the introduction of substantially higher standard rents. In these circumstances, the new rents would take immediate effect upon the implementation of the new scheme.

89) 57% of existing tenants would, however, experience an increase in rent payable, either through an ability to pay the new Standard Rent or after application of a rent rebate. These increases vary in magnitude as shown in the figure below.



90) Nevertheless, the Authority is sensitive to the fact that for those tenants who will experience significant increases in rent the prospect of financing such large increases would be difficult, and could be traumatic if the increase was to be applied with immediate effect. Indeed, the Authority

realises that it is not possible, even for tenants on above average earnings, to rearrange their finances from one week to the next without hardship being caused. Tenants experiencing large increases in their rent will thus need time to readjust their finances to pay the new rents. The Authority, therefore, proposes that transitional arrangements should be put in place that spread the rental increase over a defined period of time.

- 91) Transitional arrangements have, therefore, been designed so that tenants will progress by annual steps from their current rent level to the adjusted new rent levels applicable, i.e. at the end of the transitional period they will be paying the full rent for the property (unless they have become eligible for a rebate during that period).
- 92) Following consideration of a number of options, the Authority proposes that transitional arrangements should apply for a maximum of three years. However, the full three-year period of transition would only apply to those tenants who would experience the largest increases in rent, the majority of tenants having reached the full rents for their properties in a shorter time period under the proposals set out below.
- 93) The amount of the annual transitional increase set out in the following paragraph will only apply if the proposed rental calculated by the formula exceeds the current rental charged plus the transitional increases proposed for each year.
- 94) In the **first** year of transition the current Standard Rent for all tenancies would be increased by a maximum of £15.00 per week from the date the scheme comes into operation. This will mean that no tenant, no matter what their circumstances, will experience an increase in their rent greater than £15.00.

In the **second** year of transition the Standard Rent for all tenancies would be increased by a further sum of £20.00 per week, together with any annual increase approved by the States in respect of the second year.

In the **third** and final year of transition the full new Standard Rent, plus annual increases approved by the States for years two and three, will be payable.

- 95) The gradual implementation of phased rental increases via the transitional arrangements set out above will alleviate any hardship that may be felt through the immediate full implementation of new rents. Moreover, it is important to note that it has been ascertained that the majority of tenants will effectively be paying their new rents before the end of the three year transitional period because their circumstances make them eligible for a rebate at some point

during this period. (Examples of how the transitional arrangements apply are shown in Appendix 6.)

96) There is, however, one group of tenants that the Authority proposes should have the new Standard Rents applied without the benefits of transition, and this is people who become States' tenants after the inception of the new Scheme. Almost without exception new tenants will be eligible to apply for a rent rebate from the outset of their tenancy. The full Standard Rent for their property will thus be almost immaterial, as the Rent Rebate Scheme will ensure that the actual rent paid is within their means.

#### **Surcharges (income related rents)**

97) In 1992, the States approved the introduction of income related rents (surcharges) to encourage tenants with incomes above those normally associated with persons residing in States' accommodation to consider alternative forms of accommodation in the private sector.

98) The surcharge arrangements ignore the Standard Rent applicable to a unit of accommodation. Instead, the Authority charges a rent that is a proportion of the tenant's income (together with that of their spouse or partner should they have one). At the lower end of the surcharge scale tenants are charged 1/6 of gross joint income, whilst the maximum proportion charged is 1/4 of joint gross income. Of the additional rent collected, 95% is refundable if the tenant vacates States' accommodation within 5 years of the date the rent was collected. Rent collected more than 5 years before the date of vacation is non-refundable.

99) The scheme has, over the last 12 years, had limited direct effect in that only 18 tenants whose rent was surcharged have vacated their tenancies and claimed a refund in that period. However, the Authority does not know how many other tenants have vacated their tenancies during this period in order to avoid having their rent surcharged. Certainly there is a belief that in the first few years rents were surcharged, significant numbers of tenants left States' accommodation for this reason. However, as the differential between States' and private sector rents has increased and house prices have escalated, so the effectiveness of the surcharge scheme in encouraging tenants to move to the private sector has waned.

100) As at the end of 2002, 32 tenants were surcharged. In many of these cases, the Authority is doubtful that their circumstances would permit an immediate move to the private sector either to rent or to purchase. Consequently, for these tenants the surcharge is more of a financial penalty than an inducement to vacation. Indeed, it may be cheaper for the tenant to pay the surcharge than to move to the private sector, where rents are generally higher, there is

no rent rebate scheme, and where accommodation may be of a poorer standard.

101) Bearing the above in mind, the Authority has concluded that the application of rent surcharges should cease once the effects of the new rentals take full effect. At that time, tenants will have more encouragement to move to the private sector as the disparity in rents payable will be less dramatic. For example, whereas only 32 tenants were surcharged in 2002, under the Authority's proposals it is estimated that approximately 300 tenants would be charged the new Standard Rent which, in value, would be little different to the present surcharged rents.

102) Furthermore, it would be impractical to consider applying a surcharged rent in addition to the proposed new rents because, in the majority of cases, the difference between the two would be nominal and certainly not sufficient to act as an incentive for tenants to seek accommodation in the private sector.

103) More significantly, by the time the new scheme comes into full effect, the Guernsey Housing Association will have properties to let and the Authority will view high earning tenants as prime candidates for nomination for Association properties.

104) The combination of generally higher rents, plus the provision for the Authority to make nominations to the Guernsey Housing Association, will thus achieve the same policy objective as that for which the surcharge arrangements were designed.

105) The Authority therefore proposes to phase out the surcharge scheme in the following manner:

- tenants currently subject to a surcharge will pay the new Standard Rent for their property from the date the new scheme comes into effect, i.e. they will not benefit from the transitional arrangements;
- following the introduction of the revised scheme, any tenant whose circumstances improve such that they would historically have been charged a surcharge would pay the full new Standard Rent instead;
- any tenant who has paid a surcharge prior to the arrangements being discontinued, and who vacates a property either by moving to the private sector or taking up a Housing Association tenancy, would be refunded 95% of those surcharge payments, provided that they moved within five years of the surcharge first being applied.

#### **Minimum Rents**

- 106)Up until 1984, the Authority operated a minimum rents policy within the rules of the Rent Rebate Scheme. The minimum rent rule provided that if a tenant's income was so low that application of the rebate rules resulted in a very small rent, or indeed no rent at all, then a minimum rent was payable. The argument in support of a minimum rent was that it was reasonable that every tenant should be expected to make a contribution towards their housing costs. If they were so impoverished that this was not possible then benefit schemes existed for them to top up their income to enable them to make a contribution towards their rent.
- 107)The counter argument put forward in 1984 was that the primary purpose of the Rent Rebate Scheme was that a tenant should pay a rent commensurate with their income. It followed that if a tenant's financial circumstances were such that their rent calculation indicated that they should pay very little rent, or no rent at all, then the scheme was functioning correctly.
- 108)In 1984, the States accepted the latter argument and the Authority's recommendation that the minimum rent rule be discontinued.
- 109)In part, the Authority's recommendation was based on the fact that minimum rent cases were very rare and that, when they did arise, there was usually some good reason why the rent calculated was as low as it was.
- 110)The situation today regarding the number of tenants on very low rents or, in extreme cases no rent at all, has not changed. Such cases are very infrequent with only a handful of tenants on rents of less than £10 per week - probably less than 1% of tenants in receipt of a rebate.
- 111)The introduction of a minimum rent of, say, £10 per week would, therefore, affect very few tenants. However, the application of a minimum rent would override the basic premise of the Rent Rebate Scheme to set the actual rent payable with regard to the tenant's financial circumstances, and it would also require those tenants to claim statutory benefits, when they might choose not to do so.
- 112)Weighing up these different arguments, the Authority recommends that minimum rents are not introduced into the Rent Rebate Scheme.

## SECTION 5

**Effects on Total Rental Income**

113) Current gross rents charged annually by the Authority total around £7.7 million, but net annual rental income is £5.6 million. The notional value of the rebate granted is therefore £2.1 million.

114) As shown in the table below, under the proposals in this policy letter the gross rents charged will increase to £13.8 million (inclusive of water rate), whilst the rent that would be collected after application of the rebate would amount to £6.8 million. The value of the rebated rents granted would rise to their true value of £7 million.

	Current Standard Rents inc Water Rate 2002	Total Proposed Rents inc Water Rate	Increases
Gross Rents Charged	£7,700,000	£13,800,000	£6,100,000
Net Rental Income	£5,600,000	£ 6,800,000	£1,200,000
Value of Rent Rebates	£2,100,000	£ 7,000,000	£4,900,000

115) Thus although gross rents charged increase by £6.1 million, the actual increase in rents collected is £1.2 million, i.e. net rental income increases by 21%.

116) The Authority appreciates that, when compared with average rental increases of 70%, this increased income appears comparatively small. However, it must be recalled that the objectives of the Rents and Rebates Review were to establish the true cost of providing social rented housing and to ensure that having done so, and adjusted Standard Rents accordingly, no tenant was caused financial hardship by paying a rent beyond their means.

117) The more modest increase in net rental income reflects the fact that a proportion of States tenants can afford to pay higher rents, but the majority require a rebate in order to be able to do so. Increases in rental income are, therefore, a welcome by-product of the proposals, rather than a prime motivation for the review.

118) Nevertheless, the Authority conducted a further series of tests to compare the effect of the rebate proposals against other levels of rental that could in theory be applied in

order to assess the financial implications for tenants, and the effects on overall income received.

119)The results of these alternative models have been provided to the Advisory and Finance Committee and can be made available to any interested States Member on request. They show that while higher Standard Rents could be charged, fewer tenants could afford to pay them and, therefore, the actual additional income received would not be significant. However, the value of rebates would be substantially higher.

120)Finally, if the Authority's proposals were implemented in just one year, as noted above the increase in net rental income would be just under £1.2 million. Transitional arrangements will, however, mean that the full effect of the proposals will not be experienced until the end of the third year as can be seen from the table below, (which takes into account the effect of the 43% of tenants whose rent will reduce or stay the same in the first year of transition).

	Annual additional income received	Cumulative additional income received
Year 1	£381,000 <sup>7</sup>	£ 381,000
Year 2	£476,000	£ 857,000
Year 3	£365,000	£1,222,000

(Note: No inflation factor or real rental increase has been built into these estimates)

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<sup>7</sup>In the first year of transition the increase in rental income will represent a 6.8% increase over rents collected in 2002.

**SECTION 6****Consultations**

121) In the introduction to this policy letter, it was explained that the Authority was consulting all of its tenants on these proposals. In addition, the Authority will be formally consulting the two bodies below.

**(i) Guernsey Housing Association**

It has been agreed with the Guernsey Housing Association that the rents for its dwellings will be based upon those charged for equivalent States' properties. It has also been agreed by the States that the Rent Rebate Scheme should apply to Association tenants nominated by the Authority.

Discussions will be held with the Association regarding the implications for them of the proposals contained in this policy letter.

**(ii) Guernsey Youth Housing Project**

The States has also agreed that the Rent Rebate Scheme should apply to those young people housed in the training bedsits to be provided at 17 Havilland Street as part of the Guernsey Youth Housing Project. The Authority will, therefore, discuss with the National Children's Home (NCH) the proposals contained in this policy letter.

**SECTION 7****Staffing and IT requirements**

- 122)The staffing requirements of implementing the new scheme have yet to be determined in detail, nor have they yet been discussed with the Civil Service Board. This is because the Authority is waiting feedback on the proposed scheme, so that it can assess the administrative impacts of any proposed revisions, (which also affect the Social Security Authority as it carries out rent rebate assessments on the Authority's behalf).
- 123)The Authority is also presently investigating the introduction of suitable computer software to automate assessment processing, in order to offset any increased workload that may arise through manual processing of rebate claims.
- 124)The following paragraphs nevertheless outline the state of current thinking on the administrative consequences of the proposed new Rents and Rebate Scheme.
- 125)Under the proposals set out in this policy letter, the Authority estimates that the number of tenants in receipt of a rebate will virtually double, and that the type of tenant applying for a rebate will include more employed persons with families whose circumstances are more liable to change than current rebate recipients, many of whom are pensioners. As a result of the greater number and different type of rebate applicant, it is, therefore, likely that during the course of a year as many as three times the number of rebate applications could be submitted for calculation.
- 126)Since 1989, applications for a rent rebate have been assessed by staff of the Social Security Authority for two specific reasons: (i)they are experienced at means testing; and (ii)approximately half of all tenants in receipt of a rebate are also recipients of an Old Age Pension or Supplementary Benefit, or both. Social Security Authority staff are, therefore, already familiar with many of these tenants' circumstances and can assist them to complete rebate claims providing accurate and up-to-date information. From the tenant's point of view, it is also convenient in that they can fulfil Social Security and Housing Authority requirements at the same time and place. This administrative arrangement is conducted without charge to the Authority and the workload has been partially absorbed by the Social Security Authority without the appointment of additional staff.
- 127)The Authority recognises, however, that if the workload associated with assessing rebate applications triples as anticipated, then the arrangements with the Social Security Authority will need to be revised. At the moment, the Social Security Authority processes about 2,000 rebate assessments

annually on behalf of the Housing Authority, but this figure could rise to around 5,000 or 6,000 per annum. The Social Security Authority's preliminary view is that the new arrangements would require two additional members of staff if it is to continue to process rent rebate applications on behalf of the Housing Authority.

128) Following assessment of a rebate application, the Housing Authority is then required to carry out a number of administrative procedures to ensure that the tenant's rent is adjusted, and the tenant is informed of that adjustment. The Authority anticipates that at least two new members of staff will be required for this purpose, given the estimated increased number of rebate applications.

129) These increased administrative costs and staffing requirements are, however, outweighed by the benefits of introducing new methods of setting and rebating rents that:

- are transparent;
- reflect the true cost of social housing provision;
- provide better financial protection for those tenants who really need it;
- provide an incentive for underoccupying tenants to move to smaller properties (with lower rental levels); and
- better encourage higher earning tenants to vacate States' property and move to the private sector.

130) It is also the Authority's responsibility to collect rents and to pursue arrears.

131) The rent collection and arrears functions have, historically, been under-resourced and, in part, have led to an increase in the total arrears owing to the Authority. With the agreement of the Civil Service Board, the Authority has recently increased the number of staff dedicated to these functions through the employment of short-term contract staff.

132) It is not, however, the purpose of this policy letter to examine the reasons for tenants falling into arrears or the methods employed by the Authority to recover these monies. These are administrative processes that should not influence policy decisions on the correct level of rents to be charged or the means of their abatement: put simply, if rents and rebates are set at the correct levels, then there should be no reason why rent arrears should increase as result of the introduction of the new arrangements. Nevertheless, in

putting forward new policy proposals it is appropriate to mention the full staffing implications of administering the Rents and Rebate Scheme, which includes the management of arrears.

133)The Authority has given the Civil Service Board a commitment that it will research the possibility of "outsourcing" all or part of its rent collection functions, but it has not ruled out the need for additional permanent staff for this purpose.

## SECTION 8

### Summary and Conclusions

134)The Authority is confident that, from the evidence provided by its sample data, the proposed changes to the level of rents charged and to the Rebate Scheme will achieve the objectives set out in paragraphs 46 and 49 of this policy letter.

135)The Authority believes that the proposed rents are set at an optimum level, whereby the majority of tenants receive a rebate and only a minority pay the new Standard Rent. The ratio of those that pay the full rent, as opposed to those in receipt of some form of rebate, will reflect the fact that the Authority houses some of the poorest members of the community, as confirmed by the recent Housing Needs Survey and the Survey of Guernsey Living Standards.

136)The Authority nevertheless appreciates that the proposed increases in rent are high, but the combination of rebates and transitional arrangements will protect tenants against any consequent financial hardship. The proposals will mean that 43% of tenants will see a reduction or virtually no change in the actual rent that they pay, whilst a proportion of the 57% of tenants whose rent will increase will only experience a relatively small change. Just over 1 in 10 tenants will pay the new Standard Rent. . The Authority believes these changes are commensurate with proposals contained in the Survey of Guernsey Living Standards regarding the alleviation of poverty, and a significant pointer to the fact that it has set the levels of relief at an appropriate level.

137)The Authority also has a responsibility to set rents at a level that will provide sufficient income for the Authority for it to maintain and replace its social housing stock, at the same time ensuring that this is used efficiently to meet true housing need. The Authority considers that these proposals meet those policy objectives.

138)Finally, the Authority considers that the following paragraphs in the recent independent study of the Guernsey

Housing Market aptly sum up the proposals set out in this policy letter, and validate the action being recommended:

*"States' gross rents are well below economic levels. It would be desirable to increase their level to an economic level for a number of reasons. Firstly, it would bring home to the population at large the 'real' costs of housing and would mean that some equivalence would be achieved between rents in the private and public sector. Secondly, with States' rents so low, it makes States' housing very desirable and can lead to the wrong presumption that the States, or a Housing Association, can economically provide housing at such levels of rent. They cannot. Thirdly, and conversely, it would defuse some of the resentment that perhaps exists about the level of private sector rents and house prices, which may be seen as exploitative. Raising States' gross rents would mean greater transparency about the real costs of housing.*

*Raising States' rents in this way would, in the absence of any other policy change, substantially increase the housing expenditure of States' tenants, increase States' revenue and deter people from applying for States' housing. Of course a more sensible approach would be to adjust the rent rebate scheme simultaneously so that the majority of States' tenants were in the same financial position as before gross rents were raised. ... Although this might seem like a paper exercise, if no net financial change occurred, the benefit is that the real costs and subsidies are transparent."*

**SECTION 9**

**Recommendations**

Accordingly, the Authority recommends the States:

to direct the States Housing Authority to report back to the States with firm proposals based on this report, setting out new levels of States' rents and a revised rebate scheme, and a date for their implementation, taking into account the views expressed by the States, together with consultations undertaken by the Authority with its tenants and other interested parties.

I should be grateful if you would lay this matter before the States with appropriate propositions, for debate under Rule 11(4) of the Rules of Procedure.

Yours faithfully

B. M. FLOUQUET

President  
States Housing Authority

## APPENDIX 1 - SUMMARY OF HOUSING AUTHORITY RENTS AND REBATE SCHEME

## RENT SETTING

Standard Rents	Current Weekly Rent Examples (2002)		
The last major review of Rents took place over the years 1983 to 1986. At that time the objective was to set States' Rents at 95% of market rents. Since the late 1980's changes in Rents have been mostly limited to the increases in Retail Prices. Rents are now less than 50% of market rents.		Class 1	Class 10
	Bedsit	£ 34.50	£ 53.69
	1 Bedroom	£ 47.66	£ 74.24
	2 Bedroomed	£ 52.65	£ 82.12
	3 Bedroomed	£ 59.14	£ 94.60
	4 Bedroomed	£ 65.71	£ 110.00

## RENT REBATE RULES

Category of Assessment	Current Rebate Scheme (2002)
<b>Classification of tenant type</b>	All tenants are assessed as either: <ul style="list-style-type: none"> <li>• Single householders; or</li> <li>• Married couples and other householders.</li> </ul>
<b>Gross income assessment</b>	Rent payable assessed at different proportions in relation to weekly income. <p>Single householders:</p> <ul style="list-style-type: none"> <li>• 1/7 of income between £80 and £124;</li> <li>• 1/6 of income between £125 and £164;</li> <li>• 1/5 of income between £165 and £246; and,</li> <li>• 1/4 of income above £247.</li> </ul> <p>Married couples and other householders:</p> <ul style="list-style-type: none"> <li>• 1/7 of income between £125 and £185;</li> <li>• 1/6 of income between £186 and £246;</li> <li>• 1/5 of income between £247 and £376; and,</li> <li>• 1/4 of income above £377.</li> </ul>

<b>Maximum income limit</b>	Tenants with joint gross income in excess of £415 per week are not subject to a rebate.
<b>Assessment of dependents</b>	The weekly assessed rent is reduced by £3.15 for every child: <ul style="list-style-type: none"> <li>• Of school age; or</li> <li>• Under school age; or</li> <li>• In receipt of full time education.</li> </ul>
<p style="text-align: center;"><b>Principal earners</b></p> <p>Note. A person may only be classified as a principal earner if they are:</p> <ul style="list-style-type: none"> <li>• Over 25 years of age; and</li> <li>• A child of the tenant.</li> </ul>	Where the <u>tenant</u> is not the principal earner in the household, the rent payable may be related to the income of the principal earner. The principal earner rule only applies where the tenant is either: <ul style="list-style-type: none"> <li>• Aged 60 years or over; or</li> <li>• Aged less than 60 but permanently unemployed.</li> </ul>
<p><b>Charges for non-dependents</b></p> <p>(Charges will be added to the weekly assessed rent but not so as to exceed the standard rent.)</p> <p>Note. The aged parent charge may be varied if the parent has owned property.</p>	Charges are as follows: <ul style="list-style-type: none"> <li>• For each child of the householder aged 18, but under 25 years of age £9.08;</li> <li>• For each child of the householder aged 25 and over and for each lodger £13.62;</li> <li>• For each additional family £21.58;</li> <li>• For each aged parent £4.26.</li> </ul>
<b>Capital</b>	All income from capital is taken into account as a resource on a weekly basis. (The same as earned income.)
<b>Disregarded income</b>	Income from Family Allowances and Attendance Allowances is wholly disregarded.
<b>Single Parents Allowance</b>	In assessing gross income the first £2,372 of earnings of a one parent family are disregarded.
<b>Under-occupation</b>	Where a tenant has been offered alternative accommodation, in essentially the same area on the grounds that his dwelling is under occupied and rejects such an offer, the Authority may withdraw the rebate.

<b>Rent arrears</b>	Rebates will only be granted to tenants whose rent account is in arrears if agreement is reached for the payment of an amount above the rebated rent in order to clear the arrears.
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**APPENDIX 2****PROPOSED REBATE FACTORS****Single Householders**

- 1) Rent payable assessed at 14% of gross weekly income where the income is below £80;
- 2) Rent payable assessed at a variable percentage between 14% and 25% of gross weekly income between £81 and £250; and
- 3) Rent payable assessed at 25% of gross weekly income where the income is above £250.

**Examples of rents charged**

Weekly Income	Assessed (Rebated) Rent	%	Weekly Income	Assessed (Rebated) Rent	%	Weekly Income	Assessed (Rebated) Rent	%
£	£ p		£	£ p		£	£ p	
79.00	11.50	14.00	171.00	35.37	19.89	257.00	66.82	25.00
90.00	13.71	14.65	180.00	38.32	20.47	260.00	67.60	25.00
100.00	15.91	15.30	190.00	41.73	21.12	270.00	70.20	25.00
110.00	18.24	15.94	200.00	45.27	21.76	280.00	72.80	25.00
120.00	20.70	16.59	210.00	48.95	22.41	290.00	75.40	25.00
130.00	23.30	17.23	220.00	52.76	23.06	300.00	78.00	25.00
140.00	26.04	17.88	230.00	57.11	23.88	310.00	80.60	25.00
150.00	28.91	18.53	240.00	60.78	24.35	320.00	83.20	25.00
160.00	31.91	19.18	250.00	65.00	25.00	330.00	85.80	25.00
170.00	35.05	19.82	256.00	66.56	25.00	340.00	88.40	25.00

**Couples**

- 1) Rent payable assessed at 14% of joint gross weekly income where the income is £160 or below;
- 2) Rent payable assessed at a variable percentage of joint gross weekly income between £161 and £450; and,
- 3) Rent payable assessed at 25% of joint gross weekly income where the income is above £450.

**Examples of rents charged**

Weekly Income	Assessed (Rebated) Rent	%	Weekly Income	Assessed (Rebated) Rent	%	Weekly Income	Assessed (Rebated) Rent	%
£	£ p		£	£ p		£	£ p	
130.00	18.93	14.00	240.00	42.52	17.04	350.00	77.19	21.21
140.00	20.38	14.00	250.00	45.28	17.42	360.00	80.82	21.59
150.00	21.84	14.00	257.00	47.25	17.68	370.00	84.52	21.96
160.00	23.30	14.00	260.00	48.11	17.79	380.00	88.31	22.35
170.00	25.42	14.38	270.00	51.03	18.17	390.00	92.17	22.72
180.00	27.63	14.76	280.00	54.02	18.55	392.00	92.95	22.80
190.00	29.91	15.14	290.00	57.10	18.93	400.00	96.11	23.10
193.00	30.61	15.25	300.00	60.25	19.31	410.00	100.13	23.48
200.00	32.28	15.52	310.00	63.48	19.69	420.00	104.23	23.86
210.00	34.72	15.90	320.00	66.79	20.07	430.00	108.41	24.24
220.00	37.24	16.28	330.00	70.18	20.45	440.00	112.66	24.62
230.00	39.84	16.66	340.00	73.65	20.83	450.00	117.00	25.00

**Families** The proportion of joint gross weekly income to be taken into account for rent assessment purposes will vary according to the number of dependent children and the joint gross income of the tenant and their partner. A fixed minimum assessment rate is not applied in the assessment of families. Examples of these variable rates are set out below.

**Note:** The rates of assessment may be subject to alteration due to the application of allowances and charges set out below.

**Examples of rents charged**

VARIABLE ASSESSMENT RATES FOR TENANTS WITH DEPENDENT CHILDREN					
Weekly Income	% of income attributable to Rent 1 Dependent Child	% of income attributable to Rent 2 Dependent Children	% of income attributable to Rent 3 Dependent Children	% of income attributable to Rent 4 Dependent Children	% of income attributable to Rent 5 Dependent Children
£100	10.88	7.75	4.63	1.50	0.00
£200	13.96	12.39	10.83	9.27	7.71
£300	18.27	17.23	16.19	15.14	14.10
£400	22.32	21.54	20.76	19.98	19.20
£500	24.38	23.75	23.13	22.50	21.88
£600	24.48	23.96	23.44	22.92	22.40
£700	24.55	24.11	23.66	23.21	22.77

Additional Charges

The following amounts will be added to the weekly assessed rent (but not to exceed the standard rent):

- 1) For each person residing in the tenant's household aged 18 but under 25 years of age (other than a partner of the tenant) **£10.00;**
- 2) For each person residing in the tenant's household aged 25 and over (other than the partner of the tenant) **£20.00;**
- 3) For each additional family **£25.00;**
- 4) For each aged parent **£5.00.** (This charge may be varied if the parent has owned property.)

Notes:

- 1) "Weekly Income" means joint gross annual income divided by 52.
- 2) "Weekly Assessed Rent" relates to a 50 week payment year.

## APPENDIX 3 - Typical Rent Changes Amongst Tenants

Family Circumstances	Weekly Income	Current Weekly Rent inc water rate	Proposed Weekly Rent inc water rate
Employed single parent* with 1 child	£311	£58.40	£65.38 (subject to child care deductions)
Employed couple with 4 children	£304	£62.68	£52.71
Employed couple with 3 children	£693	£183.81 (surcharge case)	£139.95 (standard rent)
Employed couple with 3 children	£591	£77.88 (standard rent)	£139.95 (standard rent)
Employed couple with 1 non-dependent	£606	£69.27 (standard rent)	£139.95 (standard rent)

\*Under the proposals the rent of the single parent would be subject to a child care allowance if they could demonstrate that they incurred legitimate child care expenses. It should also be noted that under the current system the single parent pays less rent than the employed couple with four children. This anomaly is rectified under the new proposals.

**APPENDIX 4      The Nature of the Sample Data**

12 representative estates were considered comprising of:

- 1 large estate of single bedroomed accommodation
- 1 large estate of 1 and 2 bedroomed accommodation
- 2 small estates of 2 bedroomed accommodation
- 1 large estate of 2 bedroomed accommodation
- 4 large estates of 2 and 3 bedroomed accommodation
- 1 small estate of 3 bedroomed accommodation
- 2 medium sized estates of 3 and 4 bedroomed accommodation

This represented a total of 350 tenants who were reassessed using the proposed new rents and rebates, (approximately 17 % of all tenants).

**Analysis of Sample Data - Numbers of tenants experiencing rental decreases and increases**

Household Composition	Rental Decrease	Rental Increase	Totals
Families	60	66	126
Couples over 60	36	21	57
Couples over 60 & adult non-dependents	2	4	6
Couple under 60	6	12	18
Couples under 60 & adult non-dependents	2	19	21
Singles over 60	39	38	77
Singles over 60 & adult non-dependents	1	16	17
Singles under 60	3	8	11
Singles under 60 & adult non-dependents	1	16	17
	150 (43%)	200 (57%)	350

**APPENDIX 5 - Typical Single Pensioner's Rent Assessment**

The tenant is a single Old Age Pensioner whose sole form of income is derived from a full Old Age Pension (£121.00 per week)

The tenant occupies a unit of accommodation the current rental of which is £56.55 per week inclusive of water rate. Under the proposals the rental of this particular unit of accommodation is set to rise to £86.02 per week inclusive of water rate.

**Current Rent and Rebate Calculation**

Standard Rent (inclusive of Water Rate)	£ 56.55
Current Rebated Rent calculated on OAP of £121.00	£ 23.90

**GSSA Benefit Calculation**

Single Householder Requirement Rate	<b>£106.30</b>	
Rent Allowance based on Rebated Rent	£ 23.90	
Total Requirement Rate	£130.20	
Income	<u>£121.00</u>	
NEED (Supplementary Benefit Payable)	<u>£ 9.20</u>	
Gross Income (Pension plus SPB)		£130.20
Rebated Rental Charge		<u>£ 23.90</u>
Residual Income		<b><u>£106.30</u></b>

**Proposed Rent and Rebate Calculation**

Proposed Standard Rent (Inclusive of Water Rate)	£ 86.02
Current Rebated Rent calculation on OAP of £121.00	£ 24.04

**GSSA Benefit Calculation**

Single Householder Requirement Rate	<b>£106.30</b>	
Rent Allowance based on Rebated Rent	£ 24.04	
Total Requirement Rate	£130.34	
Income	<u>£121.00</u>	
NEED (Supplementary Benefit Payable)	<u>£ 9.34</u>	
Gross Income (Pension plus SPB)		£130.34
Less Rebated Rental Charge		<u>£ 24.04</u>
Residual Income		<b><u>£106.30</u></b>

As can be seen from the above the residual income of this tenant does not change despite the significant increase in rental charge. This is because the tenant's rent is assessed on their income. The level of rent charged on cases like this will be immaterial.

### Typical Rent Assessment for a Couple in Receipt of Full Pensions

The joint tenancy is held by two Old Age Pensioners whose sole form of income is derived from a full Old Age Pension (personal allowance plus addition for one dependent £190.50 per week).

The tenants occupy a unit of accommodation the rental of which is £56.55 per week inclusive of water rate. Under the proposals the rental of this particular unit of accommodation is set to rise to £86.02 per week inclusive of water rate.

#### Current Rent and Rebate Calculation

Standard Rent (inclusive of Water Rate)	£ 56.55
Current Rebated Rent calculated on OAP of £190.50	£ 33.79

#### GSSA Benefit Calculation

Couples Householder Requirement Rate	<b>£163.55</b>	
Rent Allowance based on Rebated Rent	£ 33.79	
Total Requirement Rate	£197.34	
Income	<u>£190.50</u>	
NEED (Supplementary Benefit Payable)	£ 6.84	
Gross Income (Pension plus SPB)		£197.34
Rebated Rental Charge		<u>£ 33.79</u>
Residual Income		<b><u>£163.55</u></b>

#### Proposed Rent and Rebate Calculation

Proposed Standard Rent (Inclusive of Water Rate)	£ 86.02
Current Rebated Rent calculation on OAP of £190.50	£ 30.15

#### GSSA Benefit Calculation

Couples Householder Requirement Rate	<b>£163.55</b>	
Rent Allowance based on Rebated Rent	£ 30.15	
Total Requirement Rate	£193.70	
Income	<u>£190.50</u>	
NEED (Supplementary Benefit Payable)	£ 3.20	
Gross Income (Pension plus SPB)		£193.70
Less Rebated Rental Charge		<u>£ 30.15</u>
Residual Income		<b><u>£163.55</u></b>

## APPENDIX 6

## EXAMPLES OF TRANSITIONAL ARRANGEMENTS

Note transitional arrangements are as follows:

**Year 1.**

Current Standard Rent plus £15.00 per week

**Year 2.**

The Year 1 rent plus £20.00 per week together with any annual increase approved by the States in respect of the second year.

**Year 3.**

The New Standard Rent plus any annual increase approved by the States in respect of the third year.

**Example 1**

A tenant is currently housed in accommodation the Standard Rent of which is just over £70.00 per week. The tenant pays the Standard Rent and is not eligible to apply for a rebate because of the level of their income.

Under the new proposals the Standard Rent of this particular unit of accommodation will rise to £135.00 per week.

However application of the new rebate rules indicates that this tenant can only afford to pay a rebated rent of £115.00 per week.

**First year of transition**

This tenant will only be expected to pay the first £15.00 of the increase. In effect the Standard Rent of this tenant will become £85.00 in the first year of the operation of the scheme.

**Second year of transition**

The Standard Rent of the property will become £105.00 per week plus whatever increase is approved by the States in the second year of transition. The tenant will be expected to pay this sum because they have been assessed as being able to pay up to £115.00 per week.

**Third year transition**

The Standard Rent of the property will become £135.00 per week plus whatever annual increases have been approved by the States. However, the tenant will not have to pay this sum because they were originally assessed as being able to pay £115.00 per week. The tenant's circumstances might have changed so that they could pay slightly more than £115.00 per week, but it is now likely that they would receive a rebate of some form.

**Example 2.**

This tenant is housed in the same sort of accommodation as Example 1. The current Standard Rent is £70.00 per week but under

the new proposals this will increase to £135.00 per week. The tenant pays the current Standard Rent but under the new proposals has been assessed as being able to pay a rebated rent of £78.00 per week.

#### **First year of transition**

The transitional rent for this property in the first year will be £85.00 per week. However, the tenant has been assessed as being only able to pay a rebated rent of £78.00 per week. The tenant will not be requested to pay any more than this sum.

For this tenant the other years of transition are not applicable so long as the tenant's financial circumstances remain at a level around that of the first year. If the tenant's circumstances improve greatly then their rent will increase. The probability will be, however, that the tenant's rent will now be directly related to their income. In other words further rent increases will not affect them.

### **Example 3**

This tenant is housed in a property the current Standard Rent of which is £85.00 per week. The tenant pays the current rent in full. Under the new proposals the Standard Rent will increase to £145.00 per week. Both the tenant and her partner are employed and they have a joint income of £675.00 per week. After making allowances for their three dependent children, the tenant and her partner are assessed as being able to pay a rent of £165.75 per week.

#### **First year of transition**

This tenant will only be expected to pay the first £15.00 of the increase. In effect the Standard Rent of this tenant will become £100.00 in the first year of the operation of the scheme. Their rental payment will represent just **14.8%** of their joint gross income.

#### **Second year of transition**

The Standard Rent of this property will become £120.00 per week plus whatever increase is approved by the States in the second year of transition. The tenant will be expected to pay this sum because they have been assessed as being able to pay up to £165.75 per week.

NOTE. If the States approved a 4% rental increase in the second year of transition the Standard Rent of this property would become £124.80 (£120 + 4%) and this would be the rent the couple would be expected to pay. Their rental payment would represent **18.5%** of their original income.

#### **Third year of transition**

The Standard Rent of the property will become £145.00 per week plus whatever annual increases have been approved by the States. The tenant will be required to pay the full new Standard Rent because they were assessed at the commencement of transition as

being able to pay a rent of £165.75. The full rental payment will represent **21.5%\*** of their joint gross income.

\*(No allowance has been made in this percentage calculation in respect of wage or rent increases)

**NOTE**

**If a tenant's financial or family circumstances change radically, either up or down, at any stage during the period of transition, then their ability to pay the transitional Standard Rent will be assessed and adjusted accordingly.**

The President  
States of Guernsey  
Royal Court House  
St Peter Port  
Guernsey

27 February 2003

Dear Sir

**States Housing Authority – Review of Rent and Rebate Schemes**

I refer to the letter dated 20 February 2003 from the President of the States Housing Authority concerning proposals for the review of its rent and rebate schemes.

The Advisory and Finance Committee is supportive of the proposals and particularly notes that, if implemented, they will ensure that: -

- the revised rent and rent rebate policies will support the Housing Authority's aim of making the most appropriate and efficient use of its stock, and
- those tenants who can afford to pay the revised rationalised rents will be required to do so and the position of those who cannot will be safeguarded by the rebate system.

Against the background of the findings of the Survey of Guernsey Living Standards the Committee is satisfied that the proposals for relief on States House rents are in keeping with the work that is currently in progress to develop a framework for an anti-poverty strategy for Guernsey.

The Committee is satisfied that the system proposed for determining the rent payable on units of accommodation will be robust, unambiguous and capable of supporting an annual review. The Advisory and Finance Committee is also supportive of the proposal to remove the rent surcharge system and to replace it with a new 'standard rent' scheme which should also enhance the clarity of the Authority's rent assessment and charging provisions.

In regard to the financial aspects of the proposals, the Committee notes that it is anticipated that there will be an increase in net rental income resulting from the

changes, principally from those who can afford to pay. This additional income will be directly available for the Housing Authority to invest in maintaining and developing the Island's housing stock.

The Committee supports the proposals of the Housing Authority and recommends the States to approve all of the resultant propositions.

Yours faithfully

L.C. MORGAN

President  
States Advisory and Finance Committee

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The States are asked to decide:-

XVII.- Whether, after consideration of the Report dated the 20<sup>th</sup> February, 2003, of the States Housing Authority, they are of opinion:-

To direct the States Housing Authority to report back to the States with firm proposals based on that Report, setting out new levels of States' rents and a revised rebate scheme, and a date for their implementation, taking into account the views expressed by the States, together with consultations undertaken by the Authority with its tenants and other interested parties.

**(NB The above proposition is subject to Rule 11(4) of the Rules of Procedure of the States of Deliberation)**

**STATES HOUSING AUTHORITY**

## ANNUAL REVIEW OF STATES HOUSE RENTS AND REBATES

The President  
States of Guernsey  
Royal Court House  
ST PETER PORT

20 February 2003

Dear Sir

**ANNUAL REVIEW OF STATES' HOUSE RENTS AND REBATES****INTRODUCTION**

The following is an interim report from the Housing Authority concerning States' house rents and rebates, which I should be obliged if you would place before the States.

**GENERAL REVIEW**

When the Authority submitted its 2002 report it informed the States that a working party had been set up to carry out, amongst other things, a thorough assessment of the method of setting States house rents and rebates. The working party has completed its research and its findings are the subject of a separate and comprehensive policy letter that examines fundamental changes to the current systems of rent and rebate setting. As a result of the complex nature of the changes examined and the need to consult on their implications, whatever proposals are ultimately approved by the States are unlikely to be effective during 2003. The Authority, therefore, proposes that the present system of setting rents and calculating rent rebates remains in place (with the exception of the Principal Earner Rule) until such time as an implementation date is approved by the States.

In the interim, the Authority proposes that, in common with the practice adopted in recent years, rents and rebates should be increased by the rate of inflation to ensure that rents maintain their relative value, and to ensure that the value of the rebate is maintained for those of limited means. The relevant Retail Price Index is that at 30 September 2002 which was 3.9%

**GENERAL POLICY ON RENTS AND REBATES**

The Authority's general approach to States' house rents and rent rebates was set out in the report considered by the States in May

1988 (Billet d'Etat XIII). This included the following statement of principles:

- 1) Rent subsidies should not be used to keep general rent levels low;
- 2) Subsidies should not be distributed to tenants who do not need them; and,
- 3) The aim of the scheme should be to ensure that tenants with low incomes or large families, or both, should not be asked to pay higher rents than they can afford.

The Authority considers that these three principles continue to be relevant and they have formed the backbone of its comprehensive review.

#### RENTS

Since 1988, the Authority's recommendations for the annual adjustment of rents have been intended to ensure that subsidies are only provided through the Rent Rebate Scheme to those tenants who cannot afford Standard Rents. The Authority is fully aware that this objective has not been achieved and in practice the rents have become subject to a considerable degree of subsidy. The objective of this interim report is to ensure that further increases in this unmeasured subsidy are minimised pending approval and application of a new rent setting process.

The Authority therefore recommends that Standard Rents should be increased by 3.9% in line with the above-mentioned Retail Price Index.

Appendix 1 shows the effect of this increase on the full range of Standard Rents. The largest weekly increase resulting from this proposal would be £4.29 per week, while a typical three bedroomed dwelling would have a rental increase of £3.23 to £85.97 per week. The rent for a typical modern one bed roomed dwelling would increase £3.11 to £82.87 per week.

These increases in Standard Rent only apply to those tenants who are not eligible for a rent rebate.

#### RENT REBATES

The Rent Rebate Scheme was introduced in 1973, with the aim of ensuring that the States' tenants did not have to pay more in rent than they could reasonably afford. The Scheme has been reviewed annually by the States and generally the value of the rebate has been maintained by adjusting the factors in the rebate calculation in line with movements in the Retail Price Index, thereby protecting the rebate against the effects of inflation.

The rules governing the Rent Rebate Scheme are detailed in Appendix 2. The Authority does not generally propose any changes to these rules prior to the final outcome of the detailed review other than the Principal Earner Rule.

However, in order that the Rent Rebate Scheme continues to meet its stated objectives, and to maintain the value of the rebate, it is recommended that all the factors in its calculation are adjusted by 3.9% in line with the increase in the Retail Price Index. This proposal includes an increase in the gross income ceiling for eligibility for a Rent Rebate from £415 to £431 per week.

The proposed rebate factors are shown in Appendix 3; and examples of weekly income and rent payable both for single householders and married couples are shown in Appendix 4. It should be noted that Appendix 4 is in an abbreviated form, but further details will be provided to any tenant or Member of the States who may request them. Similarly any tenant or Member of the States who wishes to know the rental category of a dwelling may obtain this information by contacting the Authority's office.

#### PRINCIPAL EARNERS

One of the current Rebate Rules provides that in certain circumstances a tenant's rent will be based on the financial circumstances of a non-dependent child and not those of the tenant. The purpose of the Principal Earner rule has been to ensure that realistic rents were charged in respect of tenancies where the tenant's income was relatively low but that of their non-dependent child enjoying the same accommodation was much higher.

During the course of the comprehensive review of the Rents and Rebate Scheme the Authority has been advised that the Principal Earner rule is not Human Rights compliant because it attempts to introduce conditions (i.e. the level of rent payable) based on a third party's circumstances, when the tenancy contract is between the tenant and the States. In light of this advice, the Authority will recommend that the Principal Earner rule be discontinued with immediate effect.

If, however, the Principal Earner rule was withdrawn without introducing some compensatory measure around 100 tenants would experience significant reductions in their rent. This would be contrary to the spirit of the original rule which was introduced simply to ensure that non-dependent children over the age of 25 made a realistic contribution towards the accommodation provided by the Authority.

The Authority will therefore recommend that the current charge in respect of a non-dependent child of the tenant over the age of 25 and for each lodger be increased from £13.62 to £20.00 per week.

The Authority acknowledges that the increase in the non-dependent charge will increase the rent of some tenants who currently are not subject to the Principal Earner Rule. However, the Authority believes that the number of tenants affected will be very low because the vast majority of these tenants will already be paying the Standard Rent for their property. Where a tenant experiences an increased rent as a result of the new charge the Authority believes this to be fair and reasonable because it will be applying the increase (previously only made to selected tenants) to all tenants with non-dependents over the age of 25 - all discrimination will be removed as a result.

#### HIGH EARNERS SURCHARGE

As a result of Resolution XIII of the States of 30 April 1992 (Billet VIII), the Housing Authority has, since 1 April 1993, implemented income related-rents for tenants whose income is regarded as high.

Under this scheme, rent is surcharged so that tenants pay more than the Standard Rent for their dwelling. At the time of writing there are 32 tenants paying a surcharge.

The surcharge is intended to provide an incentive or encouragement to tenants to vacate their dwellings and make way for more needy families from the housing waiting list. 95% of the income related surcharge is returned to tenants if they vacate their States' house within a 5 year period. During the process of the Authority's comprehensive review, it has become apparent that the High Earners Surcharge scheme is an area that requires careful consideration. The Authority believes, however, that it would be inappropriate to attempt to amend this scheme prior to the final outcome of the detailed review, when alternative measures may be put in its place.

The Authority, therefore, recommends that the current proportional income thresholds at which the surcharge is activated are adjusted as follows for 2003:

- Income £651 per week - 1/6 of weekly income = £108.50 per week
- Income £681 per week - 1/5 of weekly income = £136.20 per week
- Income £709 per week - 1/4 of weekly income = £177.25 per week

The Authority will continue to exercise discretion and waive the surcharge in appropriate cases; for example, where there is serious ill-health, or where the tenant is approaching retirement age, so that the period of high earning is likely to be relatively limited.

Notwithstanding these changes the Authority will continue to encourage all tenants who can afford to do so to vacate their homes, if necessary with the aid of the States Home Loan Scheme.

#### CONCLUSION

The Authority's comprehensive review of the rent and rebate setting processes examines methodologies that differ fundamentally from the increases and processes proposed in this interim report. Nevertheless, as has already been stated, the interim proposals are necessary to minimise the value of the hidden subsidy contained in the Authority's existing Standard Rents. The Authority, therefore, asks the States to support the interim proposals set out in this report as a holding measure pending States approval of new arrangements for setting and rebating rents.

RECOMMENDATIONS

The Authority recommends the States to agree that:

- 1) Standard Rents for States Houses be increased by 3.9% to the levels set out in Appendix 1;
- 2) The Principal Earner Rule be discontinued;
- 3) The weekly charge to be added to the weekly assessed rent (but not so as to exceed the Standard Rent) for a non-dependent child of the householder aged 25 and over and for each lodger be increased from £13.62 to £20.00;
- 4) The other factors used to calculate a Rent Rebate be adjusted by 3.9% as set out in Appendices 3 and 4;
- 5) The gross income ceiling for eligibility for a Rent Rebate be increased to £431 per week;
- 6) The States Resolution XIII of 30 April 1992 be varied further so that Income Related Rents will not be applied to tenants whose joint gross incomes are under £651 per week as set out in this report;
- 7) All the above changes shall take effect from 3 May 2003.

I should be grateful if you would be good enough to lay this matter before the States with appropriate propositions.

Yours faithfully

B M Flouquet  
President  
States Housing Authority

APPENDIX 1MAXIMUM RENTAL STRUCTUREProposed Rents in **bold** type. *Current Rent in italics*

Category	Bedsit	1 BED	2 BED	3 BED	4 BED
12			<b>95.66</b>	<b>110.21</b>	
			<i>92.07</i>	<i>106.07</i>	
11		<b>82.87</b>	<b>91.98</b>	<b>105.88</b>	
		<i>79.76</i>	<i>88.53</i>	<i>101.91</i>	
10	<b>55.78</b>	<b>77.14</b>	<b>85.32</b>	<b>98.29</b>	<b>114.29</b>
	<i>53.69</i>	<i>74.24</i>	<i>82.12</i>	<i>94.60</i>	<i>110.00</i>
9	<b>56.02</b>	<b>74.13</b>	<b>81.87</b>	<b>93.00</b>	<b>105.14</b>
	<i>53.92</i>	<i>71.35</i>	<i>78.80</i>	<i>89.51</i>	<i>101.19</i>
8	<b>51.33</b>	<b>70.94</b>	<b>78.48</b>	<b>90.07</b>	<b>100.55</b>
	<i>49.40</i>	<i>68.28</i>	<i>75.53</i>	<i>86.69</i>	<i>96.78</i>
7	<b>49.12</b>	<b>67.93</b>	<b>75.02</b>	<b>85.97</b>	<b>95.90</b>
	<i>47.28</i>	<i>65.38</i>	<i>72.20</i>	<i>82.74</i>	<i>92.30</i>
6	<b>46.97</b>	<b>64.82</b>	<b>71.75</b>	<b>81.87</b>	<b>91.35</b>
	<i>45.21</i>	<i>62.39</i>	<i>69.06</i>	<i>78.80</i>	<i>87.92</i>
5	<b>44.65</b>	<b>61.80</b>	<b>68.28</b>	<b>77.78</b>	<b>86.70</b>
	<i>42.97</i>	<i>59.48</i>	<i>65.72</i>	<i>74.86</i>	<i>83.45</i>
4	<b>42.50</b>	<b>58.71</b>	<b>64.82</b>	<b>73.74</b>	<b>82.03</b>
	<i>40.90</i>	<i>56.51</i>	<i>62.39</i>	<i>70.97</i>	<i>78.95</i>
3	<b>40.11</b>	<b>55.62</b>	<b>61.45</b>	<b>69.65</b>	<b>77.48</b>
	<i>38.60</i>	<i>53.53</i>	<i>59.14</i>	<i>67.04</i>	<i>74.57</i>
2	<b>38.02</b>	<b>52.22</b>	<b>58.01</b>	<b>65.55</b>	<b>72.83</b>
	<i>36.59</i>	<i>50.26</i>	<i>55.83</i>	<i>63.09</i>	<i>70.10</i>
1	<b>35.85</b>	<b>49.52</b>	<b>54.70</b>	<b>61.45</b>	<b>68.27</b>
	<i>34.50</i>	<i>47.66</i>	<i>52.65</i>	<i>59.14</i>	<i>65.71</i>

APPENDIX 2RENT REBATE SCHEME

1) Any tenant who applies for a rent rebate should complete a form providing details of:

- a) Gross income of tenant and spouse/partner (if earning);
- b) Number of children at education establishments or under school age;
- c) Number and ages of children in employment (earnings not required);
- d) Number of lodgers and/or additional families (earnings not required).

\*Note: The gross income includes wages or salary from employment or business, bonuses, overtime, commission and part-time or casual earnings all totalled before deduction of Income Tax, States Insurance Contributions or any other contributions deducted from earnings, but excludes war disability pension, family allowance and attendant allowances.

- 2) Where the tenant accommodates a parent or parent-in-law who are aged 65 or over, a charge will be levied in assessing any entitlement to Rent Rebate. If the parent is below aged 65 and in employment, the normal lodger charge will apply.
- 3) No detailed investigation of income will be made, but simple verification of gross earnings will be required as necessary and in cases where false information is knowingly provided appropriate action will be taken.
- 4) Further adjustments to the rent payable may be made in special cases of personal hardship e.g. invalidity, handicapped persons.
- 5) Where a tenant has been offered alternative accommodation, in essentially the same area on the grounds that his dwelling is under occupied and rejects such offer, the Authority may withdraw the rebate.
- 6) No rebate shall be allowed to a tenant carrying on a business unless he can produce irrefutable evidence that he is entitled to such rebate.
- 7) Rebates will only be granted to tenants whose rent account is in arrears if agreement is reached for the payment of an amount above the rebated rent in order to clear the arrears.
- 8) Rebates will be calculated having regard to the factors detailed in Appendices 3 and 4.

- 9) Where the joint gross income of the tenant and his spouse/partner exceeds £431 per week, no rebate will be allowed.
- 10) Rent charges and rebates are assessed on a 50 week year basis.
- 11) The scheme will be reviewed annually.

APPENDIX 3PROPOSED REBATE FACTORS

- 1) Rent payable assessed at one quarter of gross weekly income of:
    - a) Single householders whose gross weekly income is **£257** or more; and,
    - b) Married couples and other householders whose gross weekly income is **£392** or more.
  - 2) Rent payable assessed at one fifth of gross weekly income of:
    - a) Single householders whose gross weekly income is **£171**; and,
    - b) Married couples and other householders whose joint gross weekly income is **£257**.
  - 3) Rent payable assessed at one sixth of gross weekly income of:
    - a) Single householders whose gross weekly income is **£130**; and,
    - b) Married couples and other householders whose joint gross weekly income is **£193**.
  - 4) Rent payable assessed at one seventh of gross weekly of:
    - a) Single householders whose gross weekly income is **£83**;
    - b) Married couples and other householders whose joint gross weekly income is **£130**.
  - 5) Where the income levels fall between:
    - a) For single householders **£83** and **£257**; and,
    - b) For married couples and other householders **£130** and **£392**,

the rent payable is graduated. (See Appendix 4)
- NOTE: WEEKLY INCOME MEANS JOINT GROSS ANNUAL INCOME DIVIDED BY 52.
- 6) In assessing gross income the first **£2,372** of earnings of a one parent family are disregarded.

- 7) For every child of school age or under or in receipt of full time education the weekly assessed rent is reduced by **£3.31**

Additional Charges

- 8) The following amounts will be added to the weekly assessed rent (but not so as to exceed the standard rent):
- a) For each child of the householder aged 18, but under 25 years of age **£9.43;**
  - b) For each child of the householder aged 25 and over and for each lodger **£20.00;**
  - c) For each additional family **£22.42;** and,
  - d) For each aged parent **£4.43.** (This charge may be varied if the parent has owned property)

NOTE: "WEEKLY ASSESSED RENT" RELATES TO A 50 WEEK PAYMENT YEAR.

APPENDIX 4SINGLE PERSONS

	Weekly Income	Assessed Rent		Weekly Income	Assessed Rent		Weekly Income	Assessed Rent
	£	£ p		£	£ p		£	£ p
1/7th	83.00	12.33	1/5th	171.00	35.57	1/4th	257.00	66.82
	90.00	13.87		180.00	38.81		260.00	67.60
	100.00	16.07		190.00	42.41		270.00	70.20
	110.00	18.27		200.00	46.01		280.00	72.80
	120.00	20.47		210.00	49.61		290.00	75.40
1/6th	130.00	22.53		220.00	53.21		300.00	78.00
	140.00	25.73		230.00	56.81		310.00	80.60
	150.00	28.93		240.00	60.41		320.00	83.20
	160.00	32.13		250.00	64.01		330.00	85.80
	170.00	35.33		256.00	66.17		340.00	88.40

To assess rent payable for incomes not included in the above table:

- 1) Between £83 and £129 add 22p for each additional £1 of income;
- 2) Between £130 and £170 add 32p for each additional £1 of income; and,
- 3) Between £171 and £256 add 36p for each additional £1 of income.

Incomes of less than £83 assess at one seventh of income.

Incomes in excess of £257 assess at one quarter of income.

Incomes in excess of £431 are not eligible for a rebate.

Notes:

- 1) "Weekly Income" means joint gross annual income divided by 52
- 2) "Assessed Rent" relates to a 50 week year.

MARRIED AND OTHER HOUSEHOLDERS

	Weekly Income	Assessed Rent		Weekly Income	Assessed Rent		Weekly Income	Assessed Rent
	£	£ p		£	£ p		£	£ p
1/7th	130.00	19.31		230.00	44.92		330.00	79.37
	140.00	21.51		240.00	48.02		340.00	82.92
	150.00	23.71		250.00	51.12		350.00	86.47
	160.00	25.91	1/5th	257.00	53.46		360.00	90.02
	170.00	28.11		260.00	54.52		370.00	93.57
	180.00	30.31		270.00	58.07		380.00	97.12
	190.00	32.51		280.00	61.62		390.00	100.67
1/6th	193.00	33.45		290.00	65.17	1/4th	392.00	101.92
	200.00	35.62		300.00	68.72		400.00	104.00
	210.00	38.72		310.00	72.27		410.00	106.60
	220.00	41.82		320.00	75.82		420.00	109.20

To assess rent payable for incomes not included in table:

- 1) Between £130 and £192 add 22p for each additional £1 of income;
- 2) Between £193 and £256 add 31p for each additional £1 of income;
- 3) Between £257 and £391 add 35.5p for each additional £1 of income.

Incomes of less than £130 assess at one seventh of income.

Incomes between £392 and £431 assess at one quarter of income.

Incomes in excess of £431 are not eligible for a rebate.

The above assessed rents may be subject to deductions and additions in respect of the allowances and charges set out in **Appendix 3**

Notes:

- 1) "Weekly Income" means joint gross annual income divided by 52
- 2) "Assessed Rent " relates to a 50 week year.

**(NB The States Advisory and Finance Committee  
supports the proposals)**

The States are asked to decide:-

XVIII.- Whether, after consideration of the Report dated the 20<sup>th</sup> February, 2003, of the States Housing Authority, they are of opinion:-

1. That Standard Rents for States Houses be increased by 3.9% to the levels set out in Appendix 1 to that Report.
2. That the Principal Earner Rule be discontinued.
3. That the weekly charge to be added to the weekly assessed rent (but not so as to exceed the Standard Rent) for a non-dependent child of the householder aged 25 and over and for each lodger be increased from £13.62 to £20.00.
4. That the other factors used to calculate a Rent Rebate be adjusted by 3.9% as set out in Appendices 3 and 4 to that Report.
5. That the gross income ceiling for eligibility for a Rent Rebate be increased to £431 per week.
6. That the States Resolution XIII of 30 April 1992 be varied further so that Income Related Rents will not be applied to tenants whose joint gross incomes are under £651 per week as set out in that Report.
7. That all the above changes shall take effect from 3 May 2003.

**STATES INCOME TAX AUTHORITY**  
**INCOME TAX LAW AND HUMAN RIGHTS**

The President  
States of Guernsey  
Bailiff's Chambers  
Royal Court House  
St Peter Port  
GUERNSEY  
GY1 2PB

13 January 2003

Dear Sir

**INCOME TAX LAW AND HUMAN RIGHTS**

The Income Tax Authority has now completed its review of the Income Tax (Guernsey) Law 1975, as amended ("the Income Tax Law") and the Dwellings Profits Tax (Guernsey) Law 1975 ("the Dwellings Profits Law"), in preparation for the implementation of The Human Rights (Bailiwick of Guernsey) Law, 2000.

It will be necessary to keep certain matters under review but having received advice from the Law Officers, the following changes are recommended in order to ensure compliance with the Human Rights Convention.

**The Income Tax Law**

**Section 51(2) – proportional allowances**

If an individual is solely or principally resident in Guernsey then he or she is entitled to claim the full personal allowances for the year of charge. However, an individual who is resident but not principally or solely resident or who is non-resident is only entitled to claim a proportion of the personal allowances according to the length of time spent in the island in a year of charge.

However, Section 51(2) provides a measure of relief for individuals who are treated as non-resident or resident but not solely or principally resident. This relief only applies to British Subjects and residents of the United Kingdom or of the other Channel Islands.

The effect of the "proportional relief" is that an individual who is a British Subject or resident in the United Kingdom or the other Channel Islands and whose only sources of income arise in Guernsey, would be entitled to claim the full year's personal allowances to set against that income.

If there is income from outside Guernsey then this must be taken into account when calculating the relief, if any. The example in Appendix I illustrates how proportional relief is applied.

As the proportional relief is restricted to certain nationalities, the Law Officers have confirmed that this subsection contravenes Article 14 and Article 1 of the First Protocol, in that it is discriminatory. They have advised that the references to “British subjects and residents of the United Kingdom or other Channel Islands” should be removed so that proportional relief is available to anybody, including those who are neither principally nor solely resident.

The Income Tax Authority is recommending the States to agree to the amendment of the Income Tax Law accordingly. There are no consequential amendments.

There may, however, be an impact on the Income Tax Authority’s work, in that there are known to be at least 4,000 individuals who are neither principally nor solely resident in Guernsey but do have earned income arising in Guernsey from which Guernsey income tax is deducted. However, only 261 claims to proportional relief were submitted for the Year of Charge 1999 and as many guest workers would not currently qualify, an increase in claims can be expected. The Civil Service Board has been apprised of the possibility for the need of an extra member of staff should the States resolve to extend eligibility for proportional relief. However, other staff savings may mean that this is not necessary.

There would also be an impact on general revenue. If the majority of the 4,000 cases identified became eligible to submit a claim then the tax repayable might be in excess of £1m per annum. As any claimant would be required to declare their worldwide income to the Income Tax Authority, which, as shown by the example at Appendix 1, affects the amount of relief, it is impossible to predict the actual amount involved with any degree of accuracy. Indeed many individuals who are eligible to claim choose not to do so for one reason or another.

The Authority considered the alternative of removing proportional relief altogether but decided that this would be inequitable. It would have a particularly adverse effect on those individuals who choose to retire abroad and whose major source of income may be a Guernsey occupational pension. They would no longer be able to obtain the benefit of personal allowances to set against that pension. Withdrawal of relief would obviously come as a severe blow to those who had budgeted in the expectation of receiving the benefit of proportional relief and would also act as a deterrent to people leaving the Island on retirement in future.

#### Section 78(2) – hearing of appeals

This subsection entitles both an appellant and the Administrator to be represented, during an appeal hearing, by an advocate or by a suitably qualified accountant. The Law Officers have advised that the limitation placed on those who can appear under section 78(2) is probably not justified and might, as a result, affect the ability of an appellant to present his case with “equality of arms”. There would appear to be no reason to impose limitations on rights of audience before the Income Tax Authority or the Guernsey Tax Tribunal.

The views of the Guernsey Tax Tribunal have been sought and the Members have suggested that Guernsey should follow the United Kingdom on this matter. The Regulations governing appeals proceedings in the United Kingdom state:

“At the hearing of any proceedings before a Tribunal:

- (a) a party other than the Revenue may be represented by any person, whether or not legally qualified, except that if in a particular case the Tribunal is satisfied there are good and sufficient reasons for doing so it may refuse to permit a particular person, other than one who is legally qualified or who has been admitted a member of an incorporated society of accountants to represent a party at the hearing; and
- (b) the Revenue may be represented by a barrister, advocate, solicitor or any officer of the Board.”

The Income Tax Authority is recommending the States to agree to the amendment of the Income Tax Law accordingly. There will, however, be a need for a consequential amendment, in that section 68 of the Income Tax Law enables the Administrator to require accounts to be certified by an accountant competent to appear on an appeal in accordance with the provisions of subsection (2) of section 78.

It will be necessary, therefore, to amend section 68 so that the Administrator may still request accounts certified by an accountant who is a member of the Institute of Chartered Accountants in England and Wales, the Institute of Chartered Accountants in Scotland, the Institute of Chartered Accountants in Ireland or the Association of Chartered Certified Accountants or who holds an equivalent qualification, as currently provided by section 78(2).

The Income Tax Authority is recommending the States to agree to the amendment of the Income Tax Law accordingly.

#### Section 188D – formal grant or refusal of International Tax Status

This subsection states that there can be no appeal against the Income Tax Authority’s decision. This would appear to be in violation of the Convention and the subsection should be revised to allow an appeal against the Authority’s decision. Such an appeal would be heard by the Guernsey Tax Tribunal and Members of the Tribunal have indicated their willingness to hear such appeals.

The Income Tax Authority is recommending the States to agree to the amendment of the Income Tax Law accordingly.

#### **Dwellings Profits Law**

##### Section 24 – offences by bodies corporate

This section reads as follows:

“Where a person convicted of an offence under this Law is a body corporate, every person who, at the time of the commission of the offence, was a director or officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of that offence.”

The Law Officers have advised that this prohibition violates Article 6(2), which states that everyone charged with a criminal offence shall be presumed innocent until proven guilty. This is because the provision assumes guilt without apparently requiring the prosecution to prove anything.

The Income Tax Authority is recommending the States to agree to the amendment of the Dwellings Profit Tax Law to reflect the principle that anyone charged with a criminal offence shall be presumed innocent until proven guilty.

### **Recommendation**

The Income Tax Authority therefore recommends the States to approve the following amendments to the Income Tax Law and the Dwellings Profits Law:

#### Income Tax Law

- (a) The removal of the reference to “British subjects and residents in the United Kingdom or the other Channel Islands”, currently contained in section 51(2) with effect from 01 January 2004.
- (b) A revision to section 78(2) in respect of representation before the Guernsey Tax Tribunal or the Income Tax Authority.
- (c) A revision to section 68, to allow the Administrator to continue to request accounts certified by a suitably qualified accountant.
- (d) A revision to section 188D, to allow an appeal against the Income Tax Authority’s decision.

#### Dwellings Profits Law

A revision to section 24, to reflect the principle that anyone charged with a criminal offence shall be presumed innocent until proven guilty.

I should be grateful if you would lay this matter before the States, with appropriate propositions, including one directing the preparation of the necessary legislation.

Yours faithfully

W LE R ROBILLIARD

President  
Income Tax Authority

**Appendix I****Application of Proportional Relief**

Mr A, is single, is not a British subject and is not resident in Guernsey for income tax purposes

Mr B, is single, is a British subject and is not resident in Guernsey for income tax purposes.

Both Mr A and Mr B receive the following income and tax deductions in the calendar year 2003:

UK salary	£30,000
Guernsey rental income	£12,000 (tax deducted £2,400)

Mr A is not entitled to any further relief but Mr B is entitled to proportional relief as follows.

One first calculates the liability to Guernsey income tax on the total income, i.e.

Total income	£42,000.00
Less single personal allowance	<u>£ 7,500.00</u>
	<u>£34,500.00</u>
Tax on £34,500 @ 20%	<u>£ 6,900.00</u>

The following formula is used to calculate the relief:

$$\frac{\text{Guernsey income}}{\text{Total income}} \times \text{Guernsey tax on total income}$$

In this case the relief would be:

Tax deducted £12,000 @ 20%	£ 2,400.00
Tax payable on income liable to Guernsey income tax	
Guernsey income $\frac{£12,000}{£42,000} \times £6,900$	<u>£ 1,971.43</u>
Total income	£42,000
	relief due £ 428.57

Mr B would then be entitled to a repayment of £428.57 to which Mr A is not entitled.

**(NB The States Advisory and Finance Committee supports the proposals)**

The States are asked to decide:-

XIX.- Whether, after consideration of the Report dated the 13<sup>th</sup> January, 2003, of the States Income Tax Authority, they are of opinion:-

1. That the Income Tax (Guernsey) Law, 1975, as amended, shall be further amended as follows:-
  - (a) by the removal of the reference to “British subjects and residents in the United Kingdom or the other Channel Islands”, currently contained in section 51(2) with effect from the 1<sup>st</sup> January, 2004;
  - (b) by a revision to section 78(2) in respect of representation before the Guernsey Tax Tribunal or the Income Tax Authority;
  - (c) by a revision to section 68, to allow the Administrator to continue to request accounts certified by a suitably qualified accountant;
  - (d) by a revision to section 188D, to allow an appeal against the Income Tax Authority’s decision.
2. That section 24 of the Dwellings Profits Tax (Guernsey) Law, 1975, shall be amended to reflect the principle that anyone charged with a criminal offence shall be presumed innocent until proven guilty.
3. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

**STATES RECREATION COMMITTEE****THE FORMATION OF A GUERNSEY SPORTS COMMISSION**

The President  
States of Guernsey  
Royal Court House  
St Peter Port  
Guernsey

20 February 2003

Sir,

**The Formation of a Guernsey Sports Commission****1. Introduction**

- 1.1. The States Recreation Committee has worked increasingly closely with sporting organisations over the last few years in order to increase and improve the provision for sporting opportunities in the Island. This close working relationship has been successful, allowing the expertise and knowledge available within the sporting field to inform and structure the Committee's actions.
- 1.2. The formation of a Sports Advisory Council with members of the Committee working together with senior figures from the Guernsey Sports Council, Commonwealth and Island Games Associations, Guernsey Council for Disability Sport and the Education Council has ensured a shared vision for the provision and funding of sports development. The Sports Advisory Council has worked tirelessly to promote the development of sport, including advising the Committee on the allocation of travel grants to athletes and coaches through its Sports Development Fund.
- 1.3. Over the past four years the Recreation Committee has also been working closely with the Organising Committee for the 2003 Nat West Island Games. A Joint Venture Company limited by guarantee, a not for profit organisation, was established to organise the Games and attract sufficient sponsorship. The States of Guernsey contributed £250,000 towards the staging of the Games while a further £750,000 has been raised from the private sector.
- 1.4. The organisation required for a successful staging of the Games is both complex and demanding. Over 1,000 volunteers will be required in the run up to the Games and during the week of actual competition. All of the 15 sports involved have put together teams of officials and helpers, drawing on past and present members of their organisation to assist. The enthusiasm and willing

assistance shown has demonstrated the depth of resources that the Island can muster from sporting organisations. Many volunteers are learning new skills, retraining as officials and umpires, with a number looking to stay on in sport after the Games. It is the intention of the Island Games Organising Committee to build on the legacy of the Games by encouraging as many volunteers as possible to continue their involvement with sport for the future.

- 1.5. With regard to capital projects, a substantial investment by the States in its premises at Beau Sejour Centre and Footes Lane will ensure high standards of sporting facilities in time for the Games and for many years to come. In addition the Committee entered into a public / private partnership with the Guernsey Stadium Trust to build a prestigious 720 seat grandstand. The Trust attracted sponsorship of £600,000 from the private sector to finance half of the cost of the new Garenne Stand.
- 1.6. There has also been a considerable investment by sporting organisations in upgrading their premises and equipment for the staging of the Island Games with the benefit of this re-equipping to be felt for many years to come. Direct sponsorship by the private sector of the purchasing of certain items of equipment has significantly reduced the financial burden on sports, while affording sponsoring companies the benefit of visible marketing opportunities.
- 1.7. The profile of Island sport continues to grow with the performances of the Commonwealth Games team at Manchester2002 perhaps the highest profile achieved in that year.
- 1.8. The strength in depth of Island sport is best illustrated by the fact that 24 young Island sportspersons are currently in England or Great Britain Squads and Teams with some quite superb performances being achieved in their chosen sport. These are serving as positive role models for their fellow competitors and school friends alike by their efforts, determination and commitment.
- 1.9. In February 2003 the first Channel Islands Sports Personality of the Year Award was staged. This high profile annual event has become possible and more importantly relevant because of the standards and profile of sports performance now being reached in both islands.
- 1.10. A renewed drive by the Guernsey Tourist Board towards attracting sports tourism has been launched recently, looking to build on the high quality events staged in the local sporting calendar. It is to be hoped that improved support and sponsorship can be channeled into new and existing events to the mutual benefit of tourism objectives and the organising sports themselves.
- 1.11. These varied examples outlined above have encouraged the Recreation Committee into the view that it should be possible to initiate an ongoing

highly effective public / private partnership by building on these examples. This would take the form of creating a body that would expand and enhance the role of the Sports Advisory Council mentioned above. It is also considered that it is possible to improve the provision of funding for sport by continuing to tap into private sector sources as demonstrated. The Committee is clear, however, that the examples of partnership funding described above have come about primarily because of the vision, energy and commitment of its private sector partners, there being a general prejudice against private sector sponsorship being applied directly to States Committees.

- 1.12. The Committee has therefore established a small working party with a number of partners to investigate the creation of a public / private partnership body, provisionally entitled the Guernsey Sports Commission. This Commission would succeed the Sports Advisory Council and expand its role by serving as a vehicle to attract financial support for sport as well as to promote Sports Development.

## **2. Reason for the creation of a Sports Commission**

- 2.1. In looking to establish the reason for setting up a Sports Commission the working party identified that it would meet a clear need or shortfall in both representation and particularly provision for sport that could not easily be provided by the States or by sporting organisations. The working party also identified other benefits, not simply financial that would address changing needs in the organisation and funding of sporting activities and their ongoing development.
- 2.2. Such a Commission would be well placed to seek new sources of finance for sporting initiatives, working closely with the community to progress sporting aspirations and ideals. It would also ensure that there is an independent and powerful “Voice for Sport” representing the interests of sporting organisations in a wide number of areas.
- 2.3. A broad mandate for the proposed Commission was agreed as:

**To promote and support a healthy, active and successful sporting community through improved investment in sporting and recreational activities.**

- 2.4. Its main objectives were set as:

**Ensuring recognition of the benefit of sport to the individual and to the Island.**

**Providing a strong and identifiable voice for sport within the community.**

**Providing appropriate support and encouragement to sporting bodies, organisations and clubs in order that they may prosper.**

**Promoting the development of an improved sports infrastructure, whilst strengthening the role of volunteers, administrators and coaches.**

**Improving the equitable provision of sporting opportunities and participation at all levels.**

**Assisting sports to develop individuals and teams to achieve excellence.**

**Encouraging private sector funding to supplement States funding.**

**3. The proposed constitution of the Guernsey Sports Commission**

- 3.1. The working party propose that the following would constitute the founding corporate members of the Commission:

States Recreation Committee  
Guernsey Sports Council  
Guernsey Island Games Association  
Guernsey Commonwealth Games Association  
Guernsey Youth Sports Trust  
Guernsey Council for Disability Sport  
Guernsey Association of Sports Coaches

- 3.2. All Island Governing Bodies of Sport would be expected to become member bodies of the Commission and would need to provide proof that they:

Are properly constituted  
Have Development Plans in place  
Maintain Child Protection Policies  
Maintain Drugs Policies  
Maintain appropriate insurances

These requirements would need to be in place before they can receive sports development funding or other assistance from the Commission. ( This echoes the current situation for receiving funding from the Recreation Committee )

- 3.3. The working party also consider that the Commission should look to establish a wide range of partners including:

States Education Council  
Board of Health  
Tourist Board  
Youth Justice Department

Physical Education Association  
Guernsey School Sports Association

#### **4. Structure of the Commission:**

4.1. It is important to ensure that an appropriate legal framework for the Commission is established. The Recreation Committee has in mind using the model of The Training Agency, which is a Trust established under existing legislation. The new Trust would be formed with the Trustees being:

a person appointed by the Advisory & Finance Committee to represent the interests of the States generally;  
a person appointed by the Recreation Committee to represent the interests of the States on sporting matters;  
two persons appointed by the Recreation Committee to represent the interests of the sporting fraternity.

4.2. It is intended that a corporate entity, The Guernsey Sports Commission, will be formed by the Trust with the Trustees appointing the Board of Directors of the entity, the members of which will be known as Sports Commissioners. The intention is that initially there will be nine Sports Commissioners as follows:

A Chairman  
A member of the Recreation Committee  
The Chief Executive of the Recreation Committee  
Six other Commissioners.

The Trustees will, however, have the discretion to change the make up of the Board of Directors as the work of the Commission develops and to meet changing circumstances.

4.3. This corporate entity will be responsible for the day to day activities of the Guernsey Sports Commission.

4.4. Provision would be made for the appointment of outside experts to specific projects and for observers to attend meetings of the Commission.

4.5. It is proposed that the exact framework for the legal structure, formation of the Trust and the Guernsey Sports Commission will be agreed with the Advisory and Finance Committee and the Law Officers.

#### **5. Initial Appointment of Commissioners:**

5.1. The Recreation Committee propose that the process of identifying the initial Commissioners be undertaken by its current working party which will then make appropriate recommendations to the Trustees.

- 5.2. The Commissioners should be knowledgeable about sport, helpful, from a range of backgrounds and interests, of high status in the Island and have the ability to attract co-operation and sponsorship. It is important, however, that there is adequate “grass roots” representation of sporting interests to ensure that the work of the Commission continues to engage and retain demonstrable support from sports. There will be no remuneration paid.

## **6. Terms of reference**

- 6.1. It is proposed that the Recreation Committee would retain ultimate responsibility for:

Strategy for Sport and Recreation  
 Capital projects and sports loans approval  
 The appointment of Commissioners  
 Financial resource allocations  
 Staff Resource allocations

The Committee would, however, expect to receive policy advice from the Commission on the above and to that extent the Committee anticipates that some of the Recreation Committee’s functions will be delegated.

With regard to an appeals procedure, the Commission would be expected to provide advice for constituting appropriate appeal mechanisms with ultimate responsibility for the actual choice of appeal mechanism resting with the Committee. ( There is a possibility that an independent Channel Islands Sports Disputes Resolution Panel may be formed with Jersey. )

- 6.2. The Recreation Committee proposes that it would delegate decision making responsibility to the Commission for:

Sports Development initiatives  
 Sports Development funding awards  
 Sporting Facilities Strategy  
 Fundraising and sponsorship  
 Sports Loans recommendations  
 Support for sporting bodies

- 6.3. There are well-developed policies already established in the areas listed above that will be passed to the new Commission thus enabling a continuity and consistency of action upon commencement of their responsibilities. It is intended to ensure that there is a smooth transition from the work of the Sports Advisory Council and of the Guernsey Sports Council to that of the Guernsey Sports Commission with some initial overlap for the purposes of continuity.

- 6.4. It is expected that, when the Commission can be seen to be firmly established as an operating body, the Sports Advisory Council will cease to exist and this may also be the case with the Guernsey Sports Council. The Recreation Committee has been encouraged by the support and enthusiasm of both of these bodies for the creation of the proposed new Commission, recognising the benefits that can be brought to bear for sport. In the case of the Guernsey Sports Council there is a realisation that after many decades of representing and supporting individual sports changing circumstances in the make up and infrastructure of sport has meant that their role and effectiveness has gradually diminished. The Recreation Committee would place on record here their grateful thanks to the Guernsey Sports Council and its many dedicated officers who have provided a focus and leadership for sport at times when it was badly needed.
- 6.5. The support for sporting bodies from the Commission will be both tangible (financial and physical ) and intangible ( ideas, motivation, direction and administrative assistance and encouragement ).
- 6.6. The Recreation Committee would retain responsibility for the strategic development and management of its sporting facilities and Beau Sejour Leisure Centre.

## **7. A shared vision**

- 7.1. It is proposed that the newly appointed Commission progress the Recreation Committee's Strategy for Sport and Recreation. They should maintain this Strategy in agreement with the Recreation Committee and after appropriate consultation with member bodies. This should be circulated and promoted to as wide an audience as possible. It would also be expected that the Commission would submit an annual report.
- 7.2. There is no doubt that the structure proposed relies on trust between the Recreation Committee and the Commission. The experience gained with the Sports Advisory Council has demonstrated that the enthusiasm to be part of the process of channeling States support into sport has proved to be a most worthwhile exercise for those involved. It has been a two-way education process with the Committee vastly increasing its knowledge of how sports are organised and funded and sports learning more of the broad aims and objectives of the Committee and of the limited resources it has at its disposal. There has been a great deal of support and encouragement given both ways, which has created a true sense of cooperation. It is to be hoped that this enthusiasm and optimism can be carried forward for the future and directed through the Commission.

## 8. Resources to be applied

- 8.1. The working party proposes that, upon formation, the Commission be housed in the Committee offices on the ground floor of the Coach House at Beau Sejour Centre. An assessment of the rental value has been applied. With regard to staffing it is proposed that initially the Chief Executive of the Recreation Committee fill the role of Secretary to the Commission with executive responsibility. This staffing will be reviewed at the end of 2004 when it is envisaged that a part time executive officer may be appointed as a replacement. It is further proposed that the two current staff of the Sports Development Unit will be seconded to the work of the Commission for an initial period until the end of 2004. The Recreation Committee and the Civil Service Board will review the continuation of any secondment beyond that date at that time or when any future staffing decisions may be made.
- 8.2. Dependant upon the level of States funding provided to the Recreation Committee it is hoped that a revenue provision from the States Recreation Committee can be agreed and provided for four - year periods. It is proposed that the various resources described below will be provided by the Recreation Committee to the Commission in good time for its first year of operation.

<u>Transfer of Resources</u>	<u>£</u>	<u>Notes</u>
Premises	11,000	Notional market rent for use of premises
Equipment	2,000	Notional cost applied
Utilities, Maintenance and Cleaning	8,000	Notional cost applied
Office Administration	5,000	Notional cost applied
Salaries and Superannuation - Director	10,000	Part time allocation of cost
- Sports Development Staff	55,700	
Sundries ( Marketing, Hire of facilities, Staging of Seminars, etc )	5,500	
Sports Development Grants	65,000	
Sports Specific Development Officers	35,000	
<b><u>Total</u></b>	197,200	Per annum
<b><u>Plus – Funding of Teams</u></b>		<b><u>States Resolution</u></b>
Island Games	Formula led	50% of travel costs paid every 2 years –
Commonwealth Games	Formula led	50% of travel costs paid every 4 years –

## **9. The level of resources targeted to be achieved**

- 9.1. It can be seen from the table in the previous section that the States Recreation Committee's budget for Sports Development in 2003 is £197,200 inclusive of notional costs. It is intended that these resources be provided to the Commission upon its creation together with the secondment of staff. Similarly the funds for Island teams competing in the Island and Commonwealth Games will be transferred through the Commission.
- 9.2. With regard to funding the initial objective of the Commission is to attract private funding for its activities of £150,000 per annum by the end of 2004. At this time the Recreation Committee will carry out a comprehensive review of its activities.
- 9.3. It is proposed that by the end of 2004 the Commission will be in a strong enough position to consider the appointment of a part – time executive officer.
- 9.4. Premises, services and staffing will continue to be provided at the Recreation Committee offices as appropriate on a notional cost basis.

## **10. Safeguards and Scrutiny**

- 10.1. It is important to note the elements of control that the Recreation Committee will continue to exercise over the activities of the Commission. It will provide or agree a long-term strategy and objectives for the Commission to achieve and will carry out a rigorous annual review of its Business Plan. It can ultimately request that the Trust agree to the replacement of the Chairman or Commissioners if it believes that the objectives set are not being achieved.
- 10.2. Proper arrangements will be made for a suitable appeals procedure to be provided in order to consider any appeals that may be made against the actions or decisions of the Commission.
- 10.3. It is intended that a copy of the annual report of the Commission will be published and widely circulated to interested parties including the Advisory and Finance Committee, Audit Commission and Civil Service Board. There will also be an open Annual General Meeting held at which the activities of the Commission outlined in the annual report will be presented and discussed. The Commission will also formally consult at least twice a year with its constituted member bodies.
- 10.4. If the Commission should fail, if it overstretches itself, if there is a reduction in the original enthusiasm and drive or if changes in society or States funding levels so dictate then it can be wound up by the Trust. The Recreation Committee would then resume its role in sports development.

## **11. Conclusions**

- 11.1. The Recreation Committee believes that the proposal outlined above for the formation of a Guernsey Sports Commission addresses a number of issues with regard to the provision of support for sport and provides a number of tangible benefits.
- 11.2. The Committee has previously demonstrated its view that, where practical, working together with partners towards a common goal can have more beneficial results for all parties. An example of this thinking is the leasing of the L'Ancrese Golf Course to the two clubs who play on the course, transferring resources to them so that the maintenance and future improvement of the course is in the hands of the sport and its membership rather than the States of Guernsey. It will continue in the future to look for options where opportunities for more effective action and empowerment can be passed to competent sporting bodies.
- 11.3. In common with all other States departments who have suffered from static or declining budgets in recent years the Committee believes that it should look to find alternative sources of funding. The States themselves are proposing that Committees should look more closely at alternative methods of provision of their services. In this instance that is exactly what the Recreation Committee has done.
- 11.4. Much will depend on the enthusiasm and drive so evident within sport in recent years. There is a new wave of professional management and development initiatives sweeping through sporting organisations demonstrated by full time appointments of development and executive officers and volunteers working as child protection officers in a growing number of sports.
- 11.5. The energy and commitment demonstrated by the Organising Committee of the 2003 Nat West Island Games has shown that dedicated individuals are prepared to contribute their time and effort to the right cause. The sponsors of the Games and the new Garenne Stand have enjoyed their involvement and the profile gained for their companies by their linking with sport in this way.
- 11.6. It will be a considerable challenge to those appointed to the Commission to "deliver the goods". The Committee believes that the road ahead will be challenging but ultimately the rewards to be gained are such that it must start the process without delay.

## **12. Recommendations**

12.1. The States Recreation Committee therefore recommends the States:

- a) To approve the setting up of the Guernsey Sports Commission as described in this report.
- b) To approve in principle the delegation of the Recreation Committee's powers as identified, and to the extent set out, in paragraphs 6.1 and 6.2 of the Policy Letter to the Guernsey Sports Commission.
- c) To authorise the Recreation Committee to provide to the Guernsey Sports Commission by way of grant, notional transfer or secondment the level of resources described in this report for 2004 with a pro rata allocation for the period of operation in 2003.
- d) To authorise the Recreation Committee to determine the level of resources to be applied, from within its own resources, to the Guernsey Sports Commission for subsequent years.
- e) To direct the Advisory and Finance Committee to take due account of the above proposals when calculating and recommending to the States the Recreation Committee's revenue expenditure limit for subsequent years.

I request that you will be good enough to lay this report before the States together with appropriate propositions.

Yours faithfully

P SIRETT

President,  
States Recreation Committee

The President  
States of Guernsey  
Royal Court House  
St Peter Port  
Guernsey  
GY1 12PB

27 February 2003

Dear Sir

**The Formation of a Sports Commission**

I refer to the letter dated 20 February addressed to you by the President of the Recreation Committee on the above matter.

The thrust of the proposals is to delegate a limited and specified area of the current responsibilities and activities of the Recreation Committee to an appropriately structured arms length body, The Sports Commission, in which the sporting fraternity will have a greater involvement. The Committee has received assurances from the Recreation Committee that the formation of the Commission will not involve additional expenditure by the States but that it will assist in targeting existing resources more effectively and is likely to attract more private sponsorship of sport.

A joint States/sporting bodies/private sector approach has worked very well for the 2003 Island Games and the model of a Sports Commission has worked effectively in other jurisdictions.

The approach proposed closely follows that adopted by the States for the Training Agency, which it jointly sponsors with the Guernsey Financial Services Commission. The Advisory and Finance Committee will be involved in developing the detail of the proposed Sporting Commission entities and will ensure that the States interests are adequately protected.

As the proposals involve the delivery of an existing service more effectively, the Committee sees no problems with instigating the new arrangements before the new structure arising from the Review of Machinery of Government proposals is finalised.

Some members of the Advisory and Finance Committee have reservations about the general principles involved and the detailed arrangements but the majority of the Committee recommends the States to approve the proposals.

Yours faithfully

L. C. MORGAN

President  
Advisory and Finance Committee

The States are asked to decide:-

XX.- Whether, after consideration of the Report dated the 20<sup>th</sup> February, 2003, of the States Recreation Committee, they are of opinion:-

1. To approve the setting up of the Guernsey Sports Commission as described in that report.
2. To approve in principle the delegation of the States Recreation Committee's powers as identified, and to the extent set out, in paragraphs 6.1 and 6.2 of that Report to the Guernsey Sports Commission.
3. To authorise the States Recreation Committee to provide to the Guernsey Sports Commission by way of grant, notional transfer or secondment the level of resources described in that Report for 2004 with a pro rata allocation for the period of operation in 2003.
4. To authorise the States Recreation Committee to determine the level of resources to be applied, from within its own resources, to the Guernsey Sports Commission for subsequent years.
5. To direct the States Advisory and Finance Committee to take due account of the above proposals when calculating and recommending to the States the States Recreation Committee's revenue expenditure limit for subsequent years.

**STATES TRAFFIC COMMITTEE****INTEGRATED ROAD TRANSPORT STRATEGY**

The President  
States of Guernsey  
Royal Court House  
St Peter Port  
Guernsey

20<sup>th</sup> February, 2003

Dear Sir,

**INTEGRATED ROAD TRANSPORT STRATEGY****1. INTRODUCTION**

In 1989, the States approved the Island's current road transport strategy and decided that the basic objective of its traffic policy should be to make the most effective use of the Island's existing road network, whilst ensuring that the fullest use was made of the existing public car parks. Priority was to be given to the needs of the short-term parker in the centre of Town in order to maintain St Peter Port's commercial viability. This strategy might best be described as "neutral" in its overall aims and objectives. At the time, the States rejected measures intended to actively encourage the use of alternative forms of transport.

Since then, attempts have been made to modify this strategy, but the only significant change was agreed in 2001, when the States approved the Committee's plans for a new public transport strategy that was intended to encourage significantly greater usage of public transport. A new scheduled bus route network was introduced and, following the States' decision to provide significant new levels of public investment and funding for the services, the Committee and its contractor, Island Coachways, were able to introduce cheap bus fares, additional routes and service frequencies. Passenger numbers have subsequently increased by more than 20% to over 1 million per annum. A new fleet of buses is being introduced into service, which will encourage further growth.

The Committee believes that much of the 1989 strategy is outdated and is not serving the Island well. In 2002, the Committee undertook a major public consultation exercise on its plans for a new integrated road transport strategy for the Island. This proposed strategy reflects the expressed high levels of concern and frustration about increasing traffic congestion and delays, and the consequent

effects on the travelling public, local businesses, tourism, vulnerable road users, the environment and the community in general.

The results of the consultation exercise showed significant public support for the main purpose and objectives of the proposed new strategy, with 60% in favour.

The principal purpose of the proposed strategy is to reduce the level of car usage in the Island. It includes an integrated package of measures and policies that work together to provide incentives for people to consider using their cars less and using alternative forms of transport more.

**The purpose of this policy letter is therefore to put forward a sustainable and integrated road transport strategy and policy framework for the Island, in the light of the consultation exercise, for consideration by the States.**

## **2. BACKGROUND CONSIDERATIONS**

Between 1989 and 2001, the number of vehicles registered for use on the Island's roads has increased by 15% to just under 45,000. Traffic levels have risen accordingly, as have the associated congestion and delays. Significant queues are experienced on arterial routes at peak periods. For example, a recent study has shown queue lengths of between 400m and 500m on the approaches to the Halfway filter during the morning peak. As parts of the road network have become increasingly overloaded at these times, so have the peak periods of congestion become extended.

As vehicle numbers and congestion levels rise, so do the pollutants being emitted and the effect that they have on the environment. The Director of Public Health has previously commented in his annual report that "...the main source of atmospheric pollution in Guernsey is undoubtedly motor vehicles working inefficiently in low gear on our overcrowded urban roads".

The Committee feels strongly that, not only does the Island need to consider the local perspective, but that it should be conscious of its wider international responsibilities to tackle and reduce the harmful emissions and associated effects of high traffic levels.

Significant levels of waterfront and on-street parking have a negative environmental impact in terms of the Town's ambience and aesthetics. The sheer volume of traffic parking on our roads degrades the physical and human environment. Significant levels of on-street parking in Town reduces the capacity of the road network and increases congestion.

This increased congestion and the additional demand for parking are resulting in more aggressive driving habits and a greater abuse of traffic and parking regulations. Such abuse becomes circular by adding to the congestion and frustration already being experienced. In many cases, it can be dangerous for other road users, for instance where cars park illegally on yellow lines that have been installed for safety reasons.

The additional traffic is having a significantly negative impact on vulnerable road users. It acts as a strong disincentive to walking and cycling and represents a significant barrier to the free and safe movement of pedestrians and cyclists. Nowhere has this problem been illustrated more graphically than around the Island's schools, where concerns about the dangers of traffic have meant that many parents are no longer prepared to allow their children to walk or cycle. They now drive their children to school and exacerbate this "vicious circle" further.

Existing levels of congestion have an adverse impact on the reliability of the scheduled and schools bus services. Good reliability is a major consideration in encouraging bus usage and reducing the level of traffic on the roads.

The financial costs to local businesses and the community at large arising from the current levels of congestion are significant. Parking difficulties in Town result in commuters having to "slot-swap" between short-stay spaces, adding further costs to businesses, as staff time is lost and productivity reduced. It also creates further traffic congestion. The use of short-stay spaces by commuters reduces the parking that is available for shoppers, undermining the Town's commercial viability.

Road works also have a significant impact on the circulation of traffic around the Island. The States has previously approved the Committee's strategic plan to improve the coordination of road works. Work to implement these proposals has been progressing well and will come to fruition in 2003. **However, it is also the number of road works, rather than just a lack of coordination, that has significantly contributed to the disruption experienced around the Island.** There have been an average of 525 planned road closures each year over the past four years. This number looks set to continue as the rehabilitation and replacement programmes for many underground services continue, the road resurfacing and reconstruction programme is accelerated and new housing and office developments continue to come on line with a requirement for service connections.

Traffic congestion and parking difficulties have been highlighted by visitors as one of the worst aspects of their holiday experience in Guernsey.

The recent census results illustrate the very high usage of the private car in the Island. About two thirds of those travelling to work drove a car or van. The results suggested that 90% of those that used a vehicle to travel to work did so alone. 4,000 of the 32,000 economically active walked to work, whilst 800 rode a bicycle. Over half of those going to school (over 5000 children) were driven as a passenger in a car or van. 500 pupils drove themselves to school, whilst 757 took the school bus, 1305 walked and 399 used a bicycle.

Against this background, it can be seen that there are a number of key concerns and issues that the Committee has sought to address in developing a new road transport strategy for the Island.

### **3. A NEW INTEGRATED APPROACH**

The Committee does not believe that the basic objective of the 1989 strategy "...to make the most effective use of the road network" is being satisfied. The strategy is not sustainable and the problems on the road network that the Island has been experiencing will be exacerbated if an effective alternative is not put in place. The Committee acknowledges the important role that the motor car plays in Island life. However, it believes that the balance has swung too far in favour of the motor car and that it must redress the situation for the benefit of all road users, including car drivers themselves.

The Committee is therefore proposing a new integrated road transport strategy for the Island that seeks to reduce levels of car usage and provide the following benefits:

- a reduction in the levels of traffic congestion that is responsible for many of the stresses and strains being witnessed on the existing road system;
- the more efficient movement of people and goods around the Island;
- environmental benefits, particularly through reduced vehicle emissions;
- an improved quality of life for all road users and the community generally.

The Committee firmly believes that if the Island is serious about tackling concerns about traffic, then a range of policy initiatives to mitigate the situation is necessary. There is no single solution or initiative that will solve the problem. Consequently, it has developed a set of integrated policies on public transport, parking, vehicle registration and licensing, road safety and the environment so that they complement each other and work together towards a common objective.

At the same time, these policies must recognise that the motor car is an integral part of modern life in Guernsey. Whilst they are sensitive to the needs of the motoring public, they do encourage drivers to be more responsible in the use of their cars and, in particular, to consider whether the car should be the automatic mode of choice for each and every journey being made or whether an alternative is available.

Solid support has been shown for the new strategy being submitted here. In doing so, the Island has turned a page and is accepting that the motor car can no longer be accommodated **regardless** of the social, financial and environmental costs for the community. We now have an opportunity to begin a new chapter where there is balance between the use of our roads, the environment and, most importantly of all, the public's safety.

#### 4. PUBLIC TRANSPORT POLICIES

##### 4.1 Key Considerations

Considerable support for the Committee's plans for the ongoing development of the scheduled bus services was shown during the recent public consultation exercise. The range of proposals set out by the Committee for the scheduled and schools bus services were supported by at least 80% of respondents and, in many cases, considerably more.

The provision of high quality public transport is an essential element of the Committee's package of measures to reduce car usage in the Island. Public transport and, in particular, the scheduled and schools bus services, represents one of the most important alternatives available. Further improvements now need to be made to ensure that public transport is increasingly seen as providing a viable alternative for car drivers, especially commuters.

Recent evidence has clearly shown that the public, both residents and visitors alike, will respond positively to the provision of a high quality bus service. **Passenger numbers increased by almost 22% to beyond 1 million in the first year after the Committee introduced new services and a cheap fare structure. Strongest growth was recorded during the winter months, when the services are mainly used by residents, and numbers increased by up to 35%. Passenger figures during commuter periods throughout the year increased by 21% and, again, the strongest monthly growth was during the winter, when increases of between 23% and 40% were recorded.**

## **4.2 Proposed Public Transport Policies**

### **4.2.1 Scheduled Bus Services**

A cornerstone of the Committee's integrated strategy is the provision of a quality scheduled bus service which is cheap to use, reliable and frequent.

Working in partnership with Island Coachways, a number of important milestones in this respect have already been achieved. This has included the introduction of a new route network. The benefits of this have been set out in two previous reports to the States (Billet d'Etat III of 2001 and Billet d'Etat XXIII of 2002), but of particular importance was the restoration of regular service frequencies across the network and enhancement of service frequencies on key corridors. These have been further enhanced on three subsequent occasions. A system of cheap fares has also been introduced, which now enables passengers to travel for between 20p and 50p per journey.

A brand new modern fleet of buses is currently being introduced. These vehicles are disabled-friendly and wheelchair accessible. They include upgraded seating, low floor and kneeling suspension facilities, air suspension, proper heating and ventilation systems and space for luggage and pushchairs. The new buses provide levels of passenger comfort that are unprecedented for Guernsey. They are also environmentally friendly, with engines that meet the latest European emission standards. They are fitted with Continuous Regenerating Traps, which will reduce carbon monoxide, sulphate, nitrous oxide and particulate matter by a further 90%.

With the new fleet of buses in place, the Island will have a scheduled bus service in place of which it can be justifiably proud. However, the Committee will continue to improve the route network and schedules in consultation with Island Coachways and the public. Its priority now is to further improve the commuter and evening bus services and the schools bus service. The Committee would also like to see the introduction of shuttle bus services in and around Town.

Planning with Island Coachways on these improvements is ongoing. One of the main current constraints is driver availability. However, the Committee is working closely with the Company on the issue of driver recruitment.

Reliability is an important factor in encouraging use of the bus services. It has already been noted that the reduction in traffic volumes which this strategy seeks to achieve will improve the reliability of the bus services. The new buses themselves will be more reliable than the existing elderly fleet. Finally, the Committee is progressing with plans that have been already approved by the States to replace the Island's existing traffic signals. The new signals will include provision for a bus priority system, whereby they will be able to detect an approaching bus and switch to a green phase. This will help to reduce journey

times and improve service reliability, making the services even more attractive to passengers.

The Committee will be continuing with its plans to upgrade the scheduled bus service network infrastructure. This will include:

- improvements to timetable information at bus stops and upgrades to the interactive bus travel planner now available on the internet;
- the installation of additional bus shelters. The Island Development Committee has recently granted permission for shelters at several new sites and the Committee expects to install up to 20 new shelters over the next year or so;
- upgraded passenger waiting facilities at the bus terminus.

The development of the bus services and associated infrastructure, linked to and at least partly funded by the revenue from pay parking (see section 5.2.1 below), will see more and more passengers using them and less dependency on the car in the Island.

#### **4.2.2 Schools Bus Services**

The existing schools bus services comprise the following elements:

- dedicated “private hire” buses that operate to schools around the Island from their main catchment areas. These are provided by the Committee on behalf of the Education Council and are free of charge to children entitled to use them;
- the schools bus “voucher” system, which children can use to travel to and from school on the scheduled bus services. Depending on their circumstances, some children are entitled to these vouchers free of charge and some children have to pay for them.

In very broad terms, children are eligible for free travel on the services depending on their age and the distance that they live from their school.

The 2001 census showed that well over half of journeys to school throughout the Island were made by car. There is considerable scope to reduce and manage traffic congestion on the Island’s roads at peak periods by encouraging greater use of the schools bus services. The evidence is clear for all to see during the school holidays. Not only would this reduce traffic volumes generally, but by reducing the levels of congestion and traffic around the schools themselves, more parents would be encouraged to allow their children to walk or cycle to school. Parents themselves might find it easier to make use of the scheduled bus services or other

alternatives for travel to or from work if their child had access to a school bus service and they no longer had to incorporate the “school run” into their working day.

In the immediate term, the Committee will work proactively with the Education Council to develop, promote and improve the existing private hire network of services on a “targeted” basis. It intends to improve usage of these services, as well as the scheduled bus services. This will include giving consideration to dropping charges for any children that currently pay to use them.

In the longer term, the Committee believes that a free and more comprehensive school bus service should be provided to all school children, regardless of the distance they live from school. However, the additional demand this is likely to generate will have significant resource implications. Additional capital expenditure on extra buses would be required, annual operating costs will increase and additional drivers will be needed. The matter will need careful investigation and the Committee intends to undertake this as a matter of priority before reporting back to the States with firm proposals as soon as possible.

#### **4.2.3 Park-and-Ride Services**

The Committee believes that the provision of additional and improved park-and-ride facilities should be included as one of the tools used to tackle the impact of traffic in the centre of St Peter Port. Considerable support for the introduction of park-and-ride services was shown in the consultation exercise, with around 90% of respondents in favour.

A park-and-ride service is currently provided from Footes Lane using the scheduled bus services. However, its true value has been constrained by the site limitations and the cost of the bus fare to and from Town, where free parking is available. Nevertheless, it does provide a useful alternative facility, particularly for visitors and shoppers during the peak summer months, when usage does rise. The service has become more attractive since cheap bus fares were introduced and following the improvements to the car park made by the Recreation Committee, which is responsible for the site. A bus shelter will be installed there shortly.

Park-and-ride services have also shown themselves to be particularly popular and very well utilised during the Liberation Day celebrations, when parking in Town is considerably restricted and a quick and easily accessible service is provided from Le Val des Terres.

However, if long-stay parking continues to be free of charge in Town, the Committee believes that park-and-ride is unlikely to be an attractive alternative for commuters. Its success will depend very much on the introduction of pay parking (see section 5.2.1 below) so that the cost of long-stay parking in Town exceeds the cost of the park-and-ride journey. Clearly, the location of the park-

and-ride car parks, overall journey times and the frequency of the bus services will also be extremely important factors.

The Committee has been directed to undertake a comprehensive review of the opportunities for improving the Island's park-and-ride infrastructure and introducing new and additional sites and services. The Committee will continue with this review following the States' consideration of this report. Options will be examined for short-stay, as well as long-stay, parkers. In doing so, the Committee will re-examine some existing sites that have previously been considered. This would include the possibility of constructing a multi-storey car park at Sir Charles Frossard House, which previous studies have shown could be feasible and which the Committee believes would be an ideal site for a park-and-ride facility.

#### **4.2.4 Taxi and Private Hire Services**

Taxi and private hire services represent a significant aspect of the Island's pool of public transport resources. The Committee fully recognises the important role that they have to play in reducing dependency on the use of private cars, both by residents and visitors alike.

The Committee reviews its policies in this area annually after consultation with the trade, the Taxi Owners' Federation and other interested organisations and parties. The review focuses on taxi availability, the structure of the taxi and private hire industries, private hire omnibus and car operations, discipline, fees etc.

Undoubtedly, one of the biggest challenges facing this sector at the present time is driver availability. Although the Committee has increased the number of taxi plates available, these are not utilised as fully as they could be because of the shortage of drivers, particularly those working part-time. Measures to assist with driver recruitment have been implemented and the Committee has also agreed changes to the taxi fare tariffs to encourage drivers to work at those peak, but often anti-social, times when taxi availability is a problem.

The Committee is committed to the ongoing development and promotion of the taxi and private hire sectors. Amongst its current priorities are:

- an independent review of the taxi fares structure, balancing the need to attract drivers with the requirements of the public for a service that offers value for money;
- investigating in conjunction with the Taxi Owners' Federation the introduction of taxi-sharing schemes. After considering the Committee's policy letter reviewing the Island's public transport laws (Billet d'Etat XX of 2000), the States agreed that the legislation should be amended to enable a practical and properly structured taxi sharing scheme to be

introduced. The legislation is currently awaiting preparation for approval by the States;

- investigating the introduction of an Airport and Harbour “transfer” bus service to and from the Island’s hotels. Again, after considering the above policy letter, the States has previously agreed to an amendment to the legislation that will enable the Committee to introduce a new category of licence to cater for the operation of such services. The legislation is also awaiting preparation;
- introducing a minimum annual mileage condition for taxi licences (this will replace the current condition that requires each licence holder to work for a minimum number of hours per week).

## **5. PARKING POLICIES**

### **5.1 Key Considerations**

In determining its proposed parking policies, the Committee has had particular regard for the following key, and sometimes conflicting, considerations:

- the parking problems in St Peter Port are having a significant impact on residents, commuters, businesses, shoppers and visitors alike. Improving access to St Peter Port is clearly fundamental in helping to maintain and improve the Town’s viability and vitality;
- there has been an erosion of St Peter Port’s existing public and private parking stock, for example at the Charroterie Mills and Royal Hotel. Whilst these facilities will be replaced as part of the development of these sites, the parking that is eventually provided will be intended to service the new office and housing developments at each site;
- with a shortage of parking, additional traffic movements are generated by vehicles circulating looking for spaces or by commuters “slot-swapping” during the day, which has significant cost implications for businesses;
- a significant number of Town residents move their cars from the streets outside their homes to the off-street car parks just to comply with the traffic regulations, thereby generating additional peak period movements and demand for off-street parking;
- whilst additional car parking would assist in resolving the above issues, it also acts as a “traffic generator”, as easier access to parking facilities encourages drivers to make either extra car based trips, trips they might

not otherwise have made or trips that might have otherwise been made by alternative means;

- a very significant increase in the stock of parking in St Peter Port would not provide any real incentive for the public to consider alternative methods of transport.

Various studies in recent years have suggested that there is a shortfall in parking provision in St Peter Port of anywhere between 1000 and 2000 spaces. Whilst the Committee accepts that some additional parking is required to replace at least some of the facilities that have been lost, it does not accept that the immediate response should be to provide anywhere like the above number of spaces. The additional traffic that this number would generate would be environmentally damaging and could not be sustained by the highway network, particularly at the centre of Town.

The Committee believes that there is considerable scope for and merit in a more balanced approach to the situation. **This would involve a “measured” amount of new parking facilities, which would represent just one element of a package of measures intended to improve access to St Peter Port in a long-term and sustainable manner.** This package would also seek to encourage restraint in car use, promote the use of alternative forms of transport and would be linked to the further significant improvements to the bus services set out in section 4 above.

## 5.2 Proposed Parking Policies

### 5.2.1 Pay Parking – Long-Stay Car Parks

The Committee is proposing that pay parking should be introduced at the long-stay parking areas at the North Beach, Salarie and Odeon car parks. Almost 55% of those who responded to this suggestion in the consultation exercise were in favour of the proposal.

All existing short-stay parking in St Peter Port would continue to be provided free of charge. There is no question of charges being introduced for this parking, given the importance that it plays in maintaining the commercial viability of St Peter Port. The Committee recognises that the vitality of Town depends on easy access and free short-stay parking for shoppers and visitors in particular.

The principal purpose of pay parking at these car parks would be to encourage commuters to switch to an alternative form of transport, such as the bus, cycling, motorcycling, walking or car sharing. However, the Committee is conscious that others might choose to park in the long-stay areas in the Town’s residential streets. This would further increase the pressure on parking in those areas. The Committee is therefore proposing that this be tackled in either of two ways:

- a) the introduction of additional residents' parking schemes in these areas (see section 5.2.3 below); or,
- b) the introduction of pay parking in the on-street 5 and 10 hour disc parking areas in Town, including the Castle Emplacement.

Pay parking is a **vital** tool in achieving the objectives of the new strategy. Pricing is an important factor in influencing behaviour and, in this case, the Committee believes that pay parking can be used to work in favour of the community in general and to ensure more effective use of our limited road space and parking resources. **The revenue that it raises will also be essential to assist in funding many other aspects of the proposed strategy, particularly the planned improvements to the bus services.**

Pay parking is used in most other jurisdictions to regulate parking spaces and reduce levels of traffic by discouraging some journeys, encouraging car sharing and increasing the use of alternative forms of transport. It is already in place in Guernsey at both the Harbour and the Airport, where charges have recently been increased to manage parking demand during the terminal redevelopment. The fee for parking at the Airport for an 8 hour day is now £4. The Committee believes that its introduction at the three car parks and in on-street areas is long overdue. The principal objective of doing so would be to reduce the level of commuter traffic coming into St Peter Port and the number of cars parked there all day during the week.

At the present time, commuters are benefiting from the free use of an extremely valuable resource that has effectively been funded by all taxpayers. At the same time, it is the same commuters driving into St Peter Port that are responsible for the highest periods of congestion on the roads and who are increasingly using the vital short-stay parking facilities. This position is illogical, particularly when considered in the light of commuters that choose to travel by bus. The bus services are now heavily subsidised and the cost of providing them is largely being met by all taxpayers, yet passengers that choose to use them and thereby alleviate the traffic and parking problems in Town still have to pay a fare of between 20p and 50p per journey.

The Committee is aware that some opponents of pay parking see it as a form of "double taxation" on drivers who have already met the capital investment costs of constructing the car parks and maintaining the roads. However, this argument is undermined when considered in the context of the subsidies now being provided for the bus services. The Island's taxpayers have funded the capital cost of the new bus fleet, as well as the majority of the annual running costs of the service, yet bus passengers are expected to pay a fare each time they make a journey. There is no suggestion that such fares should be seen as a form of taxation. The Committee believes that pay parking represents an equitable charge for providing

and maintaining facilities which have been paid for by all taxpayers, but which are used by a minority.

There is currently little incentive for car driving commuters to consider alternative means of travelling to work, whether this involves car sharing, walking, cycling and/or motorcycling or using the bus service. The introduction of pay parking would provide such an incentive, provided that it increased the marginal cost of car based commuter trips beyond the daily cost of a return bus fare. **It is essential to combine pay parking with a range of other policy initiatives intended to support and complement it by promoting the use of alternative forms of transport.** In this way, it will provide a number of traffic and environmental benefits, including reduced vehicle movements, congestion and emissions.

The Committee believes that it is essential that the net income from pay parking should be used to help fund other initiatives that benefit motorists and the public generally. Priority should be given to measures that will benefit those commuters who are most affected by the introduction of pay parking. These would include:

- further enhancements to the schools and scheduled bus service routes and frequencies, especially at commuter times to provide a high frequency service around the Island. **A more comprehensive commuter service will be put in place before pay parking is introduced so that drivers have a more viable alternative available;**
- additional park-and-ride services;
- additional bus shelters around the Island and improved waiting facilities at the bus terminus;
- bicycle parking facilities at key bus stops;
- promotional/educational campaigns and initiatives to highlight the alternatives available;
- improved facilities for cyclists, such as cycle stands and lockers and the extension of the cycle path along St George's Esplanade.

In this manner, the income that is raised can be used to assist in providing real and viable alternatives for those that are directly affected. Whilst the Committee would not necessarily advocate the “ring fencing” of the income concerned, it would expect that its future capital and revenue budgets should be adjusted in future to take account of these types of initiatives. Some measures, particularly further improvements to the bus services, would need to be introduced before pay parking commenced and the associated income came on line.

The Committee is proposing that it should be authorised to establish and review the applicable rates to be charged for parking by Order or Regulation. On the assumption that the States approves the introduction of pay parking, the Committee would establish the charges to be introduced having regard to the views expressed by States members, the fees already being paid by some commuters for leasing privately owned spaces in St Peter Port and the current level of charges in Jersey. Commuters are currently understood to pay between £1,200 and £1,500 per annum to rent privately owned spaces. The hourly charges in Jersey are currently 40pence per hour, but will shortly increase to 45 pence per hour. As an absolute minimum and, in order to provide a realistic incentive for commuters to change their habits, the total charge for an 8 hour day will need to exceed the standard return fare to Town on the scheduled bus service of £1.

The Committee will consider differential rates of pay parking, depending on the location of the car park concerned. For instance, charges in areas further from the Town centre, such as some residential streets or at the Salarie car park, might be set at a lower level than those at the North Beach. In order to continue providing a useful and important facility for residents, the Committee would not intend to charge a fee for parking between 6pm and 8am. Charges will be payable on Saturdays, but not on Sundays and bank holidays. **Free long-stay parking would be made available for the drivers of very small “compact” cars, as well as alternatively powered vehicles, such as LPG, hydrogen or electric.**

The Committee has not yet decided which system of paid parking should be introduced and it is quite likely that different systems will be considered for different locations. If the States approves the introduction of pay parking, then these operational requirements will be left for the Committee to determine. The different systems being considered by the Committee are set out in Appendix 1 to this policy letter and include: pay on foot; pay on exit; pay and display; or, scratch cards. This also highlights the potential benefits associated with electronic information systems. The Committee would like to make it quite clear that it has no intention of introducing a parking meter style system.

If the States accepts the Committee’s recommendations, then the timing for the introduction of pay parking will be dependent upon the necessary legislation being implemented. However, the Committee would wish to reiterate that further improvements to the bus services will be made first.

### 5.2.2 New Car Parks

In 2001, the Committee submitted a policy letter to the States that recommended the approval, in principle, of the construction of new multi-storey car parks at the southern end of Town. The sites recommended were at Sir Charles Frossard House and the bus terminus. Between them, they would have provided approximately 600 additional parking spaces. These proposals were rejected by the States, but the Board of Administration was subsequently directed to

investigate opportunities for parking and quayside enhancement at the southern end of Town.

The Committee recognises that there is a need to improve access to St Peter Port, but that this needs to be done in a sustainable manner. It does not believe that the answer lies in building as many car parks as is necessary to meet demand, which has been suggested as being as high as 2000 spaces. **A sustainable approach that will provide benefits for all road users will involve “measured” additional parking facilities to replace some of those that have been lost recently, combined with initiatives to discourage unnecessary car journeys and promote the use of alternative forms of transport.**

Against the above background, the Committee continues to believe that the provision of around 600 spaces at the southern end of St Peter Port can be justified as part of a balanced package of measures to address the current situation. These spaces would go some way to replacing the public and private facilities that have been lost elsewhere in the Town area. They would also help to address the current parking imbalance with the northern side of St Peter Port. **The Committee firmly believes that such spaces should be paid for by the user.**

At the time of preparing this policy letter, the Committee was aware that the Board of Administration was finalising the results of its investigation into the provision of additional car parking facilities in Town. Traffic assessments undertaken as part of these investigations have shown the maximum number of additional spaces at the southern end of Town sustainable by the highway network to be 800. Although the investigations had identified opportunities for several new car parks around the Harbour area, they concluded that the immediate focus of attention should be on the provision of a car park for between 550 and 700 privately funded long-stay spaces at the Fish Quay.

**The Committee is supportive of these plans, which it feels represent a measured and responsible response to the current situation and which can be integrated quite comfortably with a package of measures to improve access to St Peter Port in a sustainable manner.** The additional spaces will replace many of those that have been lost in recent years. They will also provide the Committee with more flexibility to introduce additional residents’ parking schemes and motorcycle parking facilities.

With the development of these facilities, there would be a need to review the balance of existing long-stay and short-stay disc parking facilities in Town. Some existing long-stay parking close to the southern end of Town could be converted to short-stay to assist in stimulating the area.

Thereafter, the Committee believes that any new public car parks should only be to replace existing facilities, principally in more environmentally sensitive locations and, wherever possible, underground. A particular emphasis would be on schemes that subsequently enabled:

- both the Victoria and Albert Piers to be pedestrianised, enhanced and opened up for “traffic free” uses;
- the removal of on-street parking in order to improve traffic flow and circulation in the Town area and provide a better street environment;
- the introduction of off-street residents parking schemes (see section 5.2.3 below);
- the introduction of additional park-and-ride schemes (see section 4.2.3 above).

68% of those that responded to the suggestion were in favour of new parking being used to replace some existing parking. 85% wanted to see existing on-street parking removed where it could be replaced with new off-street facilities.

### **5.2.3 Residents Parking Schemes**

Over 80% of the respondents to the Committee’s consultation exercise were in favour of additional residents parking schemes generally and the replacement of existing on-street residents’ parking with off-street facilities.

For many years, the Committee has offered a limited form of permit to St Peter Port residents that allows them to re-park their cars in the same disc parking area within the thirty minute restricted period that usually applies and also allows them to leave their vehicles in the disc park overnight until 9.30am the following morning (rather than 8am).

In 1999, the Committee introduced four “extended” residents’ parking schemes in different parts of St Peter Port. These have generally been welcomed by the residents in those areas. The schemes operate by issuing eligible residents with permits that allow them to overstay the designated disc parking areas. Non-residents who want to visit, or in some cases, shop in the area, can continue to use the short-stay disc parking as normal, where spaces are available, but cannot overstay the time restrictions. This helps to ensure better utilisation of the parking available and to minimise the administrative requirements of the scheme.

Although these schemes are working well, the Committee has not felt able to extend them to other parts of the Town. Naturally, they have displaced a significant number of commuters from the on-street parking in the areas concerned. In the absence of further improvements to the bus services or

additional commuter parking facilities, these same commuters have been “pushed” into other residential areas further from the centre of St Peter Port. Understandably, the residents of these areas have not welcomed the experiments or asked that residential schemes be extended to their own streets, where they now have to compete increasingly with commuters for the available space.

In a survey of St Peter Port residents undertaken by the Committee in 2000, 22% of the 315 respondents indicated that they only moved their cars from the disc park near their homes to a long-stay area elsewhere in Town whilst they were at work because of the parking regulations. The Committee believes that the situation and the absence of more widespread residents’ parking schemes is clearly discouraging or preventing some residents from walking to work in Town and is adding unnecessarily to the peak period traffic movements.

As it has indicated above, the Committee is also aware that, if plans for the introduction of pay parking proceed, many residents will be concerned that commuters will try to avoid paying by parking in the on-street long-stay areas. The Committee intends to counter this by introducing on-street parking charges or “protecting” residents’ interests by introducing more residents’ parking schemes.

**The Committee therefore believes that it is essential for further improvements to be made to the bus services not just before pay parking is introduced, but also before any further residents parking schemes can be considered.** This will enable the introduction of more on-street residents schemes, for which charges will be made to cover the administrative costs. With these improvements in the bus services in place, commuters will have a more viable alternative available to them. If the parking scheme at the Fish Quay proceeds, then further alternatives will be available for affected commuters.

The Committee also believes that attempts should be made to acquire suitable sites to provide off-street parking for Town residents. Close liaison with the Island Development Committee and Board of Administration would be required. However, the intention would be to identify either small pockets or larger areas of land that could provide surface or multi-story car parking facilities. Permits could be made available in return for a realistic annual “leasing” charge. This would guarantee the resident concerned an off-street space, whilst at the same time generating sufficient income to recover the initial capital and subsequent maintenance costs. This would further facilitate the removal of on-street parking to improve traffic circulation and the overall environment. The Committee will also work closely with the Advisory and Finance Committee over such plans, as funding for the initial capital costs would need to be made available “up front”. Alternatively, there may be opportunities to involve the private sector in taking forward such schemes.

#### **5.2.4 Motorcycle and Cycle Parking**

86% of those that responded to the suggestions on this area in the consultation exercise wanted to see additional parking facilities provided for cyclists and motorcyclists.

Since 1989, the number of motorcycles registered in the Island has risen by over 40%. The Committee welcomes this growth, given the much more efficient use that motorcycles can make of the Island's limited road and parking space. Typically, one car parking space can accommodate between four and six motorcycles.

Although the Committee created additional motorcycle parking in Town, the current provision does not reflect the changing balance between the number of motorcycles and private cars on the roads. Motorcycle parks in Town are generally either full or oversubscribed.

The Committee intends to encourage further motorcycle use to reduce traffic congestion levels and pressure on car parking facilities. It will do so by providing additional motorcycle parking facilities, either at new locations or in place of existing car parking spaces. All such parking will continue to be free of charge.

The Committee will also continue with its programme of providing additional cycle stands in the Town area and around the Island generally. One initiative the Committee intends to explore is the provision of cycle stands at main bus stops outside the Town area. Although most parts of the Island are now within easy reach of a bus route, this is not always the case. Providing a "cycle-and-ride" facility for those living further from the main bus routes might encourage more use of the bus services.

The Committee also intends to explore options for providing more secure cycle parking facilities, such as cycle lockers.

#### **5.2.5 Car Sharing**

The 2001 census suggested that 90% of those people traveling to work in a car or private vehicle did so alone. This clearly does not represent an efficient use of the Island's limited road space and parking resources and is the primary reason for the significant levels of traffic congestion experienced each day during the early mornings, lunchtimes and early evenings. More importantly, it does mean that there is a considerable opportunity to reduce the volume of traffic on the roads and demand for scarce parking if more drivers, and commuters in particular, could be encouraged to share.

At the Committee's recommendation, the States has previously introduced legislation to overcome any insurance implications that might have arisen where a passenger made a financial contribution towards the cost of a shared car journey. **Further incentives now need to be provided to encourage car sharing.**

The principal incentive for car sharing will be the financial one that arises through the introduction of pay parking. Car sharing passengers will be able to share the cost of any parking fees between them, reducing the individual cost by at least half.

The Committee also intends to explore the opportunities for providing preferential parking locations, as well as cheaper or possibly free parking facilities, for car sharers. This will depend largely on the type of pay parking system adopted and the associated enforcement implications. Opportunities to promote the establishment of car sharing schemes by employers will also be examined.

### **5.2.6 Parking for the Disabled**

Following consultations with the Guernsey Association for the Disabled and a number of other interested organisations, the Committee has recently replaced the old "Orange Badge" disabled parking permits with the new European standard badges. This will ensure that local badge holders can continue to use the concessions that they offer when traveling abroad in the UK and Europe. As the new badge also includes a photograph of the holder, it also helps to prevent abuse of the scheme.

The badges continue to allow their holders to park in designated disabled spaces around the Island. They also permit the disabled to park for up to two hours in any short-stay disc parking space.

The Committee keeps the number of designated disabled spaces in Town and around the Island under regular review. Additional spaces are already planned in the Market Square area as part of the redevelopment of the Markets. The Committee will continue to introduce further additional spaces, where appropriate, to assist in maintaining the mobility of the disabled community.

### **5.2.7 Disc and Approved Parking Systems**

The existing disc and 23 hour approved parking systems will be maintained in all areas other than where pay parking is introduced.

The Committee has previously introduced a zoned parking scheme, whereby short-stay parking is located close to the centre of Town and long-stay parking further out. The only exceptions to this have been where short-stay parking has been introduced for the "extended" residents parking schemes. These arrangements will continue.

The Committee will continue making seasonal adjustments to the balance of short-stay and long-stay parking facilities in the Town area, with priority being given to short-stay parking during the peak shopping and tourism periods to protect the viability of St Peter Port. Seasonal adjustments are currently made at the North Beach car park and the South Esplanade.

In its consultation exercise, the Committee raised the possibility of converting the 10 hour long-stay at the Castle Emplacement to short-stay parking. Only 47% of respondents were in favour of this idea. The Committee has therefore decided that it will not proceed as it had originally planned with this proposal. However, it intends to experiment with seasonal adjustments to some or all of the spaces there to provide more short-stay parking during the peak shopping and tourism periods.

Within the existing short-stay disc areas, the Committee intends to provide specially marked parking areas for compact cars. Such cars can make more efficient use of the limited space available. The intention would be to create these compact parking areas available as close to the centre of Town as possible as a further incentive to use them.

The consultation exercise also raised the idea of providing dedicated parking areas for commercial vehicles in disc parking zones, but at the expense of existing spaces for cars. Only 40% of those that responded to this idea were in favour of the proposal. The Committee has therefore decided against proceeding with it at this time.

## **6. VEHICLE TAXATION AND LICENSING POLICIES**

### **6.1 Key Considerations**

In setting out its plans for the introduction of pay parking, the Committee has made it clear that “pricing” will be an important element in achieving the overall objectives of its proposed strategy. Pricing will encourage drivers to change their travel habits on either a regular or occasional basis and consider using alternative forms of transport. It can also be used to encourage the use of more environmentally friendly forms of private transport.

The Committee believes that the vehicle taxation and licensing system offers an effective opportunity to introduce further financial incentives to drivers to change their behaviour. Here, the main emphasis will be in encouraging more responsible car use, such as environmentally “cleaner or greener” vehicles that are smaller and/or help to reduce emissions and their adverse effect on air quality. It therefore represents an important element of the overall strategy.

In 2000, the States considered and approved a policy letter from the Committee (Billet d'Etat VI of 2000) reviewing the Island's vehicle registration and licensing legislation. The agreed changes to the legislation are awaiting preparation. A number of these are relevant to the proposed strategy.

## 6.2 Proposed Vehicle Taxation and Licensing Policies

The Committee believes that, if the current system of motor tax is to be retained, it should be changed to:

- encourage the use of smaller cars, which are considered to be more “environmentally friendly”. They use less fuel and emit fewer pollutants, provided that they are properly maintained. The vehicle taxation system should encourage this by providing for less tax on smaller cars than large cars.

The States has previously endorsed this approach and agreed that a revised weight based system of taxation should be developed by the Advisory and Finance Committee that encourages the use of smaller vehicles and discriminates against larger ones.

However, work on the introduction of this system has been held in abeyance, in the knowledge that the Committee would be bringing forward its plans for an integrated road transport strategy and asking the States to consider the question of the abolition of motor tax. This is considered in more detail below.

- encourage the use of environmentally friendly vehicles by either exempting them from vehicle tax or offering them preferential rates of tax. Such vehicles might include electrically powered vehicles or those powered by LPG or hydrogen.

The States endorsed this approach after considering the above policy letter and legislation that will give the Committee the authority to offer exemptions or preferential rates of tax by Order is currently awaiting preparation. However, this will also be dependent on any decision that is taken about the future of motor tax;

- ensure that all vehicles that are newly imported to the Island should be the subject of an administration fee upon first registration. This would apply to new and second hand vehicles.

The Committee currently registers for the first time an average of between 8,000 and 10,000 vehicles and motorcycles per annum. After considering the above policy letter, the States decided that all newly registered motor vehicles (whether brand new or second hand) should be the subject of a

£25 fee to cover the cost of processing each application. Legislation giving effect to this decision is currently awaiting preparation.

The revenue that this fee generates could be used to fund some of the other initiatives set out by the Committee in this strategy.

Notwithstanding the changes to the motor tax system that have previously been agreed and are set out above, the Committee believes that the introduction of a “polluter pays” principle should be reconsidered. This would involve replacing the current motor tax system with an additional tax on petrol and diesel sales. Considerable support for this proposal was shown during the consultation exercise, with approximately two-thirds of respondents in favour of the idea.

Alternatively, a reduced and possibly fixed level of motor tax might be retained, together with an additional tax on petrol and diesel sales. Currently, income from motor tax amounts to just under £5m per annum. Fuel tax currently generates around £2m per annum.

**One of the main emphases of the Committee’s strategy is to reduce vehicle usage in the Island, particularly into and out of the Town area.** The abolition or reduction of motor tax and introduction of a corresponding tax on fuel would provide a more direct and immediate connection between the cost to the driver, the wider costs to the community and the usage of the vehicle. If the amount of tax paid increases in proportion with the amount of fuel used, then consumers might think twice about using more fuel. Unnecessary “marginal” journeys by private car might be reduced, alternative forms of personal transport might be considered and congestion on the roads would be reduced. As such, the proposal is entirely consistent with the overall aims and objectives for the strategy set out by the Committee.

The Committee recognises that there are wider considerations that have to be taken into account. In summary, these include the following:

- the effect that the proposal could have on the costs of commercial vehicle and public transport operators, which would be passed onto customers and effect inflation generally;
- the extent to which fuel wholesalers and retailers would look to retain their existing percentage profit margins, which could add further to pump prices;
- the need for the Committee to maintain an accurate and up to date vehicle registry. The collection of tax on a regular basis currently provides an opportunity to update and check the accuracy of individual vehicle records and to check that, at least at the time that the vehicle is taxed, its registered keeper held a valid certificate of third-party insurance.

Without these checks, it is likely that the accuracy of the vehicle registry will decline, unless measures are put in place to require vehicle owners to report or confirm any changes of any registered details. If some form of check on insurance was to continue, then consideration would need to be given to a windscreen insurance disc scheme, or alternatively, introducing a requirement for drivers to carry their insurance documentation in the vehicle with them at all times;

- the need to distinguish between gas oil or diesel that was being used as a road fuel, rather than as a fuel for heating, marine or agricultural use. This could be achieved by marking the “dutiabale” fuel with a dye at the point of transferring fuel from bulk storage to road delivery tankers. However, retailers of both dutiabale and non-dutiabale fuel would need to invest in additional, separate storage facilities;
- the need to consider what provisions would be made for vehicles that, under the previous motor tax system, had been exempt from or offered preferential or flat rates of tax. These currently include buses, dumper trucks, invalid carriages, motorcycles and agricultural tractors and, in future, will also include environmentally friendly vehicles (LPG etc);
- the opportunity to save on staff. Whilst some limited savings are likely, the extent of this will be dependant on what alternative measures are put in place to maintain an accurate vehicle registry, the administrative arrangements associated with a possible windscreen insurance disc scheme and the resources that may be needed by the Police and Customs to enforce safeguards against the improper use of duty-free fuels.

The Committee acknowledges that the introduction of some form of “energy tax” on all types of fuel has been advocated as a measure to promote energy saving and environmental sustainability. However, consideration of the merits, or otherwise, of such a proposal goes beyond the scope of this policy letter.

Given some of the above considerations, the Committee considers that there are some advantages in a “hybrid” system, whereby a reduced level of motor tax is retained, but combined with an additional tax on petrol and diesel sales. This would have the following benefits:

- the revenue generated could be used to fund directly the costs of administering the vehicle registry;
- the ongoing collection of tax on a regular basis would continue to provide an opportunity to check and confirm vehicle details with the owner, as well as insurance documentation;

- discounts or exemptions from motor tax could continue to be provided for certain categories of vehicle, including environmentally friendly or smaller motor cars;
- a much simpler system of motor tax could be introduced, either with a fixed charge or two or three very broad bands of tax.

The Committee is also aware that the retention of some form of motor tax system could be relevant to plans that the Board of Administration and Advisory and Finance Committee are considering for the introduction of an “End of Life Vehicle Disposal Levy”, which will be submitted to the States in due course.

The Committee considers that there are compelling environmental grounds consistent with the objectives of its strategy to support either the complete abolition or the reduction of motor tax and the introduction of a corresponding increase in tax on petrol and diesel sales. It is therefore recommending that the States should accept the idea in principle and direct the Advisory and Finance Committee to prepare detailed proposals for the implementation of a revised system as part of its future budget proposals.

## **7. ROAD SAFETY AND ENVIRONMENTAL POLICIES**

One of the Committee’s principal responsibilities is to promote policies that improve safety for all road users. It has a responsibility to minimise the environmental impact that motor vehicles have on the Island. Promoting the responsible and safe use of vehicles, together with safe and responsible driving standards, are important factors in ensuring that the mobility and interests of non-car drivers, such as pedestrians, cyclists and children, are protected and that these can be promoted as viable alternatives. This is particularly true around the Island’s schools.

### **7.1 Proposed Road Safety and Environmental Policies**

A number of the initiatives and policies set out earlier in this report are intended to support the above environmental objectives. These include:

- reconsidering the introduction of a “polluter pays” policy that involved the abolition or reduction of motor tax in favour of additional tax on petrol and diesel fuel sales;
- encouraging and promoting car sharing (achieved principally through the introduction of pay parking)

- ensuring that single occupancy car based commuter trips are more expensive than bus travel (achieved principally through a combination of pay parking and cheap subsidised bus fares).

A number of other specific measures and policies in support of road safety and the environment are set out below.

### **7.1.1 Driving Standards**

The Committee will continue to promote good standards of driving, in particular through the effective testing of drivers. In this respect, the Committee works closely with the UK Government's Driving Standards Agency, which has responsibility for promoting road safety and for the delivery of the driving test service there. At the Committee's request, the Agency carries out regular reviews of the driving test service in Guernsey and makes recommendations on how it can be developed.

A separate driving theory test for learner drivers will be introduced in 2003, replacing the existing brief verbal examination on the highway code that is carried out at the end of the practical driving test. It will be a more "demanding" test than is currently the case, but improving a driver's understanding of driving theory will ensure that he or she is better prepared and safer. The additional training and education that will be required to pass the theory test will help to accelerate the development of the candidate's experience and skills, thereby reducing their accident liability.

The quality of instruction that is provided to learner drivers is also clearly an important factor in influencing driving standards. At the present time, there are no controls over the establishment of driving schools in the Island. The Committee intends to investigate and report back to the States on the introduction of a register of driving instructors, which would apply to anybody that charged for driving tuition. Entry on to the register could be dependant on the instructor demonstrating a suitable standard of driving and teaching ability.

Such a register would be established in the interests of road safety in order to maintain and improve the standard of driving tuition available. It would also ensure that the public could expect an acceptable standard of tuition from those registered as instructors. It would also provide an opportunity to check the "character" of the instructors.

### **7.1.2 Driver Licensing – Age Requirements**

The Committee also intends to carry out a review of the existing policies and legislation relating to the age requirements for driver licensing. At the present time, the minimum age for driving a scooter is 14 and a car 17. Large goods vehicles and buses can only be driven at the age of 21. Although every applicant

for a driving licence (including renewals) has to complete a medical questionnaire, a full medical report is required from their doctor after the age of 45 for vocational licence holders. After the age of 70, driving licences are only renewed for three years at a time, with the result that individuals who continue to hold a licence after that age have to complete the medical questionnaire on the application form more frequently. If this highlights any relevant conditions, then a full report is requested from their doctor.

The Committee is aware from the consultation exercise that many people feel that the minimum driving age should be raised, given the higher propensity that younger drivers have for accidents. However, the Committee is aware from research carried out in the UK that driving inexperience rather than immaturity can be a big, if not a bigger, factor in accidents amongst new drivers. Experience at a younger age in driving scooters can also prove valuable at a later date as a car driver, as the individual concerned is likely to have a better appreciation of the needs of vulnerable road users, having been one themselves beforehand, as well as improved road sense.

Conversely, there are those who feel there should be a maximum age limit for driving. Others feel very strongly that this approach would be too indiscriminate and that there should be no restriction on driving provided that the individual concerned is medically fit to do so.

There is clearly a very wide range of factors to be considered in carrying out a review of what can be an emotive issue. The Committee would intend to consult very closely with the Guernsey Police in reviewing the situation. The review would also take into account the experience of other jurisdictions, such as Jersey and the United Kingdom. In the event that the Committee did decide to consider any changes to the current arrangements, then it would report back to the States with details of its proposals for consideration.

### **7.1.3 Speed Limits**

In very general terms, the main exceptions to the Island wide 35mph speed limit can be summarised as follows:

- the reduced speed cordon in and around St Peter Port;
- the reduced speed areas at the St Sampsons, Cobo, St Martins and St Peters “village” centres;
- the reduced speed areas at selected points of the west coast.

Reduced speed limits have also been introduced at a relatively small number of individual roads, such as Victoria Avenue.

Although the Committee has previously introduced a number of reduced speed limits in some areas in response to specific issues and objectives, there has been no review of the general situation and policies for many years. Over that time, the situation and pressure on the Island's roads has obviously changed considerably.

The Committee is therefore proposing that a comprehensive and strategic review of the Island's speed limits should be commissioned. This could include reviews of:

- whether the current Island wide speed limit of 35mph remains appropriate;
- whether the existing "cordon" based system of reduced limits remains appropriate or whether speed limits should be based on the type or nature of the road concerned;
- if the cordon based system is retained, whether their geographical areas remain appropriate;
- changes to speed limits around the Island's schools and other specific individual locations.

The Committee will report back to the States with the results of this review.

#### **7.1.4 Vulnerable Road Users**

Just under 90% of those responding to the Committee's questionnaire wanted to see more protection being provided for pedestrians and vulnerable road users. Over three quarters of respondents were supportive of additional cycle paths.

A key element of the Committee's strategy is to encourage alternative forms of transport, such as walking and cycling. The Committee believes that, with the increase in motor traffic volumes that the Island has witnessed, the "balance" has swung too far towards motorists and that steps should be taken to re-adjust this in favour of vulnerable road users, such as pedestrians and cyclists.

The provision of a safer and more pleasant environment for these road users, that assists them in "asserting" their rights in using the public highway and reduces the impact that motorised traffic has on them is therefore a fundamental aspect of the strategy.

The requirements of vulnerable road users will continue to be taken into account in the design of all traffic management measures. Such considerations have featured highly in schemes such as those introduced by the Committee at Cobo, St Peters and St Martins, where the emphasis has been on improving the environment for all road users, but in particular pedestrians. Opportunities to

introduce traffic calming measures along these lines and to improve facilities for pedestrians will continue to be pursued by the Committee.

Particular priorities for the Committee will be:

- the introduction of improvements around schools;
- the provision of better pedestrian facilities and phases at many of the Island's traffic light controlled junctions. This will take place as part of the replacement programme for the equipment that will commence shortly;
- the creation of more "traffic free" areas where appropriate, particularly in the Town area. The States has previously accepted the Committee's plans for the closure of Market Street to through traffic as part of the Market redevelopment. The Committee would like to take this opportunity to flag up that it intends to review again and experiment with the opportunities that exist to reduce and/or limit the traffic using Church Square as well.

The Committee will also continue to work closely with the Island Development Committee to ensure that proper provision is made for pedestrians and cyclists in all new developments. This has included the Gategny and Bouet Mixed Use Redevelopment Areas, where provision for cycle paths has been made in the new roads that have been or are due to be constructed. The Committee will seek to introduce additional cycle lanes on the public highway wherever possible.

### **7.1.5 Construction and Use of Vehicles**

In its aforementioned policy letter to the States reviewing the Island's vehicle registration and licensing legislation in 2000, the Committee explained that it had decided against recommending the introduction of annual road worthiness tests (commonly referred to as MOTs). This was accepted by the States.

Nevertheless, the Committee believes that there are a number of specific areas relating to the construction and use of motor vehicles (and the associated legislation) that should be reviewed in support of the overall aims of this strategy and, in particular, its environmental and road safety objectives.

The Committee has identified three particular issues in respect of the above:

- proposals will be developed to ban the use of "bull bars" on motor vehicles. These have become increasingly fashionable accessories on a large number of 4x4 vehicles that are used only on the roads and are also fitted to many vans and lorries. The increased presence of bull bars on the roads in the Island and other jurisdictions has highlighted the additional risk of injury they pose to vulnerable road users, such as pedestrians and

cyclists. The Committee appreciates that the design of some bull bars means that they might not be as “aggressive” as others, but many do increase the risks for vulnerable road users.

The Committee will consult closely with the Guernsey Police and the Guernsey Motor Trades Association (GMTA) in formulating the details of such proposals, including what, if any, provision needs to be made for exemptions from such a ban, before presenting them to the States for approval;

- consideration will be given to the introduction of vehicle emission and noise tests on a compulsory basis. The GMTA has been undertaking voluntary emission checks of vehicles at its members’ garages and the results of these tests will be useful in determining how any such proposals should be framed before they are presented to the States for approval;
- the Committee is supportive of measures that could be taken to reduce the levels of noise pollution from vehicles. In particular, it is intending to review the existing legislation in this area in close consultation with the Guernsey Police.

81% of respondents to the consultation exercise were in favour of banning the use of bull bars, 70% were in favour of emission testing and 91% were in favour of measures to reduce noise pollution from vehicles.

#### **7.1.6 Effective Control and Co-Ordination of Roadworks**

After considering its policy letter on the matter last May (Billet d’Etat IX of 2002), the States approved the Committee’s proposals for an overhaul of the existing arrangements for the effective coordination and management of road works. This will lead to significant improvements in the planning, publicity, coordination and efficient management and delivery of road work projects and closures.

Work on the development of the new system has continued since that time in close consultation with the Parish Constables and the various utility companies. This has included the recruitment of additional staff, the development of the new computer aided management system and associated procedures and the drafting of the necessary legislation. The Committee expects to start progressively rolling out the new arrangements from the Spring of 2003.

## **8. PUBLIC CONSULTATION**

Copies of the Committee's consultation document were issued to every household on the Island. This included a questionnaire asking respondents to indicate whether they supported or opposed the proposed purpose and objectives of the strategy, as well as the individual initiatives and policies being put forward. It also invited respondents to submit their own written comments and suggestions.

The Committee was very pleased to receive almost 4000 responses to the consultation exercise. A number of interested organisations also requested opportunities to meet with representatives of the Committee so that they could put forward and discuss their views. The Committee has given careful consideration to the results of this process in finalising the development of this strategy. It is most grateful to all those who contributed to the process and for the time that they took in submitting their views.

The detailed results of the questionnaire are attached as Appendix 2 to this policy letter.

## **9. INDICATORS OF SUCCESS**

The Committee intends to measure the overall success of its proposed policies using a number of "indicators".

It is envisaging a five year period during which time the new policies, and measures to see how well they are working, will be introduced. It therefore does not anticipate that the success, or otherwise, of the new strategy could be quantified within the first year or so.

However, assuming that the Committee's package of proposals is approved by the States in full, the following medium and long-term targets will be used to provide the basis for objective analysis:

- a reduction in traffic movements at peak commuter times (8am-9am and 5pm-6pm) measured along Fort Road, Fountain Street, St Julians Avenue and Glategny Esplanade, with a 10% decrease recorded and sustained within the first three years;
- reduced usage of the long-stay car parks at La Salerie, North Beach and Odeon car parks, measured at 9am each morning, with a 15% decrease recorded and sustained within the first three years;
- an increase of 5% in passenger numbers on the scheduled bus services within two years and a further 5% within the following three years;

- an annual increase in passenger numbers on commuter bus services (7.30am-9am and 4.30pm-6pm), achieving a total increase of 20% within three years;
- a reduction of 1% per annum in the total number of cars licensed for circulation.

It is anticipated that the above targets will be achieved over an extended period of time. However, it is also intended that any improvements should be sustained and, if possible, increased over the medium and long-term. The Committee will therefore monitor changes in people's travelling habits, regularly review its policies and initiatives, and amend and update these in the light of experience.

## **10. FUNDING**

The Committee has been conscious in developing its strategy that many of its individual proposals will require significant levels of additional funding.

This will be especially true of its plans for the Island's scheduled bus services and associated infrastructure. Other areas will include improved facilities for cyclists and motorcyclists (cycle stands, cycle paths etc), promotional and educational campaigns and initiatives, improvements for vulnerable road users, traffic calming schemes etc. In some cases, where particularly significant resource implications are anticipated, such as the provision of a free schools bus service or the development of new park-and-ride car parks and services, then the Committee has already indicated that it will report back to the States with its plans beforehand.

However, the States has already agreed in principle the proposal for the introduction of an administration fee that would be charged upon the first registration of a vehicle in the Island. This can be expected to generate in the region of £200,000 per annum. In addition, its proposals for the introduction of pay parking will generate a significant further source of revenue. This will depend on the level at which the charges are set, but at the very low end of the scale, even a modest charge at just the three main off-street car parks could be expected to generate a gross income in the region of £380,000 per annum.

The Committee believes that this income should be used to assist in funding many of the initiatives that it has planned. It would intend to discuss and agree with the Advisory and Finance Committee whether the income should be "ring fenced" for this purpose, or whether it would be more appropriate for the income to accrue to the States' general revenue and for a subsequent adjustment to be made to its future capital and revenue budgets.

Nevertheless, it is important to note that some of the initiatives being planned will require additional funding before the above revenue streams come “on line”. These will include: further improvements to the scheduled bus services, particularly at commuter periods, before the introduction of pay parking; introducing and maintaining the necessary equipment and infrastructure for pay parking (depending on the system that is chosen); and, the development of off-street residents’ parking facilities. The Committee also anticipates that it will need to appoint traffic engineering consultants to assist it in taking forward some of its proposed initiatives in a timely manner.

## 11. CONCLUSIONS

The Committee’s proposed strategy is intended to achieve a reduction in car usage in the Island. This will lead to real traffic and environmental benefits for the community generally and for all road users, whether they be car drivers, pedestrians or cyclists.

The Committee appreciates that, in considering its proposed strategy, a particular focus will inevitably be on the issue of pay parking. However, the strategy involves considerably more than just this one issue and it would be wrong to consider it in isolation. Pay parking is unlikely to work in isolation, but will deliver the benefits and objectives of the strategy when it is properly integrated with the other measures set out in this policy letter. A majority of the respondents to the Committee’s consultation document supported its introduction. Furthermore, the Committee firmly believes that it is likely to be all the more acceptable where it is linked to the provision of realistic alternative choices for those commuters that are directly affected.

Pay parking does represent an important element of the package of measures being proposed. Without it, many of the other initiatives being proposed by the Committee will be much less effective in delivering the strategy’s objectives and more difficult to develop. It will also provide an important source of additional funding for the initiatives being planned.

Whilst the integrated approach being set out by the Committee does reflect a balanced change in the emphasis of the Island’s road transport policies, it does not represent a dramatic change in direction. The approach emphasises the role that can be played by incentives and constructive measures to, firstly, encourage greater use of alternative forms of transport and, secondly, to discourage unnecessary car travel and encourage more responsible use of the car.

The Committee’s approach is not intended to constrain individual choice, nor does it seek to “ostracise” the use of private transport. However, the Committee does want to achieve an environment that is less dominated by the motor car and that does not accept that motor vehicles should be accommodated **at any cost**.

The policy letter seeks to establish a policy framework for the future of road transport in the Island. In a number of areas, the States is being recommended to direct the Committee to undertake considerably more work with a number of different interested organisations in developing detailed proposals and initiatives for its subsequent consideration. The Committee trusts that, if the States accepts these recommendations, then it will subsequently show its support for such detailed proposals when they are brought back, given that they will be tied to the strategy that it has approved.

## 12. RECOMMENDATIONS

Following consideration of this report, the Committee recommends the States to:

- (i) approve that, as a matter of principle, the main objective of the States' road transport strategy should be to reduce the level of car usage in the Island, in particular by encouraging the use of alternative forms of transport, discouraging unnecessary car travel and promoting more responsible use of the car;
- (ii) approve the Committee's intention to continue improving the scheduled bus service levels and the associated network infrastructure, as set out in section 4.2.1 of this report;
- (iii) direct the Committee to return to the States in due course with proposals for the provision of free school bus travel for all pupils;
- (iv) approve the Committee's intention to undertake a comprehensive review of the opportunities to improve the Island's park-and-ride infrastructure, including the introduction of new sites and services, and to report back to the States with the results of that review in due course;
- (v) approve the introduction of pay parking in the long-stay parking places at the Odeon, Salarie and North Beach car parks, as set out in section 5.2.1 of this report;
- (vi) approve the introduction of pay parking in other on-street long-stay parking places in St Peter Port, as set out in section 5.2.1 of this report;
- (vii) enable the Committee, by Order, to establish and review the applicable hourly rate or rates for pay parking;
- (viii) approve the Committee's policies in respect of the construction of new public car parks, as set out in section 5.2.2 of this report;

- (ix) approve the Committee's proposals for the introduction of further on-street residents' parking schemes, as set out in section 5.2.3 of this report;
- (x) approve the Committee's intention to develop proposals for the creation of off-street residents' parking facilities, as set out in section 5.2.3 of this report;
- (xi) approve the Committee's intentions in respect of motorcycle and cycle parking, car sharing, parking for the disabled and the management of the disc and approved parking systems, as set out in sections 5.2.4 to 5.2.7 of this report;
- (xii) approve in principle that motor tax should be abolished or reduced and that a corresponding increase in the tax on petrol and diesel sales should be introduced and to direct the Advisory and Finance Committee to prepare detailed proposals in this respect as part of its future budget proposals;
- (xiii) approve the Committee's intention to investigate the introduction of a register of driving instructors, as set out in section 7.1.1 of this report and direct it to report back to the States with the results in due course;
- (xiv) approve the Committee's intention to carry out a review of the existing policies and legislation relating to the age requirements for driver licensing and direct it to report back to the States with the results in due course;
- (xv) approve the Committee's intention to commission a comprehensive and strategic review of the Island's speed limits and direct it to report back to the States with the results in due course;
- (xvi) approve the Committee's intentions in respect of vulnerable road users, as set out in section 7.1.4 of this report;
- (xvii) approve the Committee's intention to introduce an experiment to reduce and/or limit the traffic using Church Square;
- (xviii) approve the Committee's intention to develop proposals for a ban on the use of "bull bars" and direct it to report back to the States with these in due course;
- (xix) approve the Committee's intention to develop proposals for the introduction of compulsory emission and noise tests for vehicles and to report back to the States with these in due course;

- (xx) direct the Advisory and Finance Committee, when recommending the Traffic Committee's annual capital allocation and expenditure limit for its revenue budget, to take account of the Committee's responsibilities and plans associated with the provision of further improvements to the scheduled bus services, the provision of the necessary infrastructure for bus users, cyclists and motorcyclists, the provision and maintenance of pay parking systems and facilities, the introduction of traffic calming schemes and improvements for vulnerable road users and, where necessary, the appointment of traffic engineering consultants.

I should be grateful if you would lay this matter before the States with appropriate propositions, including one directing the preparation of the necessary legislation.

Yours faithfully

P. MELLOR

President  
States Traffic Committee

**ANALYSIS OF PAY PARKING SYSTEMS****Pay on Foot**

These systems are based on a requirement for the customer to obtain a ticket when entering the car park and to pay for their stay at a ticketing machine located away from the car park exit.

One such system is currently in use at Guernsey Airport.

The advantage of this type of system is that it reduces the amount of queuing which can occur at the exits and is suited to those car parks where space is at a premium and/or a large number of exit points cannot be accommodated.

However, it does require customers to remember to pay for their ticket before getting into their car and attempting to exit.

These systems are usually accompanied by barriers at the exits in order to reduce the potential for fees to remain unpaid. This in turn reduces the amount of policing that is required and the cost of the bureaucracy involved in issuing and collecting fixed penalty fines. It also reduces the number of court hearings for what are relatively minor offences and provides the opportunity to “divert” those policing and financial resources to other areas.

**Pay on Exit**

Pay on exit systems are seen at many UK car parks and are similar in design to pay on foot systems other than in respect of payment, which takes place at the exit point rather than remotely.

These systems, where there is space to locate a number of exit points, can speed up the process for motorists who do not need to remember to pay for their stay prior to exiting the car park. As with pay on foot systems, it removes the need for a penalty system as the customer cannot overstay any maximum period of parking and there are consequently the same “savings” in manpower, bureaucracy and associated costs.

However, this type of system can, at peak periods, result in some congestion and queuing.

Both pay on foot and pay on exit systems have capital and operational costs associated with the installation of barriers and ticketing equipment. At present this is estimated to cost £85,000 for each car park which would provide for the installation of two entry and two exit barriers and two payment stations in each car park. If the ticketing equipment is

then linked to a central computer system, this adds a further £15,000 to the costs. Such a system could provide a range of reports on the usage of car parks, income generated and so on. It would also monitor any faults in the equipment which would be essential if repairs were to be effected quickly in order to minimise any disruption to motorists.

Finally, there would be the operational costs of maintaining and repairing the equipment.

### **Pay and Display**

These systems are less expensive to install and maintain. They dispense a parking card or sticker from an electronic ticketing machine which is then displayed on the vehicle's dashboard or on the windscreen. A fee is charged according to the pre-determined period for which the motorist intends to park.

Pay and display systems require the same level of policing to ensure any abuse is limited which, of course, has resource implications. In addition, unlike with the pay on foot and pay on exit systems, if you overstay the predetermined period a penalty is incurred in the form of a parking ticket or, in some locations in the UK, with the vehicle being clamped and/or towed away. Costs of retrieval vary and can be considerable.

### **Scratch Cards**

Scratch cards have a wide variety of uses. They are used in Jersey, for example, as a form of pay and display parking. The motorist purchases, in advance, a ticket or tickets which are made available from a large number of shops and other outlets.

When the motorist intends to park in a pay parking zone they simply scratch the card to show the month, day, date and time of arrival. The policing requirements remain and the motorist can still incur a parking ticket if they overstay their time in the zone.

### **Electronic Information Systems**

Electronic information systems provide motorists with information on the locations of car parks (for visitors) and the amount of spaces available. Such systems would provide for the better overall management of the car parks. They also assist in reducing the level of traffic and congestion often associated with car parks where motorists are tempted to drive around the same car park several times in order to determine whether or not a space is available somewhere or to drive from one car park to another looking for a space. Providing advance information at appropriate points reduces the number of traffic movements and associated congestion.

**APPENDIX 2****STRATEGY QUESTIONNAIRE – RESPONSE RESULTS**

<b>Total number of respondents</b>	<b>3905</b>	<b>SUPPORT</b>	<b>OPPOSE</b>	<b>NEITHER</b>
<b>PARKING</b>				
Do you generally support the proposed Purpose and objectives of the new strategy?	2318	718	869	
Pay parking in long stay car parks (Odeon, Salerie, North Beach)	2054	1706	145	
Changing long stay parking at Castle Emplacement to short stay (i.e. reduction in long term parking spaces).	1855	1851	199	
Free long term for parking for very small cars and those powered by electric LPG	1987	1699	219	
Retention of current system of zoned parking/ clocks in all areas except where pay parking exists.	3266	363	276	
Any new car parking to be used to replace Some existing parking (i.e. on the piers).	2463	1157	285	
New car parks to be constructed underground where practical.	3368	363	174	
Existing on street parking removed where it can be replaced with new off street parking.	3205	526	174	
Additional parking and other facilities for cyclists and motorcyclists.	3211	513	181	
Additional parking for disabled drivers (by reducing disc spaces).	2567	1117	221	

	<b>SUPPORT</b>	<b>OPPOSE</b>	<b>NEITHER</b>
Designated parking for commercial vehicles in disc zones (by reducing existing spaces for cars).	1437	2202	266
More residents parking schemes	2969	654	282
Existing on street parking for residents replaced with off street parking.	3143	513	249
Off street residents parking, subject to an annual lease charge.	2276	1327	302
Seasonal adjustments to the proportion of short and long term parking to take account of peak shopping and tourism periods.	2864	873	168
Park and ride systems to be introduced where practical.	3442	336	127
<b>PUBLIC TRANSPORT</b>			
A quality, reliable and frequent bus service with cheap fares (subsidised by tax payer).	3326	462	117
Further routes and services on the scheduled bus service.	3552	198	155
Comprehensive bus service for commuters	3599	167	139
Free schools bus service (paid for by taxpayers).	3188	520	197
Taxi and Private Hire services developed and promoted.	2625	920	360
Upgrading of bus passengers waiting and information facilities at bus terminus	3505	229	171

	<b>SUPPORT</b>	<b>OPPOSE</b>	<b>NEITHER</b>
<b>VEHICLE TAXATION AND LICENSING</b>			
Higher rates of taxation for larger cars.	2541	1202	162
Lower rates of taxation for smaller cars.	2621	1115	169
Preferential (cheap) rates of taxation (or exemptions) for environmentally friendly vehicles (powered by LPG, electricity).	2560	1130	215
Abolition of motor tax in favour of a tax on fuel.	2604	1123	178
<b>ROAD SAFETY</b>			
Speed limits reduced in appropriate locations.	2883	865	157
Proposals to ban the use of mobile phones whilst driving (not hands free).	3608	255	42
Banning bull bars on all vehicles	3168	558	179
More protection for pedestrians/vulnerable road users.	3484	226	195
Driver licensing policies to be reviewed particularly in relation to age.	2339	1310	256
Optimum use of the road network to provide for the free flow of traffic.	3530	132	243
Effective control and co-ordination of roadworks.	3814	20	71

	<b>SUPPORT</b>	<b>OPPOSE</b>	<b>NEITHER</b>
<b>ENVIRONMENT</b>			
Cycle lanes	3029	678	198
Compulsory annual testing for vehicles.	2749	984	172
Incentives to encourage car sharing	2705	996	204
Driving one person to a car should be more expensive than bus travel.	1752	1816	337
Measure to reduce noise pollution from vehicles.	3574	287	44

**APPENDIX 3****DISC PARKING SPACES IN ST PETER PORT****Long Term Disc Controlled Parking**

<b>Location of Disc Parking Area</b>	<b>Car Parking Spaces</b>	<b>Location of Disc Parking Area</b>	<b>Car Parking Spaces</b>
<b>5 Hour</b>		<b>10 Hour</b>	
Round Top Pier	36	La Valette	45
Hauteville	20	Havelet	9
Havelet	6	South Esplanade	69
Park Street Square	19	South Esplanade	72
Park Street	15	Castle Pier	166
Valnord	23	George Road	11
Valnord Hill	20	Mount Durand	38
Les Petites Fontaines	12	Charroterie	4
Mount Hermon	10	La Couperderie	13
Vauvert	23	Cordier Hill	12
Upland Road	27	Vauvert	4
Candie Road	24	Doyle Road	5
St Julian's Avenue	35	Monument Gardens Rd	50
Well Road	12	Monument Road	39
Mignot Plateau	26	Arsenal Road	14
<b><u>Total</u></b>	<b>308</b>	Les Vauxlaurens	11
		Cambridge Park Rd	11
		L'Hyvreuse	18
		Bruce Lane	2
		New Paris Road	19
		Piette Road	18
		Paris Street	5
		St George's Esplanade	20
		St George's Esplanade	17
		Odeon	212
		North Beach	399
		Salerie	446
		<b><u>Total</u></b>	<b>1729</b>



The President  
States of Guernsey  
Royal Court House  
St Peter Port  
Guernsey  
GY1 2PB

27 February 2003

Dear Sir

**Integrated Road Traffic Strategy**

I refer to the letter dated 20 February 2003 addressed to you by the President of the States Traffic Committee on the above subject.

The Advisory and Finance Committee recognises that the Traffic Committee has undertaken a wide public consultation before developing its policy proposals, and applauds the comprehensive integrated approach taken over the complex and difficult matters involved in trying to develop a balanced road transport strategy.

The Committee notes that the strategy involves a package of integrated measures including policies on public transport, parking, vehicle registration and licensing, road safety and the environment. Taken together these measures seek to provide incentives for people to use their cars less and to use alternative forms of transport more whilst seeking to provide for current car usage.

The integrated proposals are balanced, and appear to be proportional to the problems of traffic congestion and pollution which have been generally acknowledged as needing to be addressed.

The Traffic Committee endorses the need for 600 more parking spaces in Town. This complements the Board of Administration's proposals to progress plans for the provision of 550 to 700 long-stay places at the Fish Quay. The Board of Administration has advised that, whilst the commercial viability of private funding for the project relies on the funder receiving the income from charges made for the additional long-stay parking, the Board does not consider that the viability is dependent on paid parking being introduced generally for existing long-stay places.

The Advisory and Finance Committee along with the Traffic Committee sees this additional parking provision as representing just one element of a package of measures intended to improve traffic management in Town in a long-term and sustainable manner. This package would also seek to encourage restraint in car use,

promote alternative forms of transport and be linked to the further significant improvements in the bus service as set out in section 4 of the policy letter.

The Traffic Committee reports that the majority of the approximately 4,000 responses received from the public consultation exercise that it undertook supported the principles underpinning these proposals.

The Committee is pleased to see that the policy letter contains the Traffic Committee's Indicators of Success (Section 9) and would encourage other committees to include similar indicators in future policy proposals.

Members of the States will recall that on previous occasions in the States the subject of paid parking has proved to be controversial. The Committee recognises that the Traffic Committee is presenting a balanced, integrated set of policy proposals whereby income from paid parking will be used to fund other proposed measures. The Committee also recognises that should the States not approve paid parking then costs of the other proposed measures and how they are to be funded would need to be reviewed.

The Advisory and Finance Committee remains divided with a majority, on the casting vote of the President, being in favour of the principle of introducing charges for long-stay parking. Some members of the Committee who support the principle are concerned however that the Traffic Committee intends to apply such charges to all long-stay parking, including on-street parking, rather than just for the main off-street parks at the North Beach, La Salerie and Odeon. They are also concerned that, under the proposals, the Traffic Committee will be able to designate which parks are subject to charging and to set and vary the level of charges without further referral to the States. Those members will make their views known during debate.

Proposition xii asks the States to approve in principle that motor tax should be abolished or reduced and that a corresponding increase in the tax on petrol and diesel sales should be introduced. The Traffic Committee's wish is to remove or reduce the tax burden for licensing a car to run on the roads but to increase the burden of tax that is proportional to the use of the car without necessarily any increase in the total amount of tax collected. The Traffic Committee is not proposing that vehicle registration should cease so the costs of administering vehicle registration and motor tax collection will not change significantly whatever rate of motor tax is charged or if motor tax is totally abolished.

The Committee supports the proposition as worded but would not support the total abolition of motor tax. Total removal of an existing major source of income would reduce the flexibility of the States to redistribute the tax burden to meet changing circumstances. The Committee is also mindful that motor tax is a very efficient tax in that it is paid direct to the States unlike the tax on petrol and diesel sales which is subject to an additional margin added by retailers and which also impacts on the Retail Price Index. These considerations will be reflected in any budget proposals that result from the States decisions on the Traffic Committee's proposals.

The Advisory and Finance Committee believes that any significant costs associated with the Traffic Committee's recommendations should be known before final approvals are given. The Committee will liaise with the Traffic Committee to ensure that all approved policy proposals involving significant expenditure are costed, and referred either to the States or to the Advisory and Finance Committee as appropriate before such proposals are implemented.

Subject to the above comments, the Advisory and Finance Committee recommends the States to approve the proposals.

Yours faithfully

L. C. MORGAN

President  
Advisory and Finance Committee

The States are asked to decide:-

XXI.- Whether, after consideration of the Report dated the 20<sup>th</sup> February, 2003, of the States Traffic Committee, they are of opinion:-

1. To approve that, as a matter of principle, the main objective of the States' road transport strategy shall be to reduce the level of car usage in the Island, in particular by encouraging the use of alternative forms of transport, discouraging unnecessary car travel and promoting more responsible use of the car.
2. To approve the States Traffic Committee's intention to continue improving the scheduled bus service levels and the associated network infrastructure, as set out in section 4.2.1 of that Report.
3. To direct the States Traffic Committee to return to the States in due course with proposals for the provision of free school bus travel for all pupils.
4. To approve the States Traffic Committee's intention to undertake a comprehensive review of the opportunities to improve the Island's park-and-ride infrastructure, including the introduction of new sites and services, and to report back to the States with the results of that review in due course.
5. To approve the introduction of pay parking in the long-stay parking places at the Odeon, Salarie and North Beach car parks, as set out in section 5.2.1 of that Report.
6. To approve the introduction of pay parking in other on-street long-stay parking places in St Peter Port, as set out in section 5.2.1 of that Report.
7. To enable the States Traffic Committee, by Order, to establish and review the applicable hourly rate or rates for pay parking.
8. To approve the States Traffic Committee's policies in respect of the construction of new public car parks, as set out in section 5.2.2 of that Report.
9. To approve the States Traffic Committee's proposals for the introduction of further on-street residents' parking schemes, as set out in section 5.2.3 of that Report.
10. To approve the States Traffic Committee's intention to develop proposals for the creation of off-street residents' parking facilities, as set out in section 5.2.3 of that Report.

11. To approve the States Traffic Committee's intentions in respect of motorcycle and cycle parking, car sharing, parking for the disabled and the management of the disc and approved parking systems, as set out in sections 5.2.4 to 5.2.7 of that Report.
12. To approve in principle that motor tax shall be abolished or reduced and that a corresponding increase in the tax on petrol and diesel sales should be introduced and to direct the States Advisory and Finance Committee to prepare detailed proposals in that respect as part of its future budget proposals.
13. To approve the States Traffic Committee's intention to investigate the introduction of a register of driving instructors, as set out in section 7.1.1 of that Report and direct it to report back to the States with the results in due course.
14. To approve the States Traffic Committee's intention to carry out a review of the existing policies and legislation relating to the age requirements for driver licensing and direct it to report back to the States with the results in due course.
15. To approve the States Traffic Committee's intention to commission a comprehensive and strategic review of the Island's speed limits and direct it to report back to the States with the results in due course.
16. To approve the States Traffic Committee's intentions in respect of vulnerable road users, as set out in section 7.1.4 of that Report.
17. To approve the States Traffic Committee's intention to introduce an experiment to reduce and/or limit the traffic using Church Square.
18. To approve the States Traffic Committee's intention to develop proposals for a ban on the use of "bull bars" and direct it to report back to the States with these in due course.
19. To approve the States Traffic Committee's intention to develop proposals for the introduction of compulsory emission and noise tests for vehicles and to report back to the States with these in due course.
20. To direct the States Advisory and Finance Committee, when recommending the States Traffic Committee's annual capital allocation and expenditure limit for its revenue budget, to take account of the States Traffic Committee's responsibilities and plans associated with the provision of further improvements to the scheduled bus services, the provision of the necessary infrastructure for bus users, cyclists and motorcyclists, the provision and maintenance of pay parking systems and facilities, the introduction of traffic

calming schemes and improvements for vulnerable road users and, where necessary, the appointment of traffic engineering consultants.

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

*STATUTORY INSTRUMENTS LAID BEFORE THE STATES***THE BOARDING PERMITS FEES ORDER, 2003**

In pursuance of the provisions of section 17(3) of the Tourist (Guernsey) Law, 1948, as amended, I lay before you herewith the Boarding Permit Fees Order, 2003, made by the States Tourist Board on the 17th February, 2003.

## EXPLANATORY NOTE

This order prescribes the fees payable by the holder of a boarding permit from 1st April 2003 and replaces the Boarding Fees Permit Order, 2001.

**THE HEALTH SERVICE (PHARMACEUTICAL BENEFIT) (RESTRICTED SUBSTANCES) (AMENDMENT) REGULATIONS, 2003**

In pursuance of the provisions of section 35 of the Health Service (Benefit) (Guernsey) Law, 1990, I lay before herewith the Health Service (Pharmaceutical Benefit) (Restricted Substances) (Amendment) Regulations, 2003, made by the Guernsey Social Security Authority on the 21st February, 2003.

## EXPLANATORY NOTE

These Regulations amend the previous Regulations so that medical practitioners cannot order saline nasal spray (Sterimar) on the Authority's prescription form PS6.

DE V. G. CAREY  
Bailiff and President of the States

The Royal Court House,  
Guernsey.  
The 7th March, 2003.

**APPENDIX I**

**STATES EDUCATION COUNCIL**

ST. MARY AND ST. MICHAEL PRIMARY SCHOOL: VALIDATION REPORT

The President,  
States of Guernsey,  
Bailiff's Chambers,  
Royal Court House,  
ST. PETER PORT.  
GY1 2PB

11th February, 2003.

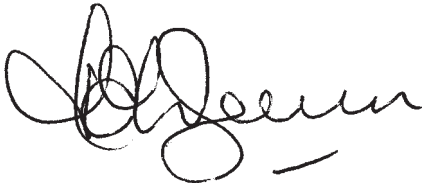
Dear Sir,

St Mary and St Michael Primary School Validation Report

I enclose two copies of the summary of the validation report and the Council's response for the above school. I shall be grateful if you will arrange for this to be published as an appendix to the Billet d'Etat for March 2003.

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

Yours faithfully,

A handwritten signature in black ink, appearing to read 'M. A. Ozanne', with a horizontal line underneath.

Deputy M. A. Ozanne,  
President, States Education Council.

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

**CONFIDENTIAL**

**Summary of the Validation Report**

**ST MARY & ST MICHAEL ROMAN CATHOLIC  
PRIMARY SCHOOL**

**GUERNSEY**

**October 2002**

## SUMMARY OF THE VALIDATION REPORT

### ST MARY & ST MICHAEL ROMAN CATHOLIC PRIMARY SCHOOL

St. Mary and St. Michael Roman Catholic Primary is a voluntary school of the Diocese of Portsmouth and is situated within the parish of Our Lady Star of the Sea, Delancey. It is a one form entry school, taking children from across the island although most live in the north. There are 158 pupils on roll, made up of 89 boys and 69 girls, aged from 4 to 11.

They are taught by 8 full-time staff, including the headteacher, and 1 part time teacher. There are 7 classes with an average class size of 24 and a pupil/teacher ratio of 23 : 1.

#### **Background**

The validation team consisted of six inspectors. Four were Ofsted inspectors from the UK, one was an IFES trained headteacher from Jersey and one was a Catholic Diocesan Officer. The team met informally with the staff and toured the school accommodation on the Sunday before the validation and then spent four days inspecting the school.

The school provided a comprehensive range of documentation and information in advance of the visit, having spent a year working on its self-evaluation activities. Additional information, including portfolios and children's work, was made available during the week. Good support was received from the Island's Primary Advisory Teacher. All staff had attended the Education Department's IFES Internal Evaluator training course on how to carry out a self-review.

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

- \* scrutiny of a wide range of whole school and subject documentation from the last three years, including School Improvement Plans, portfolios, minutes of meetings and SATs results;
- \* observation of 67 whole or part lessons;
- \* examination and discussion of teachers' planning;
- \* attendance at assemblies and some extra curricular activities;
- \* examination of pupils' current and previous work;
- \* approximately 16 hours of planned discussions with teachers and other staff, pupils and parents;
- \* observation of pupils on arrival and departure from the school and at other times around the buildings and grounds;
- \* scrutiny of letters and returns from the confidential parental questionnaire.

At the end of the week, subject leaders received an oral feedback on their areas of responsibility, and the team's main findings were reported to the headteacher and her senior management team, and to the Director of Education.

## Main Findings

\* The school has made sound progress in many areas since the previous inspection in 1997, with necessary support for the school's leadership and management having been provided through external consultants and officers of the Education Department.

\* The school's self review identifies much helpful evidence on which to prioritise future developments. It is mostly accurate, though some sections are more descriptive than evaluative, and there is no overall summary or prioritising of findings and recommendations. Good support with classroom observation was provided by the Department's Advisory Teacher.

\* The headteacher and her staff provide a calm, caring, and well ordered ethos within which purposeful teaching and learning can take place. Children are polite and well behaved.

\* Classroom assistants are making a strong contribution to the successful work of the school.

\* During the validation week, 67 lessons were observed by the visiting inspectors. Of these, 85% were of at least satisfactory standard, and a commendable 46% were judged to be good or excellent. This compares favourably with the findings at the last inspection when the figures were 75% and 22% respectively.

\* Improvements in teaching have been brought about through the successful introduction of the structured Literacy and Numeracy Strategies, the provision of updated schemes of work in several subjects, and the continued attention being paid to the strengthening of planning, data analysis, ICT provision, and the matching of work and resources to children's different levels of ability.

\* Portfolios of children's work have been introduced in several areas. In the best examples, work is dated to assist with the monitoring of continuity and progression.

\* Examples of good teaching and learning were observed in all subject areas. The school, with Education Department support, is addressing weaknesses in teaching which were identified during the self review and by the inspection team. In the unsatisfactory lessons, children make slow progress, with the higher attaining pupils being insufficiently challenged. The use of clear learning objectives, lesson evaluations and the plenary sessions varies in quality across the school.

\* The recent appointment of an experienced and able deputy headteacher from the UK has been welcomed by the headteacher. It has been the catalyst for a number of purposeful initiatives, and greatly assisted the school with the organisation of its formal self review.

\* There are regular minuted meetings for the senior management team and for the full staff, and systems of communication have been strengthened. Procedures are being formalised to involve staff in the continuous review of their work, and the production of annual reports to inform the drawing up of the School Improvement Plan.

\* Steady progress is being made in most of the areas identified for attention in the School Improvement Plan, including ICT, target setting in the core subjects, individual education programmes (IEPs), history and communication with parents.

\* There remains a need for clearer direction and more pro-active leadership in a number of areas relating to the coherence of the School Improvement Plan, the allocation and management of financial resources, the regular monitoring of work and activity, the definition of senior management roles, the expected duties of the school's subject leaders, and the implementation of the Island's system of performance management.

- \* The school has carried out a time audit in order to assist with the provision of a broad and balanced curriculum. More time is now available for PSHE, history, geography, science and RE. Continued monitoring of planning, timetables and classroom practice will be needed to ensure that breadth and balance are being achieved. The curriculum is enhanced by a number of extra-curricular activities, including those for sport, art, mathematics and music.
- \* The school's expectations of the role of its subject leaders need to be clarified, together with the arrangements for facilitating their work and providing them with delegated financial responsibilities.
- \* Over the last four years, there has been an annual improvement in the results for SATs, indicating that good progress has been made in levels of pupils' attainment since the last inspection. The deputy headteacher is making an important contribution to the development of the school's assessment procedures, the analysis of test data, and the setting of appropriate targets.
- \* The new co-ordinator for children with special educational needs (SENCO) is having a positive impact on work in this area. She liaises well with the appropriate support agencies, and works closely with class teachers to write detailed IEPs for identified children. These contain sharply defined targets, together with relevant assessment criteria, resources, teaching techniques and strategies.
- \* Good provision is made for children's welfare and for their spiritual, moral and social development. Insufficient opportunities are provided to promote cultural development through literature, music, art and the involvement of parents and visitors from different cultural backgrounds.
- \* Adequate provision is made for collective worship, but there is a need to review the school policy and pupil involvement. The teaching and co-ordination of RE is mostly unsatisfactory.
- \* The responses to the parental questionnaire (Appendix A) show that a high proportion of parents are pleased with many aspects of the school's work. A high percentage report that their children like school, make good progress, behave well, are taught effectively, and are positively influenced by the school's values.
- \* The Parent Teacher Association works hard and effectively to raise funds for the school and has provided the recently opened heated swimming pool.
- \* The school's internal report failed to identify those areas of concern raised by a significant number of parents relating to some unsatisfactory teaching and lack of pupil progress in one class, failure to act upon complaints, the inconsistent setting of homework, the need for more information about children's progress, and the desirability of more outside visits and school trips.
- \* Improved documentation and planning in the Foundation Stage, and the appointment of an able classroom assistant, have ensured that children benefit from a gentle and phased transition into school. They make steady progress towards the Early Learning Goals. Continued focus should be placed on the development of role play and creative work, outdoor resources, and making the classroom learning environment more closely aligned with the different areas of learning.
- \* The school's financial systems are secure, with good oversight from an experienced secretary who provides a welcoming first point of contact for parents and visitors. Similarly, the caretaker gives purposeful attention to the school environment and to the safety of pupils.
- \* Staff duties are undertaken conscientiously and the school is calm and well ordered.
- \* Several staff have benefited from in-service training opportunities. The staff development programme needs to be more closely aligned with the priorities of the School Improvement Plan. Some classes benefit from extended specialist work by the teachers of French, PE and music.

\* The school is adequately resourced to meet the requirements of the Guernsey Curriculum, and a new ICT suite is nearing completion. Further work is needed to increase the use of the library, and to improve resourcing in the Foundation Stage, geography, history and RE.

### **Key Issues that the School Needs to Address**

\* The school's self evaluation report has provided a helpful identification of strengths and weaknesses on which to base future planning. In order for the school to move forward, it will need pro-active and purposeful leadership from the headteacher, supported by her senior management team. All staff should be included in the production of an agreed, coherent and prioritised School Improvement Plan. It should seek to :

- establish clear duties for subject leaders, together with arrangements for facilitating their monitoring role and giving them delegated budget responsibilities;
- address issues raised in the returns from the parental questionnaire;
- rectify the identified weaknesses in teaching and learning;
- implement the Island's system of performance management;
- provide continued attention to the analysis of test data, planning, determine learning objectives, target setting and procedures for assessment and for reporting to parents;
- consolidate the initiatives and developments introduced following the last inspection;
- match work, activities and resources to pupils' different levels of ability in order to ensure that all children, particularly the higher attainers, are adequately challenged;
- update and implement necessary policies and schemes of work;
- review the arrangements for collective worship, and for the co-ordination of RE;
- improve resourcing and storage facilities for the Foundation Stage, and continue to focus upon the development of role play, creative work and the classroom environment;
- continue to seek and provide relevant in-service training activities, within a co-ordinated staff development programme linked to the School's Improvement Plan.

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

*A follow-up visit to the school will be made in autumn 2003 in order to monitor and discuss the progress the school has made, and a written report will be made to the Director of Education.*

## APPENDIX A

## St Mary &amp; St Michael RC Primary School

## PARENTAL SURVEY

Number of questionnaires sent out	136
Number of questionnaires returned	85
Percentage return rate	63

Percentages of responses in each category	Strongly Agree	Tend to Agree	Tend to Disagree	Strongly Disagree	Don't know	Nil Response
My child likes school	51	47	2	0	0	0
My child is making good progress in school	48	46	5	0	1	0
Behaviour in the school is good	51	44	2	1	1	1
My child gets the right amount of work to do at home	18	51	26	6	0	0
The teaching is good	53	40	2	2	2	0
The school gives me a clear understanding of what is taught	34	52	12	1	1	0
I am kept well informed about how my child is getting on	42	42	14	1	0	0
I would feel comfortable about approaching the school	56	35	5	2	1	0
The school handles complaints from parents well	27	29	12	5	26	1
The school expects my child to work hard and achieve his best	60	35	2	1	1	0
The school is well led and managed	56	33	5	1	5	0
The school's values & attitudes are helping my child to become mature and responsible	60	34	5	0	1	0
The school provides an interesting range of activities outside lessons	20	36	31	5	8	0
The school works closely with parents	35	49	9	2	4	0

**STATES EDUCATION COUNCIL**

## RESPONSE TO THE VALIDATION REPORT

ON

## ST MARY and ST MICHAEL RC PRIMARY SCHOOL

The Education Council and the staff of St Mary and St Michael Primary School welcome and accept the Validation Report of October 2002. It is pleasing to note that the school has made sound progress since the previous inspection in 1997.

The school has established a calm, caring and well-ordered ethos in which there is purposeful teaching and learning. Examples of good teaching and learning were observed in all subject areas, with 85% being of at least a satisfactory standard, and a commendable 46% judged to be good or excellent. The numeracy and literacy strategies have been introduced successfully.

The curriculum is enhanced by a number of extra-curricular activities, including those for sport, art, mathematics and music.

Classroom assistants make a strong contribution to the work of the school.

Relationships with parents are good, with many parents expressing support for many aspects of the school's work.

Attainment in the end of key stage SATs indicate that children have made good progress since the last inspection.

The validation process has been successful in providing the school with a clear agenda for its future development. The school is now working diligently to address the areas for development which were highlighted both in its self - review and in the validation report.

## APPENDIX II

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*States Overseas Aid Committee  
Annual Report 2002*

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**In accordance with Resolution XIII on Billet d'Etat III 1980**

**The Committee's budget for contributions to development aid overseas in 2002 was £1,047,500. This was used to fund the following types of projects: Agriculture/Fisheries, Education and Training, Health and Integrated Development.**

**In addition to this, during the year two grants were made to the Disasters Emergency Committee on behalf of the States of Guernsey for the purpose of providing aid in respect of the following emergency disasters, as follows.**

**In January the Committee, together with the Advisory and Finance Committee, agreed to provide an immediate grant of £50,000 to the Disasters Emergency Committee Goma Crisis Appeal, following the catastrophic volcanic eruption near the town of Goma in the Democratic Republic of Congo, which caused widespread devastation to the town and surrounding area and resulted in tens of thousands being made homeless.**

**In August it was similarly agreed to provide an immediate grant of £50,000 to the Disasters Emergency Committee to address the very real threat of famine facing more than 14 million people in seven countries in Southern Africa, a crisis brought about by a combination of two years of drought, flooding in some areas, policy and governance failures and political instability. The countries affected were: Angola, Lesotho, Malawi, Mozambique, Swaziland, Zambia and Zimbabwe.**

**In agreeing this, the two Committees were aware of concerns about potential political problems with the fair distribution of aid in Zimbabwe, but were assured by the Disasters Emergency Committee that, if there were problems with the fair distribution of aid in Zimbabwe, work in that country would be halted.**

## Projects Supported - 2002

### Agriculture/Fisheries

#### AFGHANISTAN

##### Christian Aid

**Water Security and Rehabilitation Project, Kushk Rabat Sangi District £16,350**

To help rural communities from five villages numbering some 3,850 people, in the district of Kushk Rabat Sangi to develop the capacity to meet their own basic needs in a sustainable manner. By constructing four aqueducts and one siphon, the project will assist local people in their effort to manage natural resources, to respond to natural disasters and secure an adequate source of income for their families. The target villages currently receive their irrigation water via locally constructed channels. These do not provide enough water to meet the farmers' needs due to poor construction resulting in leakage, recurrent damage from flooding, and inability to carry large volumes of water during spring. As a result, some viable land is unirrigated and the land that is irrigated receives insufficient water. The situation is worsened by flooding each year which destroys farming land and houses. In some village there is also a shortage of drinking water. The construction of four aqueducts and one siphon will boost crops production which in turn will respond to local communities' basic need for food security and access to water to sustain life.

#### CAMBODIA

##### World Vision UK

**Kompong Leaeng Agricultural Project, Kompong Chhnang Province £23,700**

To increase average rice production from 1,500kg/hectares to 2,500kg/hectares of 21,245 people (including 12,215 women) or 4,037 families in five communes of Kompong Leaeng District, Kompong Chhnang Province, by providing training on appropriate agricultural technologies, enhancing use of organic fertiliser, establishing 15 village cow banks in 10 villages, and developing irrigation infrastructure. The provision of the cow banks will solve the problem of a lack of drought animals, and the provision of water is imperative for rice crop cultivation.

**CHINA****ApTibet****Energy and Sustainable Agriculture, Zhaba Township, Qinghai Province****£12,479**

The overall aim of this project is to improve the livelihoods of 1,074 poor and marginalised Tibetans living in Zhaba Township, Hualong County, Qinghai Province, (formerly part of Tibet), by increasing their access to fuel, an activity currently requiring up to 16 hours a day. Particular emphasis is placed on women, for whom the burden falls as the collectors of fuel. The specific aims are: to diversify domestic energy options, and reduce the female labour burden. This will be achieved through diversification of current methods, introduction of new technologies and development of new strategies (such as briquetting, solar cookers, improved cook stoves etc); the promotion of environmental protection of agro-and pastoral ecosystems and improved nutrient status of agricultural land, through training, awareness raising and increased community-government liaison; to empower Community groups (including increased involvement in decision-making), through the development and training of these groups to mobilise and make demands upon government line agencies/services for assistance to develop their communities; to diversify and increase agricultural production for a strengthened local economy. This will be achieved through farmer-led action research into labour saving appropriate technologies for soil and water conservation. Funding will provide the infrastructure, training and support needed to undertake this project. This includes the materials for solar cookers, briquette machines, improved cook stoves, trees, plants and shrubs, training materials, trainers, specialist expertise for design, travel and accommodation as well as administrative support costs for the programme staff running the programme in China.

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**INDIA****Interlock****Livelihood / Agricultural Renewal for Earthquake Victims, Kutch,  
Gujarat State****£26,516**

In addition to the drought over the last few years suffered by Gujarat State, the region was also devastated by the earthquake in January 2001. Following recent surveys after the monsoon, which provided only some 20% of the usual amount of water, it has been discovered that much of the water cannot be retained in the wells because of the geographical upheaval caused by the earthquake. This is an urgent programme to fully utilise the little amount of water that there is and to restore livelihoods. To this end and to reduce waste through evaporation, greenhouse poly tunnel farming has been started and related training in watershed development begun. The aim is to construct poly tunnels, one at each of 7 school centres. The poly tunnels will provide surplus water through condensation. Each school centre has about 5-10 villages in its feeding zone. Students trained here will start the project on land given to the school by the villages; they will provide vegetables for the families of the school children to take home. Depending on the amount of land commercial production for tissue culture will be introduced to make the project commercially viable. Students trained in tissue culture of dates, etc will introduce the method to their village. The project will therefore provide essential food/nutrition for the schools in this impoverished area, with surplus for the villages. This is an important additional benefit in that this horticultural project will provide an on-going source of income.

**SCIAF****Agricultural Development with Tribal Peoples, Pachai Hills, Tamil  
Nadu****£9,852**

To benefit approximately 4,000 tribal people from 18 remote villages in the Pachai Hills, by working through their local community groups, known as "sanghams", to achieve better income, health and quality of life, and enabling villagers to act as a community to access government services. The project is a continuation and development of earlier work in these communities, and involves an integrated programme of land and water conservation, education, savings schemes and health promotion. The main activities are: strengthening of local organisation to build effectiveness and confidence in dealing with the authorities; skills training and practical assistance with soil and water conservation and use of natural farming methods; promotion of self-help savings/credit and income generating activities; health/nutrition education, including HIV/AIDS, and campaigning/advocacy for improved government services; supplementary education classes for children, while lobbying the government to provide schools and teachers.

**KENYA****SOS SAHEL International (UK)****Meru Dryland Farming Project, Livestock and Fuel Programme, Meru Central District****£14,124**

To help small-scale farmers in Meru Central District who have moved from higher rainfall areas into a dryland zone to develop and adopt appropriate farming methods and to improve their livelihoods while preserving the natural resource base. The project helps farmers to withstand the droughts they frequently suffer, rather than simply relieving their effects. The project's Livestock and Fuel Programmes target women and children, the most vulnerable members of the community, as follows: The Livestock Programme is working with farmers to improve the quality and productivity of livestock, especially goats which thrive in dryland areas. Approximately four hundred farmers will receive training on disease control, fodder conservation and animal husbandry. Twenty Community Animal Health Workers will be trained. The programme will increase household income and food security, reducing vulnerability. Some 2,800 people will benefit. The Fuel Programme will identify the most appropriate cooking system for the area. The introduction of fuel-efficient stoves will help conserve natural resources and lessen the heavy workload of women and children, who are traditionally responsible for fuel collection. Women's capacity for income generation will be increased through the extra time available to them and the opportunity to be trained in stove manufacture and installation.

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**MALAWI****Oxfam****Smallholder Dairy Development Project, Shire Highlands****£23,824**

To assist new farmers to establish dairy farms, increasing the dairy herd by promoting cross-breeding, improving animal husbandry skills of smallholder farmers, increasing access to farms inputs such as feed and drugs, improving the delivery of services to dairy farmers, and linking poor producers to markets in Shire Highlands. The two major aspects that will be addressed by this project are: increasing the productivity of existing farmers to enable them to get a larger market share increasing the number of women farmers and linking them the SHMPA network and subsequently the dairy market. A specific goal of this project, part of a larger initiative, is to improve the living standards of the rural households through: increased household income through the sale of milk, sustainable farming systems through the use of manure as fertiliser; improved nutrition through milk consumption. Funding is for the provision of various items including the establishment of a heifer loan scheme to 20 farmers in the first year to assist them establish dairy farms, and training to around 1,000 farmers in better farm management.

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## MOZAMBIQUE

### VETAID

#### Community Livestock Development Project, Inhambane District

£22,288

To increase the food security and sustainability of the livelihoods of poor subsistence farmers in four districts of Inhambane Province, Mozambique, an area with a population of 5,000 families, which has been affected by civil war. This will be achieved through four main project activities: 1) re-introduction of draught animals (lost during the war) to increase the area of land that can be cultivated with food crops; 2) increasing outputs from livestock by improving animal health through the training and equipping of animal health promoters and establishing village pharmacies 3) re-stocking of poor (mainly female headed households) with goats to increase availability of milk and meat. 4) helping the communities to register the land they use as theirs under the new Mozambican land tenure law. This project will benefit 575 families who will receive cattle or goats and 5,000 farmers/livestock keepers and their families some 25,000 direct beneficiaries – who will use the services of the 40 promoters who will be trained by the project. The families who receive cows or goats must have the first calf/kid to another family. Eight extension agents will, through 400 contact farmers, give advice and training on improved agricultural practices to all families, to enable them to move effectively use the increased land cultivated as a result of the draught power.

## PHILIPPINES

### One World Action

#### Sustaining Agricultural Production Project, Island of Negros

£12,386

Following the Committee's funding in 2000 to improve the health, food security and self-sufficiency of two communities on the Island of Negros by developing water supply and irrigation systems, and in 2001 to provide farming inputs, working animals and training the two communities have requested support that builds on this for 700 people, for farming machinery and farming inputs. The purchase of tillers, mills and threshers will help to multiply the positive effects of the previous project. Seeds and organic fertilisers will be provided for families not reached by the previous project and will enable replication of sustainable farming practices promoted through training the previous year. Land reform in the Philippines has attempted to address extreme poverty in rural areas through redistribution of land to poor farmers but land ownership resolves only part of the problem. Poor farmers struggle to afford farming inputs like rice seed and pay high rental fees for the use of farming machinery. Many are trapped in a cycle of dependency on loans to cover basic production costs while families often face severe food shortages.

**Education****ANGOLA****CAFOD****Vocational Training Centre for Young People, Luanda****£17,790**

To address the vulnerability of the urban poor and disadvantaged in Luanda and Bengo by providing practical and realistic skills that people can use to earn an income within their communities. Many people have fled to Luanda as a result of armed conflict and insecurity. Access to employment is very low, with literacy often being demanded for basic domestic, construction or cleaning jobs which make them inaccessible to the vast majority of the population. The beneficiaries of this project are the urban poor and those who are displaced, with a particular focus on women and young people. The overall aim of the project is to provide vocational training to young people in not only the urban area of Luanda City but also the Province of Bengo, an area extending up to 100km from the city. The specific aims are: to provide courses for young people in secretarial skills, English, computer skills, sewing, shoe making, art, cooking, health promotion and literacy training; to enable people to be promoters of development in their own communities. Funding is for the administration costs, and to cover some of the courses available – re Literacy, Typing, Sewing and Health Promotion.

**DOMINICAN REPUBLIC****Community Partners Association****Generator for La Hoya School and Clinic, Barahona Province****£7,174**

To assist in the development of the community of La Hoya through the provision of education and health facilities. In particular, funding is for the purchase and associated installation costs of a 20kw diesel generator in the school and clinic completion in La Hoya. The clinic depends heavily on a constant supply of electricity to keep medicines and vaccines cool. In the tropical climate of La Hoya, food will not keep and the complex is dependent upon a regular supply of electricity for the school kitchen, classrooms and offices. A generator is essential to pump water in quantity, which is essential for the operation of the school and the clinic.

**INDIA****Save the Children Fund (UK)****Repairs to School Buildings, Koraput District, Orissa State £20,000**

Following the devastation wrought by a cyclone in Orissa State in November 1999, and the damage caused by the heavy rain and flash floods in July 2001, the aim is to assist the community in Dasamantapur Block, Koraput District, to rebuild 20 schools by the end of July 2002 for them to reopen for August 2002. The repair of schools will benefit approximately 2,000 to 3,000 children, and 70 of the most marginalised and affected families will benefit through a cash-for-work programme (earning a livelihood by participating in the repair works).

**KENYA****Karibuni Trust****Tusaidie Watoto Nursery School and Kibera Primary Schools Project, £16,870  
Kibera Slum, Nairobi**

To provide Nursery education, food, clothes, (uniforms and shoes) health and social care to pre-school children in the Kibera slum, Nairobi, and Primary School education, uniforms, shoes and social care to those leaving the nursery – 149 children in total – thus providing them with education and skills to enable independence and self-sufficiency and preventing them from becoming children living on the streets.

**Riverside Academy Limited****Equipping and Refurbishing of Riverside Academy, Kasarani Division, £19,181  
Kariobangi North, Nairobi Slums**

To equip and refurbish Riverside Academy School, Kasarani Division, Nairobi, which provides mainly primary education to some 700 children from Korogosho, Dandora, Baba Dogo, Mathare, Ruaraka, Kariobangi, North and South, in the slums of Nairobi. The School commenced a Girl's Secondary Education section in 2000 with some 40 girls. The children are all from a very poor economic background and generally are those who could not find a place in other government or private schools because of lack of finance to pay school fees. The School has 30 classrooms located in 4 blocks. The object is to provide necessary equipment, and to refurbish the premises, with the overall objective of making the blocks fully operational, to cater for around 1,200 children.

**NEPAL****ActionAid****Classroom Construction at Janta Mashilal Secondary School, Saptari District****£22,425**

To increase education opportunities in Saptari District, an impoverished area where discrimination against women and girls is strong and it is difficult to find women who are educated to the secondary level. Government-supported schools in Nepal generally lack proper physical structures and are poorly maintained. The Janta Mashilal Secondary is similarly in a very neglected state. Classrooms remain closed when there is rain or strong wind, and the toilets are old and can no longer be used. Children and parents are not motivated to use the School, and there is a similar negative impact on the teaching staff. The aims of this project are therefore: to construct 10 secondary classrooms for Janta Mashilal Secondary School to improve the educational environment; to increase student's enrolment and attendance having access to formal education in an adequate learning environment; and to improve the quality of education and learning space for children. From this construction about 850 students would benefit (450 boys and 400 girls). By constructing 10 new classrooms, many girl students will be encouraged to continue with their studies. The Primary Section is already there. Students therefore will not have to change school to complete their studies. This initiative aims to assist eradicate poverty through the process of empowerment of the poorest and most marginalised women, men girls and boys. The provision of quality education provides individuals with the opportunity to achieve a lasting improvement in their lives and of their community. The need for improved secondary education is sought for this area as an acute need for the community.

**ASHRAM International****The Establishment of a Primary School, Chatradeurali/Kewalpur, Nr Kathmandu****£17,950**

To further enable an overall ongoing programme aimed at employment generation, the empowerment of women and to enable self-help housing. Phase I has provided the community with a milk chilling plant, a community hall/adult literacy centre, the enabling of housing for 80 families through saving/credit support, and the establishment of a tailoring institute. The current initiative, a component of Phase II is for the establishment of a primary school (6 classes) giving access to around 200 children in the community. These children will now be able to attend school, since the parents through Phase I now earn income to meet school fees and other educational expenses.

## **PLAN International UK**

### **Secondary School Construction, Makwanpur District**

**£26,098**

To provide a new school building for the 1,525 pupils and 30 teachers at Mahendra Secondary, Padampokhari Village, Makwanpur District, by constructing a new two-storey school building with adequate and comfortable classroom space. The school will contain 11 classrooms, one office and four washrooms with latrines. The quality of education available to the students and their overall school performance will be enhanced as a result of the improved learning conditions. The enrolment rate is also expected to rise as the school becomes a more attractive and safer place for the children. This will result in an overall improvement in the level of education and literacy in the community, particularly amongst girls.

## **Save the Children Fund (UK)**

### **Construction of Community Early Childhood Care and Development Centres, Surkhet District**

**£11,700**

To follow on from the success of the Committee's funding of a similar project in the Surkhet District, the aim of the project is to construct 50 Early Childhood Care and Development (ECCD) Centres in the District of Surkhet. As part of an integrated ECCD programme, this project aims to benefit at least 1,000 rural children aged between 3–5 years with social, physical and mental development. In turn, this will ease the burden on women, and older girls will be largely freed from childcare responsibilities. The Centres will form part of an integrated programme being implemented throughout the District. Funding is for the provision of building materials, skilled labour and transport.

**PEOPLE'S DEMOCRATIC REPUBLIC OF LAOS****Save the Children Fund (UK)****Early Learning in Primary Schools, Luang Prabang Province****£23,420**

To construct/renovate classrooms and provide water and sanitation facilities for over 3,000 schoolchildren attending 20 primary schools in Luang Prabang Province, a particularly poor and isolated region of northern Laos, as an essential part of Save the Children's (UK)'s Early Learning in Primary Schools (ELPS) project. The ELPS project is a 3-year project developed at the request of the Government of Lao to test and develop a community-based, low-cost, sustainable strategy to reduce the high failure, repetition, and drop-out rates experienced by children in their early years of schooling. The project seeks to improve early years education in 20 target schools in the first year expanding further in later years. Overall project activities include training existing teachers, recruiting new ones, renovation and construction of premises, provision of basic teaching materials, clean water and sanitation. Renovation and construction of classrooms for new pre-school classes attached to primary schools. Recruitment of new early years teachers from the local community. In-school training and follow-up support for new early years teacher. Provision of basic teaching materials for early years classes. Installation of water and sanitation where necessary. Support for the first year of the project will enable Save the Children to work with local communities to renovate existing classrooms in the 20 primary schools for use as pre-school classes, build additional classrooms where necessary, and provide essential water and sanitation facilities for the schoolchildren, and will go a long way towards supporting implementation of the wider ELPS project.

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## SUDAN

### Mines Awareness Trust

**Community-Based Mines Risk Education including Emergency Needs Assessment, North and South Sudan** **£14,366**

To overall aim is to reduce the number of casualties and ease the restrictions for communities living with the threat of landmines and unexploded ordinance in Sudan. The programme in Sudan will be running two distinct projects, one in the north in Government of Sudan controlled areas with the Sudanese Society for Landmines Clearance, run from Khartoum, and one in the south in (mainly) Sudanese Peoples Liberation Army/Movement controlled areas with the Sudanese Integrated Mines Action Service, run from Rumbek. In particular, this will be achieved through Mine Risk Education (MRE) which will involve identifying Community Volunteers who will be trained in Mines Awareness and who will become the focal point for Mines Awareness in the community. Children will specifically be targeted and Child-to-Child techniques will be employed. Training for those working in the fields will take place in the evening when they return. The other MRE components include Data Gathering, which will assist with Landmine Impact Survey and, therefore, clearance prioritisation dependant on humanitarian needs. Funding is for the provision of 7 DT-125 Yamaha motorcycles – 4 to be used in the south and 3 in the north – for use by the trainers to reach remote areas inaccessible to 4x4 vehicles.

### World University Service (UK)

**Basic Education for Displaced Children in Mayo Camp, Khartoum State** **£7,700**

To facilitate access to education for an estimated minimum of 250 people within the Mayo Camp community, an internally displaced people's community located in the desert area on the outskirts of Khartoum, through the construction of three classrooms complete with basic educational materials. In the morning they will be used for basic education classes, in the afternoon for the education of girls who are occupied with working in and outside of the household during the mornings, and for adult literacy classes during the evening. The ultimate objective is to empower the communities within the camps, enabling them to actively develop and integrate themselves within their new context. There is a strong correlation between education levels and levels of poverty. The sustainable provision of an adequate education system within the camp, should eventually lead to better standards of health and living. Since the early 1980s, due to ongoing civil war and long term deterioration of economic conditions in environmentally marginal areas, several camps of internally displaced people have formed in the areas of surrounding Khartoum State and Kosti Province in Northern Sudan. Communities within these camps are not formally recognised by government. However, they have been left to remain there. One result of this is that no adequate education opportunities are provided, and any improvements tend to be the result of community based initiatives.

**UGANDA****Christ Our Hope Orphanage Centre****Promotion of Orphans Vocational Education and Training Towards Self Reliance, Mpigi District** **£19,941**

To assist economic and social development in Temangelo Parish, Mumyuka Sub-County, Mpigi District, through providing support to orphans at Christ Our Hope Orphanage Centre. These children have been made homeless either by the liberation war of 1980–1986, or because of AIDS. There is a need at the Centre to construct classrooms to accommodate children from primary four to seven. The Centre provides free primary education to mainly orphans and less privileged children from the very poor families. This initiative will not only address a prevailing need in the area, but will also reduce the rate at which children/orphans leave the villages to look for employment in the city and become street children. The aims of the project are: to construct a 4-classroom block; to construct a vocational training block offering technical/vocational skills to young children in order to become self reliant; to provide the necessary tools for the carpentry and masonry workshop, and sewing machines etc for the tailoring workshop. Some 340 children will benefit from the project.

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**Emergency Disaster Relief****DEMOCRATIC REPUBLIC OF CONGO****Disasters Emergency Committee****Donation to Goma Crisis Appeal****£50,000**

To enable the twelve UK member aid agencies of the Disasters Emergency Committee to provide emergency relief following the catastrophic volcanic eruption near the town of Goma, in the Democratic Republic of Congo, which has caused severe devastation to the town and surrounding area and has resulted in tens of thousands of people being made homeless. The funds will assist to provide immediate essentials such as clean water, sanitation, food supplies, temporary shelter and medical supplies.

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**SOUTHERN AFRICA****Disasters Emergency Committee****Donation to Southern Africa Crisis Appeal****£50,000**

To assist the thirteen UK member aid agencies of the Disasters Emergency Committee to address the very real threat of famine in seven countries in Southern Africa, a crisis brought about by a combination of two years of drought, flooding in some areas, policy and governance failures and political instability. The aim is to attempt to avert catastrophe in the region by providing food, medical supplies, seeds and tools etc to more than 14 million people. The countries affected are: Angola, Lesotho, Malawi, Mozambique, Swaziland, Zambia and Zimbabwe.

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Health
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**ANGOLA****Marie Stopes International****Preventing Transmission of HIV/AIDS and Sexually Transmitted Infections, (STI's) Luanda****£25,000**

The overall aim of the project is to prevent the rapid transmission of HIV/AIDS and STIs in Luanda. The specific objectives of the project are: 1. To raise awareness about transmission and prevention of HIV/AIDS/STIs and voluntary counselling and confidential testing (a) at the community level through: community based health promotion; working with other health providers, non governmental organisations (NGOs), schools, employers and community based organisations (CBOs). Health promotion and information education and communication activities will be provided by health promoters in the communities surrounding the two Marie Stopes International (MSIA) centres. This will involve door-to-door promotion, condom distribution, centre referrals and raising awareness of outreach visits by MSIA nurses. Linkages will be developed with public, private and NGO health providers with NGO's/CBO's working on prevention of HIV/AIDS and with employers. Community leaders and CBOs including church, and youth organisations will continue to be actively involved in planning of MSIA's health promotion initiatives. (b) at the policy level through: participation in relevant multi-agency fora: collaboration with Government and international health and welfare agencies working in Luanda; contributing to the Government of Angola's National Programme in the Fight Against HIV/AIDS. 2. To provide diagnosis and treatment of STIs and VCCT at two centres in Cazenga and Kilamba Kiaxi. The two MSIA centres will continue to provide diagnosis and treatment of STIs using the world health organisation (WHO) syndromic approach, with complicated cases being referred to MSIA's laboratory facilities. Centre team members will provide clients with information about HIV/AIDS and STIs, and problems related with these diseases, and will inform clients about alternative locations where they can obtain information and assistance. Clients will be able to access counselling and confidential testing provided by trained counsellors at the two MSIA centres. The service will include; pre test basic and/or psycho social counselling, HIV testing, family planning methods, mother and child health care etc.

**BANGLADESH****Fulshaind Village Trust (UK)****Sanitation and Public Health Programme, Sylhet District****£6,634**

Following on from the Committee's grant in 1997 for medical supplies for Fulshaind Village Primary Health Care Clinic, the aim of this project is to further improve the health of villagers in Fulshaind and 10 outlying villages, with particular emphasis on children through the distribution and installation of 500 household sanitary sets. The aim of the project is also to improve individual hygiene and sanitation practices through health education.

**BRAZIL****ActionAid****Sanitation Infrastructure Development, Mearin, Maranhao State****£24,500**

To provide poor communities within agrarian reform settlements, in remote rural areas of Maranhao State, with dry septic tanks and latrines, given the almost non-existent sanitation infrastructure (lack of toilets and sewerage systems) along with the scarcity of water supply (for drinking, household consumption and agricultural use) in the region. This project will work to deliver basic sanitary infrastructure in three agrarian settlements (Centro do Coroata, Bom Principio and Giquiri) within the Municipality of Esperantinopolis, in Maranhao's central region (Mearin). The population of these rural communities is living without sanitation facilities. For families, "toilet use" is generally an open space in their backyards surrounded by simple walls made of local palm trees' leaves (babassu). Dry septic tanks are an adequate solution for a basic sanitary infrastructure in the region, taking into account the relatively low cost of construction materials (concrete, bricks, sand, tiles and wood), and the tanks' easy maintenance. The beneficiaries are 90 families in Centro de Coroata, 75 families in Bom Principio and 60 families in Giquiri, amounting to 225 families (approximately 1350 people). In addition to developing basic sanitation infrastructure, the aims of the project are: to develop basic sanitation infrastructures through installing latrines and building 225 dry septic tanks by settlements' members; to provide capacity building for the communities through training sessions covering preparation of building materials, simple construction techniques and maintenance procedures; to foster sanitation education and environmental preservation among all members of the communities by producing and distributing didactic materials appropriate to the high percentage of illiterate families; to reduce the incidence of waterborne diseases and to improve the health status of the settler families in rural areas; and to deliver better life quality in the settlements to enable their families to overcome poverty.

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## CAMBODIA

### Cambodia Trust

**Material Costs for Calmette (Phnom Penh) and Kompong Chhnang Clinics** £24,580

Further to the Committee's previous similar fundings, to fund the material costs for one year of providing artificial limbs to those who have had an amputation and orthotic devices and braces to those persons crippled by illness and disease – more so the latter because it is now known that the number of other disabled (particularly women and children) may actually outweigh the number of amputees. The Calmette and Kompong Chhnang patients total over 1,900 per year. All prosthetic and orthotic services provided by the Trust are free of charge, including dormitory accommodation and food to enable patients and families to stay during a course of fitting the artificial limbs (sometimes up to two weeks) or for routine repair work, which is likely to be of a similar duration. Funding is for the provision of materials costs.

### ChildHope UK

**Socio-economic Reintegration of Child Landmine Survivors, Battambang Province** £16,127

To provide direct support to 50 disabled boy and girl landmine survivors and their families. By facilitating access to existing services, appropriate mobility aids will be provided and children will be supported in education and training for employment. Family members will be trained to provide physiotherapy and counselling support to their disabled children. Working through a local performing arts group, local communities will be made more aware of the issues surrounding disability and the social exclusion of child landmine survivors. In addition, the local implementing partner, Operations Enfants Battambang (OEB), will lobby Government through a national committee where national mine action will be promoted. Funding is for the provision of mobility aids, school fee payments, parents training educational and promotional materials, schemes for co-ordinators and two social workers, training for staff, volunteers and beneficiaries.

**DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA****Children's Aid Direct****Medical Health Service Support, South Hamgyong Province****£15,197**

To create warm and hygienic delivery and postnatal care services for expectant and new mothers, plus the rehabilitation of washroom and food preparation areas at Donghungsan No. 2 District Hospital, which will also improve the provision of healthcare for patients and a safer working environment for staff. While the Democratic People's Republic of Korea (North Korea) has an extensive healthcare system with adequate staffing levels to support the majority of the population, there is a chronic shortage of funding for the maintenance of clinics and hospitals. Funding is also for the renovation of two dedicated and comfortable rooms for the care of children suffering from acute respiratory, infections, dehydration of requiring intensive care after operative procedures at Hamhung Paediatric Hospital. These initiatives will provide badly needed upgrading to essential areas of two key Hospitals. The Donghungsan No.2 District Hospital serves an immediate population of 50,000, and the Hamhung Paediatric Hospital cares for children aged less than 16 years. The immediate catchment area of Hamhung City has a population of around 155,000 aged less than 16 years.

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**ETHIOPIA****Oxfam****Family Planning and HIV/AIDS Prevention, Delanta Area, Amhara Region****£23,325**

To expand and increase access to information, education and communication on HIV/AIDS for people in the towns of Kombolcha and Bati in the Amhara Region. This will be achieved through: increasing the knowledge and awareness of HIV/AIDS and family planning issues for about 70,000 people; providing counselling services on related issues; organising training workshops for health workers and members of the local community; providing local communities in isolated rural areas with basic services including clinical and contraceptive supplies and the dissemination of information and education materials.

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**INDIA****Arpana Charitable Trust (UK)****Provision of an Intensive Treatment Unit and Cardiac Diagnostic Equipment, Arpana Hospital, Madhuban, Haryana** **£29,601**

The provision of an Intensive Treatment Unit and Cardiac Diagnostic Equipment to Arpana Hospital, Madhuban. Arpana has a three-tier health care system: (a) the 175-bedded Arpana Hospital/Referral Training Base has a catchment area of over 600 villages (Population approx 1,000,000); (b) mobile clinics are conducted in 35 villages of Karnal District (Population approx 65,000); (c) an intensive primary health care and development programme in the 35 villages of Karnal District, Haryana. The Referral Base Hospital is a recognised part of the overall health system in the area, with extensive training programmes for village workers, paramedics, hospital technicians etc. Although the equipment will be used at the Hospital it will form an integral part of the overall health programme. The emphasis is on primary health care through an extensive outreach network to the outlying villages and target population. The programme aims to bring the benefits of an Intensive Treatment Unit and Cardiac Diagnostic Equipment within reach of disadvantaged rural people, at free or highly subsidised rates, especially women and children, who do not have access to such facilities at present. There is no such facility within a 60-mile radius, the ambulance service is both poor and unreliable and the roads are appalling. There is a critical need for a well-equipped Intensive Treatment Unit at the Hospital.

**The Leprosy Mission****Armada Jeep for Health Education Team, Barabanki Hospital, Uttar Pradesh** **£6,480**

To purchase a jeep for the leprosy control activities as well as transporting the community awareness team based at Barabanki Hospital in West Bengal, Uttar Pradesh. The mobile health unit plays an important role in awareness building and health education through audio-visual aids, use of traditional media, and print material. Its main aim is to encourage the early treatment of leprosy and so avoid the risk of disability and deformity. The Leprosy Control Programme covers Barabanki and the surrounding area – a population of almost 300,000 people – with a leprosy prevalence rate still much higher than the target set by WHO of 1:10,000. The current local figure stands at 8:10,000. The disease has already disabled a large number of new patients with leprosy, and a more extensive programme of health education is needed to improve this situation.

**KENYA****Cooper, Bryan & Marjorie - "Wishing for a Well" Appeal****Construction of Two Dams, Mwingi and Ngomeni Districts****£11,000**

The construction of a further two earth catchment dams, one each in the villages of Kanini and Mitamisy in the Districts of Mwingi and Ngomeni respectively, to serve the Akamba people, in the very arid and famine stricken areas. Some 2,040 people will benefit.

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**MOZAMBIQUE****LEPRA (The British Leprosy Relief Association)****Prevention of Worsening Disabilities in Zambezia Province****£14,460**

To extend leprosy work to include physiotherapy services in the five Districts of Milange, Gurue, Ile, Alto Molocue and Gile, which all have a very high proportion of people affected by leprosy. Due to its disabling effects, leprosy has a particular negative social and economic impact on patients and their families and physiotherapy/patient self care can play a significant role in preventing new disabilities/worsening of existing disabilities as well as the rehabilitation of existing disabilities. However physiotherapy services are limited to the large rural hospitals and district health centres, whereas leprosy is concentrated in the northern part of the province, which does not have such services. The project will enable the rehabilitation of infrastructure and equipment, provide physiotherapy equipment, materials and supplies, and ensure the necessary training and supervision support. It will also include training a select group of patients so that they can then work towards the setting up of patient self-care support groups.

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**NAMIBIA****Sound Seekers****HARK! Namibia - Audiological Equipment etc, Mining Areas, Oshakati, Northern Namibia****£25,000**

The general aim of HARK in Namibia is to develop appropriate systems for the early detection, and intervention, in hearing impaired children from disadvantaged communities. This intervention is based upon the screening and treatment of children with middle ear disease in rural areas in the North, centred upon Oshakati town and the desert conditions on the edge of the Kalahari, and the provision of information to their parents. Specifically, funding is for the provision of 300 solar powered hearing aids, audiology equipment, and the salary of one member of the audiological staff for one year. This will support the provision of a vehicle to the project by the States of Jersey.

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**NEPAL****LEPRA (The British Leprosy Relief Association)****Capacity Building and Community Awareness Programmes,  
Dhanusha Mahottari, Sarlahi and Siraha.****£16,603**

To achieve the leprosy elimination target set by WHO in 2003 which is a prevalence of 1 per 10,000 of the population. The project area will cover Dhanusha, Mahottari, Sarlahi and Siraha Districts, which are the four most endemic districts for leprosy in Nepal (2.3 million, predominantly rural total population). The mean prevalence for the four districts is 14 per 10,000 (ranging from 24.2 to 6.9). The new case detection rate (those registered as having leprosy and started on treatment) is 6.5 per 10,000. To achieve this target, in rural areas such as our project area, a strong programme of training and orientation needs to be developed for community grass-roots workers and volunteers, school teachers, traditional healers and community leaders. The project aims to train 300 grass-roots workers, 200 traditional healers, 200 teachers, 300 community leaders, – 300 volunteers, 150 traditional birth attendants, 100 people affected by leprosy and 50 NGOs members.

**The Leprosy Mission****Footwear for Leprosy Sufferers, Anandaban District****£4,140**

To provide approximately 1,750 pairs of sandals, canvas shoes and moulded insoles for boots for leprosy sufferers with desensitised feet, to assist the current Prevention of Disability Programme based at Anandaban Hospital, Anandaban District. The purpose of the programme is to identify and access those leprosy patients in need of protective footwear. Feet desensitised by leprosy risk chronic injury and deformity unless special shoes with soft rubber insides are worn. The use of protective footwear coupled with prevention of disability/care of feet will effectively reduce hospital admissions for patients with ulcerated feet. The ability to work and live independently will also be increased through the prevention of disability.

## NICARAGUA

### One World Action

**Well Construction and Sanitation Programme, Madriz, Northwest Nicaragua**

**£12,837**

To improve the food security and health status of families living in the Department of Madriz, one of the poorest and most drought affected areas in central America. The UN's World Food Programme has classified the Department of Madriz as being "very vulnerable to food insecurity". In response to this situation the Community Movement will work with community leaders and volunteers to construct 10 community wells and 15 latrines. Some 665 families will then benefit from having a reliable water source for micro-irrigation of their family gardens which will lead to increased family food production. Access to clean water and latrines will also lead to a reduction in the incidence of water and faecal borne diseases, such as cholera and diarrhoea.

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## NIGER

### The Leprosy Mission

**Construction of New Hospital Building and Purchase of Surgical Equipment, Danja District.**

**£6,050**

To construct new hospital building, in Danja District, South Niger, providing a new ulcer dressing room, a new staff toilet block, and a new men's toilet block, surgical instruments and theatre equipment. Niger is one of the most undeveloped country in the world. The new buildings and equipment will provide long-term improvements in the care of local leprosy patients. Ulcer dressing and septic surgery reduce the risk of serious disability from infection. The beneficiaries of these new buildings are approximately 1,500 patients per year and 55 staff members.

### The Leprosy Mission

**Footwear for Leprosy Sufferers, Danja District**

**£2,480**

To provide approximately 500 pairs of shoes/sandals for leprosy sufferers with desensitised feet in one of the most undeveloped countries in the world. Though the Mission tries to detect new cases before nerve damage can lead to foot ulcers, nearly 25% of new patients are treated too late. The stigma of the disease and the need to continue working means that many of them try to hide or ignore their symptoms. They will need protective footwear to avoid serious disability.

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**NIGERIA****Valley Mission Project****Electric Generator for Medical/Maternity Centre, Ugwuntu Village,  
Abia District****£10,000**

To build upon the Committee's grant in 1992 for equipment and building materials to establish a Health Post at Ugwuntu Village, Abia District, which has developed into a Medical/Maternity Centre. Like most villages in the State. Ugwuntu has no electricity supply. The Centre is in need of an electric generator as the current one has broken down. The Centre is therefore unable to operate at night effectively, and drugs that need refrigeration, mainly for children's immunisation, are no longer able to be stocked. The generator will enable the Centre to be fully effective once again and enable it to provide the previous high standard of health care to the community. The Centre serves a population of over 7,000 people. In addition to enabling the Centre, the generator will enable computer classes to be held in the village utilising computers donated by a UK based charity which are lying idle at present. Funding is for purchasing and commissioning the generator, and for enlarging the present generator room.

**TANZANIA****ActionAid****Ilagala Water Project, Kigoma Rural District, Ilagala Division****£24,700**

To support the construction of a water gravity scheme from Rusunu river, so as to provide safe and clean drinking water for 9,000 families living in Ilagala village. The project will save the people of Ilagala from killer disease such as cholera, typhoid and dysentery. Also there will be an improvement of school attendance, especially for the young girls, whose school attendance is currently affected by water fetching activities. Women will also have time to attend adult class and other socio-economic activities. Ilagala water gravity scheme is a project developed by the Ilagala community with support from the government water department and ActionAid Tanzania. The program aims at constructing a gravity water scheme from Rusunu River to the Ilagala village. The Rusunu River is located 15km from Ilagala, and is the only river, which has clean and safe water for human consumption. The water from Malagarasi and Lufungu rivers, which are nearby, are not considered to be safe for human consumption, but due to the acute water shortage, the people of Ilagala are left with no other option than using the contaminated water.

**TOGO****PLAN International UK****Clean Drinking Water for Schools, Central North District****£23,838**

To address the serious shortage of clean drinking water in Central North District which contributes to the current poor health status of the population. As a result there is a high incidence of water-borne diseases such as diarrhoea and Guinea worm. Less than half of all primary schools have a potable water point and many of these are not properly managed or maintained. This is mainly because school committees have not been trained on how to ensure the sustainability of water facilities. There is also low awareness amongst school children about the importance of clean water and hygiene. The project will therefore construct potable water sources in 14 primary schools, train school committees on how to manage and maintain the water points, and also teach children about the important links between health and hygiene. The water points will be accessible to all community members and will therefore benefit approximately 13,750 people.

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**UGANDA****International Care and Relief****Reducing Child Mortality in Rural Uganda, Masindi District £13,638**

To provide a 4x4 vehicle to deliver a mobile immunisation service to protect thousands of vulnerable children from fatal diseases in Masindi District, a rural part of South-West Uganda. Many of these young children live in remote rural communities that have no local clinics, doctors or medical supplies. In addition, the vehicle will help address the huge rise in demand for support to children affected by the HIV/AIDS virus. Thousands of young people living with HIV/AIDS rarely receive effective counselling or medical support. The vehicle will be used to carry out home visits by counsellors in support of young people affected by HIV/AIDS, and will include the training of family members by community health workers to provide basic medical care within their homes. Over 6,500 people will benefit from the provision of a mobile service over 12 months – ie up to 4,000 children will benefit from the use of a vehicle for the transportation of medical supplies and equipment plus over 2,500 people affected by HIV/AIDS will benefit from home visits.

**SCIAF****AIDS Widows and Orphans Family Support, Kampala £25,000**

To help people with AIDS retain hope, dignity and quality of life, by helping them to start small income generating projects, which will allow them to remain self-reliant, and will provide a livelihood for their children on the parents' death. The project also provides vocational training, AIDS education, and counselling support for families and AIDS orphans and a paediatric clinic for AIDS-affected children. The project targets the poorest HIV-positive parents diagnosed at Nsambya hospital, Kampala. Some 98% of beneficiaries are women. Key areas of activity are: business advice, training and loans to start home-based micro-projects – loans to 120 adult and 15 child-headed families (each family averaging at least 6 people); social/pastoral counselling, peer support and behaviour change programmes for 150 young people; vocational training and supply of basic trade tools to 20 AIDS orphans (to support their brothers & sisters); material support to 20 destitute child and grandparent-headed households (families average 8 + people); weekly paediatric clinic (medical care and nutrition supplements for infants with HIV/AIDS (650 per annum); training of para-legals, legal advice and assistance to ensure inheritance rights of widows and orphans; public awareness and networking with other organisations to promote the rights of people with AIDS. The seven-person staff team is assisted by twelve volunteers – all former beneficiaries.

## Uganda Society for Disabled Children (USDC)

### Physiotherapy and Occupational Therapy Equipment, Arua District

£14,764

Following on from the Committee's funding in 1998 of tools, equipment and initial input of raw materials for the new Orthopaedic Workshop of Arua Hospital, to further improve the facility at Arua through the provision of the equipment needed to enable a full physiotherapy and occupational therapy service at the new Unit at Arua Hospital. USDC has worked in Arua District for many years and earlier in 2001 achieved a long-standing ambition by completing the construction of a brand new Physiotherapy Unit (which will also provide Occupational Therapy). Both services are vital for the rehabilitation of children with disabilities, particularly those who have undergone corrective surgery. The present equipment inside the Unit is limited, old and of poor quality, having been inherited from the dismal former physiotherapy room at the hospital. The purchase of higher quality materials will suit the needs of a much wider range of people with disabilities. Funding is for the provision of the physiotherapy and occupational therapy equipment.

## Uganda Society for Disabled Children (USDC)

### Vehicle for Community-based Rehabilitation Programme, Hoima District

£21,938

To provide the transport needed to facilitate a new programme of outreach work, training and rehabilitation for disabled children and their carers in Hoima District, Western Uganda. A Nissan Hardbody 4x4 pickup will be purchased. USDC works close to the 'grass roots', in 12 of the 50-or-so administrative districts, the newest programme being in Hoima District in the west. Part of this programme includes a "Children's Rehabilitation Centre" that is being built in collaboration with the Ministry of Health at Hoima Hospital, with funding from the PPP Healthcare Medical Trust. This will provide physiotherapy, occupational therapy and convalescence facilities (e.g. for children who have undergone corrective surgery). However, an arguably more important component of the programme is the outreach work in the community. Hoima is an extremely rural district, with much of the population scattered. It is essential to take information about services, as well as the health professionals themselves (especially the physiotherapists), and training to the areas where people live. Unfortunately the programme in Hoima, which began in August 2001 has only a motorcycle at its disposal, which is unsuitable for transporting equipment and personnel. It is also of limited use in the rainy seasons, when a four-wheel-drive vehicle is needed. Funding is therefore to purchase such a vehicle.

**ZAMBIA****Christian Aid****Health Education Project, Copperbelt Province****£20,210**

To help community groups from the Copperbelt Province to form and maintain behavioural patterns and life attitudes that deter the transmission of preventable diseases such as HIV/AIDS, STDs, and TB. The project will support the use of peer educators to run training workshops, with particular focus on empowering target groups with knowledge and skills that promote healthy and positive life styles. Project activities will include: specialist training in improving care and counselling services for people with HIV/AIDS/ related illnesses in hospitals, clinics and homes; targeted use of public media communications, in addition to other public media such as posters, flyers, reading materials to promote knowledge and understanding of HIV/AIDS issues with emphasis on prevention; behaviour interventions among children and youths with the formation of community schools, community-based groups such as anti-AIDS clubs, drama groups and child-to-child communication; suitable income-generating activities will be promoted among women and youth groups. Three community schools will be set up. These community schools will be for orphans and vulnerable children aged between 7-19 years old. A total of 1,236 children will be supported. Also 42 training sessions will be conducted reaching 9,300 in-school children and young people (aged 13-35); 70 training sessions will be provided to 5,555 out-of-school children and young people (aged 4-14). These sessions will give the opportunity to the above targeted groups to discuss HIV/AIDS issues, malaria and TB through debates, quizzes, the formation of anti-AIDS clubs, one-to-one approach and exchange visits. Some 48 children with special needs (deaf and dumb) aged 9-25 will be educated in the prevention and transmission of HIV/AIDS and related diseases. In addition, 161 people will be trained as educators in 20 Copperbelt-based companies in order that they reach a total number of 1,362 fellow peers with HIV/AIDS information. Some 300 people living with HIV/AIDS will be supported with counselling services, regular home visits and group discussions.

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## Integrated Development

### BANGLADESH

#### Y Care International

##### Women's Social and Economic Empowerment, Gopalganj, Thana District

£4,977

To improve the socio-economic status of disadvantaged young Bangladeshi women living in the areas of Barisal, Chittagong, Dhaka, Dinajpur, Foiljana and Kaligram, by providing increased access to credit, skills training in micro-enterprise and awareness raising on basic rights and democracy. Thirty groups (five groups per YMCA) comprising a total of approximately 600 women will take loans from a revolving fund and participate in training courses to acquire the skills to establish income-generating activities and administer the fund upon project completion. Groups will also identify basic social needs and advocate at a local government level for better service provision. Funding is for the provision of salaries for the Community Organisers and Field Assistants, training and administration costs.

### CAMBODIA

#### Christian Aid

##### Domestic Violence Mitigation Project

£14,084

To effectively address domestic violence within the Cambodian community, to a level where it is no longer treated as a private issue but is considered unacceptable and is resolutely denounced. By adopting public-awareness, training activities and service networking, the project's objectives are to achieve recognition of domestic violence as a public policy priority and to foster quality assistance to victims and their families. Research conducted in collaboration with the Ministry of Women's affairs found that one in six women in Cambodia is abused by her spouse. The violence is often severe. The violence is often diverse as a result, families face isolation and women are victimised. To tackle the issue of domestic violence and its consequences project activities will include: production of a range of materials to promote understanding of the problem of domestic violence amongst the general public and services providers; education and training to increase the capacity of NGOs, governmental staff, and officials to ensure effective services for victims; advocacy for legislation and services for victims of domestic violence; provision of information and referral services for victims; developing and strengthening the national network of key service providers; conducting research and monitoring the situation of victims and the available services. Domestic Violence Awareness Courses will reach around 269 participants; practical skills courses will reach some 110 people; 64 public awareness presentations will reach around 13,700 villagers; 11 meetings with service providers will be conducted in order to increase the quality and quantity of services available to victims of domestic violence

**EAST TIMOR****Opportunity International UK****Socio-economic Empowerment of Local Communities****£24,840**

To improve the lives of poor people of East Timor in a dignifying and empowering manner by supporting micro-entrepreneurs, their families and the wider community in regaining economic and political independence. The purpose of this project is twofold: 1) to create (and sustain) employment and generate income through the provision of credit, saving and small-business training services in the rural districts and semi-urban areas of Dili and; 2) to improve the understanding of democracy and to raise the awareness of socio-economic rights of local communities, especially in remote rural areas. The focus of the project is on the socio-economically disadvantaged who often have lost all their belongings. The two components of the project together provide a synergy between economic development at family level and social development at community level. The small enterprise development component of this project is based on the implementation of 250 group-based loans, thereby reaching the poorest of the economically active members of local communities.

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**ETHIOPIA****HelpAge International****Support to Destitute Older Persons in Urban Slums, Addis Ababa****£14,442**

In one of the poorest countries of the world, and in the most densely populated and poverty stricken areas of Addis Ababa, this project seeks to: improve the living standards of older persons through income generating activities, renewal of their shelters, and improving access to basic healthcare; raise awareness of the issues that face older persons in Ethiopia to the local community, government organisations and businesses. The project has the following aims: income-generating activities and training in basic business management will be provided to 60 capable older persons; a community-based bakery will be established to generate income for 50 older persons; basic health and personal care services will be provided to 100 sick older persons; home-based care services will be provided to house bound destitute and frail older persons through a volunteer scheme. The housing conditions of 50 vulnerable older persons will be improved; a drop-in centre will be established to enable older persons to socialise and reduce the feeling of isolation; lobbying and awareness raising to local community groups, government and NGOs will be undertaken in order to publicise the issues of, and mobilise support for, older persons.

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**GHANA****CamFed****Vocational Training and Micro Finance for Trainees at Gushiegu  
Vocational Training Centre, Northern Region****£27,300**

To build the capacity of the Vocational Training Centre, established in Gushiegu in 1999 with funding from the Committee, to regenerate the economic life of the local community. The extension of the project will enable young women to earn a living by starting a business in their communities and in so doing protect them from the hazards of urban migration, and to encourage entrepreneurship, especially amongst young women. It will also create a bridge between education and employment by providing employment opportunities for school leavers in a context where formal employment opportunities are virtually non-existent. The initiative will also improve the social and economic status of women. Specifically, funding is for the provision of training for young women in vocational and business skills, including IT; the establishment of a 'training café' offering refreshments at the Centre and training for those wishing to establish a catering business; the provision of initial grants for trainees to purchase necessary tools and equipment to set up their businesses; the establishment of a revolving loan fund.

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**KENYA****Widows and Orphans International****Expansion of Home-Based Care and Capacity Building for People Living with AIDS/HIV, Nyando, Nyanza Province****£13,500**

To reduce the impact of the AIDS/HIV epidemic on family units and the community in Nyando, Nyanza Province, and to build the capacity of people living with AIDS/HIV, orphans and foster parents through income-generating activities. The purpose of the project will assist the target population to live positively with AIDS/HIV, and to receive quality home based care, reduce the cost of hospital care and control the spread of the epidemic. The aims are to increase the acceptance rate of those with AIDS/HIV within the family and community and to reduce their suffering as well as integrating orphan care into the existing family units. The specific activities will be: provision of counselling services to at least 300 newly diagnosed community members per year; provision of clinical and nursing care to at least 500 sufferers (treatment advice and advocacy on the management of opportunistic infections, advice on nutrition and healthy living, oral re-hydration support in the home environment with locally available resources); training of at least 50 people living with AIDS/HIV to be able to act as mentors and peer support for sustainability of the project; initiation of income-generating activities to a total of 200 within the first year to people living with AIDS/HIV, foster parents and orphans within the family unit and community (to enable target groups to generate income, reduce poverty and improve the quality of their lives in a sustainable way. This will include provision of sewing machines, posho mills, computer training, loans and water pumps to the target groups); working with at least 10 providers of formal and informal vocational training for orphans (for example providers of training in carpentry, motor vehicles mechanics, plumbing, masonry, tailoring and dress-making. Some 200 orphans will be referred and supported in pursuing these options.) Funding is specifically for the provision of the revolving loans to women, plus organisational development costs and some running costs.

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**MALI****International Service****Women's Integrated Economic Development Timbuktu, Mali****£16,749**

To promote and encourage economic self-sufficiency for over 500 women directly, and 10,500 people indirectly, who live in 12 villages (population 18,105) in the Greater Timbuktu area. Following on from a successful pilot in Tassankane and Goundan villages, the project will include: building and equipping 2 village banks (caisses) in addition to equipment for smaller facilities in 10 other villages. (The one room, mudbrick banks will provide secure premises for loan repayments for over 500 women); provision of a revolving credit fund for up to 500 women. ARDIL will hold account details in excel on a laptop computer and visit the banks on opening days (usually to coincide with market days); providing literacy classes for up to 200 women. The caisses will also be used to train trainers. (Literacy classes in the villages are usually held in the open air). Training in caisse management to allow the women's groups to take over the running of the banks themselves; civic education classes which will reflect opportunities for women in community decision-making under Mali's recent government decentralisation.

**International Service****Promoting Women's Economic Self-Sufficiency in Banamba, Koulikoro Region****£14,545**

To promote economic self-sufficiency for women in 18 villages (population 45,625) in the Cercle of Banamba in the Koulikoro Region. After a survey undertaken in conjunction with local authorities in all 18 villages, the following priorities were decided: train 10 women in each of 20 Women's Associations to manage development strategies and ensure opportunities for women in community decision-making under Mali's recent government decentralisation; build and equip 3 literacy centres which will provide literacy and civic education classes for up to 360 women; provide credit and training for 900 women in improved domestic livestock raising; provide materials, credit and training for 280 women in food processing; provide credit and training for 600 women in micro-enterprise creation and management.

**MOZAMBIQUE****HelpAge International****Day Centre for Poor and Disabled Older People, Zambezia Province****£24,539**

In one of the poorest countries of the world, the overall aim of this project is to provide older people, and people with disabilities, with a safe environment that will enable them to use its facilities with pride and dignity. The project specifically aims to: refurbish the Santa Clara Day Centre improving the lives of vulnerable groups through the provision of food, basic healthcare, and support with child dependants and social activities; increase the income of 30 beneficiaries (it is estimated that this will indirectly benefit 100, of vulnerable groups attending the Centre), thereby increasing their access to opportunities available to them; provide opportunities for older people to undertake income generation activities. This will not only give older people a sense of purpose but also provide opportunities for them to move away from dependency. Activities will focus on the following on the production of production of clay blocks, furniture, pots, bowls, sewing and handicrafts.

**NAMIBIA****Skillshare International****Namibia Rural Development Project, Eastern Namibia****£7,738**

To alleviate poverty and suffering by empowering rural and other disadvantaged groups to realise their potential and control their own lives within the Namibian socio-economic context in the Districts of Omaheke and Otjozondjupa, Eastern Namibia. This will be achieved by assisting new enterprises to emerge and existing enterprises to grow through business training, securing investment resources (through savings, loans and grants), and developing skills and knowledge; promoting markets, products and skills exchange through small and micro enterprise exhibitions and market research; using the skills developed through enterprise development, to enable groups to explore and resolve issues of community importance. Funding is for the provision of a poultry development programme, horticultural training and development, and for the development of markets for zeolite bricks, and Kalahari crafts. Around 100 trainees will benefit from the project, plus approximately 1,728 people in total.

**PHILIPPINES****Delancey Elim Church, Guernsey****Freight Costs of Sending Container to the Philippines****£2,364**

To provide funding to cover Delancey Elim's freight costs for a container of bicycles, sewing machines, computers, farming utensils and tools, typewriters etc., to be shipped to Cebu in the Philippines. These items will enable people in Ozamiz to set themselves up in business and thus be provided with a sustainable income.

**RWANDA****Hope and Homes for Children****Economic and Social Survival and Independence for Families  
Supporting Orphan Children, Gikongoro Prefecture****£19,500**

The overall aim of project is to target the very poorest families in Gikongoro Prefecture, a rural area next to the Burundi border which was one of the worst affected in the 1994 genocide. These families are either headed by an oldest sibling, or by a very frail grandparent or great grandparent. The breadwinners of the family have been killed either in the 1994 genocide or since due to HIV/AIDS or other causes. In supporting these poorest families looking after orphaned children, the project is therefore targeting both the most vulnerable young members and the most vulnerable older members of society. Furthermore, those providing and delivering the support to these families are themselves people who have endured the most shattering experience and personal loss imaginable. The specific objectives are: to empower the 30 most vulnerable families (households headed by children or elderly grandparents) looking after 80 orphan children in Gikongoro Prefecture, Rwanda; to enable the children to go to school and be trained in a skill or micro-commerce; to ensure that these children are brought up in stable and supportive families who are able to attain long-term social and economic independence; to empower women widowed in the 1994 genocide by enabling them to provide support to the most vulnerable families in their communities. Funding is for the provision of salaries, travel expenses, school fees and uniforms, repairs to homes and support for farming and micro-commerce.

**SOUTH AFRICA****Annalene Relief Health Foundation****Feeding, Training and Medical Services for the Poor Children, Cape  
Town Area****£1,477**

To address the desperate need of poor children for food, clothing, medical services and training in Ravensmead, Cape Town. This is a comprehensive project involving the provision of food to the needy children, training the children to grow vegetables, the provision of seeds, tools and fertilizers, and handicraft skills. In particular, funding is for the provision of tools, fertilisers and seeds for the vegetable plot, and refrigerator freezers. This initiative will help at least 1,600 children at 9 schools in the Ravensmead and Uitzicht areas.

**TANZANIA****Huruma Rehabilitation Programme****Women's Revolving Fund, Kahama District, Shinyanga Region****£10,000**

To raise the standard of living of the poorest and most marginalised women in Kahama Region, Shinyanga Region Shinyango Region, through the provision of a revolving loan fund. Some 45 poor women and their families will benefit from the loans and, this, with increased income will be able to access medical care, food, clothing, and have the resources to afford school fees and, generally, be able to provide the basic necessities of life. In addition, training will also be provided to the loan recipients.

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**THAILAND****Pattaya Orphanage Trust****Street Children's Centre for Girls, Pattaya Orphanage, Chonburi Province****£20,416**

To develop work with female street children in Pattaya, making a long-term difference to their lives by: providing outreach services to girls on the streets, and/or working in the sex industry within Pattaya, giving support and information on services available to them; building relationships and gaining the trust of over 100 such children to encourage them to come to the street children's centre; providing a safe, loving home for 100 girls (25 in the first year) where they can enjoy near-normal childhood, attending school and developing into healthy, educated young people, able to support themselves and make positive choices for their future. The orphanage began working with street children in 1990, when the Home for Street Children was established. This was originally in Pattaya City, but this was too close to the environment in which the children had been exploited. A new centre has now been built outside Pattaya City on 14 acres of land. This site currently has space for up to 100 boys, and a second new building to accommodate up to 100 girls is currently being completed.

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**UGANDA****Opportunity International UK****Support for Poor Women's Business Initiatives, Mpigi District****£25,000**

To build upon the Committee's support in 1998 for poor women's business initiatives in the Kampala district, this project is for supporting its continued expansion by forming ten new women's groups and providing the necessary training for project officers. This will further strengthen a strong and growing programme focused on reaching the poorest in urban, peri-urban and the neighbouring rural district of Mpigi. This project therefore aims to provide loans to a further 350 entrepreneurs in order to; enable them to provide regular income for their families; encourage mutual support within the groups formed; improve the quality of life of the women and their dependants.

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## *Distribution of Funding 2002*

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**Africa**

<i>Agriculture/Fisheries</i>	£60,236.00	
<i>Education</i>	£95,848.00	
<i>Emergency Disaster Relief</i>	£100,000.00	
<i>Health</i>	£261,403.00	
<i>Integrated Development</i>	£174,790.00	
<b>Total Aid Given to Africa</b>		<b>£692,277.00</b>

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**Indian Sub-Continent**

<i>Agriculture/Fisheries</i>	£36,368.00	
<i>Education</i>	£98,173.00	
<i>Health</i>	£63,458.00	
<i>Integrated Development</i>	£4,977.00	
<b>Total Aid Given to Indian Sub-Continent</b>		<b>£202,976.00</b>

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**Latin America & Caribbean**

<i>Education</i>	£7,174.00	
<i>Health</i>	£37,337.00	
<i>Integrated Development</i>	£0.00	
<b>Total Aid Given to Latin America &amp; Caribbean</b>		<b>£44,511.00</b>

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**Other Asia & Pacific**

<i>Agriculture/Fisheries</i>	£64,915.00	
<i>Education</i>	£23,420.00	
<i>Health</i>	£55,904.00	
<i>Integrated Development</i>	£61,704.00	
<b>Total Aid Given to Other Asia &amp; Pacific</b>		<b>£205,943.00</b>

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<b>Total Contribution to Aid Overseas</b>		<b>£1,145,707.00</b>
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IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 26TH DAY OF MARCH, 2003

The States resolved as follows concerning Billet d'Etat No. IV  
dated 7th March, 2003

**GUERNSEY SOCIAL SECURITY AUTHORITY**

**BENEFIT PAYMENTS UNDER LONG-TERM CARE INSURANCE LAW-  
EXEMPTION FROM INCOME TAX**

- I. After consideration of the Report dated the 14th February, 2003, of the Guernsey Social Security Authority:-
1. That any benefits payable under the Long-term Care Insurance (Guernsey) Law, 2002, shall be exempted under the Income Tax (Guernsey) Law, 1975.
  2. To approve the Projet de Loi entitled "The Income Tax (Long-term Care Benefit) (Guernsey) Law, 2003", and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.
  3. Considering it expedient in the public interest so to do, to declare, pursuant to section 1 of the Taxes and Duties (Provisional Effect) (Guernsey) Law, 1992, that the said Projet de Loi shall take effect from the 7th April, 2003, as if it were a Law sanctioned by Her Majesty in Council and registered on the records of the Island of Guernsey.

**STATES SEA FISHERIES COMMITTEE**

**IMPLEMENTING A FISHING VESSEL LICENSING REGIME FOR THE  
BAILIWICK OF GUERNSEY**

- II. After consideration of the Report dated the 7th February, 2003, of the States Sea Fisheries Committee:-
1. To approve, subject to the following amendments, the draft Ordinance entitled "The Sea Fish Licensing (Guernsey) (Ordinance), 2003", and to direct that the same shall have effect as an Ordinance of the States.

## AMENDMENT

1. For the preamble to the Ordinance (printed on page 4 of the Brochure to the Billet), substitute the following:-

"THE STATES, in pursuance of their Resolution of the 26th March, 2003, in exercise of the powers conferred on them by sections 1 and 4 of the European Communities (Implementation) (Bailiwick of Guernsey) Law, 1994 and all other powers enabling them in that behalf, and for the purpose of implementing Council Regulation (EC) No. 3690/93 of the 20th December, 1993 and Council Regulation (EC) No. 2371/02 of the 20th December, 2002, hereby order:-"

2. For section 3 of the draft Ordinance (printed on pages 7 and 8 of the Brochure to the Billet), substitute the following:-

"Matters which may be taken into account.

3. In deciding whether or not to grant a licence the Committee may take into account any relevant factor, including (without limitation)-

- (a) the record of the applicant in fishing in British fishery limits adjacent to the Bailiwick during the period from the 30th September, 1991 to the 30th September, 1992 (both dates inclusive);
- (b) whether the vessel in respect of which the application is made is registered under Part IV of the Merchant Shipping Act 1894 or Part II of the Merchant Shipping Act 1995 or was so registered during any particular period; and
- (c) the terms of any fisheries management agreement for the time being in force and made between -
  - (i) the Committee of the one part; and
  - (ii) the Department for the Environment, Food and Rural Affairs, or the authorities of Jersey or of the Isle of Man of the other part".

3. For section 20(2) of the draft Ordinance (printed on page 29 of the Brochure to the Billet), substitute the following:-

"(2) Section 1 shall come into force on the day appointed by order of the Committee, not being earlier than the 1st October, 2003."

2. That the prohibition of fishing within the Bailiwick's 12-mile waters without a licence set out in section 1 of the Sea Fish Licensing (Guernsey) Ordinance 2003 shall be brought into force on the day appointed by order of the Committee, not being earlier than the 1st October, 2003.

**PROJET DE LOI**

entitled

**THE REFORM (GUERNSEY) (AMENDMENT) LAW, 2003**

- III. To approve the Projet de Loi entitled "The Reform (Guernsey) (Amendment) Law, 2003", 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 MATRIMONIAL CAUSES (AMENDMENT) (GUERNSEY) LAW, 2003**

- IV. To approve the Projet de Loi entitled "The Matrimonial Causes (Amendment) (Guernsey) Law, 2003", and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

**THE CONTROL OF BORROWING (BAILIWICK OF GUERNSEY)  
(AMENDMENT) ORDINANCE, 2003**

- V. To approve the draft Ordinance entitled "The Control of Borrowing (Bailiwick of Guernsey) (Amendment) Ordinance, 2003", and to direct that the same shall have effect as an Ordinance of the States.

**THE FEUDAL DUES (GENERAL ABOLITION OF CONGÉ) (GUERNSEY)  
LAW, 2002 (COMMENCEMENT) ORDINANCE, 2003**

- VI. To approve the draft Ordinance entitled "The Feudal Dues (General Abolition of Congé) (Guernsey) Law, 2002 (Commencement) Ordinance, 2003, and to direct that the same shall have effect as an Ordinance of the States.

**THE DOCUMENT DUTY ORDINANCE, 2003**

- VII. To approve the draft Ordinance entitled "The Document Duty Ordinance, 2003", and to direct that the same shall have effect as an Ordinance of the States.

**LONG-TERM CARE INSURANCE (GUERNSEY) (RATES AND TRANSITIONAL  
PROVISIONS) ORDINANCE, 2003**

- VIII. To approve the draft Ordinance entitled "The Long-term Care Insurance (Guernsey) (Rates and Transitional Provisions) Ordinance, 2003", and to direct that the same shall have effect as an Ordinance of the States.

**THE SUPPLEMENTARY BENEFIT (IMPLEMENTATION) (AMENDMENT)  
ORDINANCE, 2003**

- IX. To approve the draft Ordinance entitled "The Supplementary Benefit (Implementation) (Amendment) Ordinance, 2003, and to direct that the same shall have effect as an Ordinance of the States.

**PROJET DE LOI**

entitled

**THE FINANCIAL SERVICES COMMISSION (BAILIWICK OF GUERNSEY)  
(AMENDMENT) Law, 2003**

- X. To approve the Projet de Loi entitled "The Financial Services Commission (Bailiwick of Guernsey) (Amendment) Law, 2003" 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 REGULATION OF FIDUCIARIES, ADMINISTRATION BUSINESSES  
AND COMPANY DIRECTORS, ETC (BAILIWICK OF GUERNSEY)  
(AMENDMENT) LAW, 2003**

- XI. To approve the Projet de Loi entitled "The Regulation of Fiduciaries, Administration Businesses and Company Directors, etc (Bailiwick of Guernsey) (Amendment) Law, 2003", 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 BANKING SUPERVISION (BAILIWICK OF GUERNSEY)  
(AMENDMENT) LAW, 2003**

- XII. To approve the Projet de Loi entitled "The Banking Supervision (Bailiwick of Guernsey) (Amendment) Law, 2003", 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 PROTECTION OF INVESTORS (BAILIWICK OF GUERNSEY)  
(AMENDMENT) (NO.2) LAW, 2003**

- XIII. To approve the Projet de Loi entitled "The Protection of Investors (Bailiwick of Guernsey) (Amendment) (No. 2) Law, 2003", and to authorise the Bailiff to present a most humble Petition to Her Majesty in Council praying for Her Royal Sanction thereto.

## **STATES BOARD OF ADMINISTRATION**

### **AIRPORT FEES AND CHARGES 2003**

XIV. After consideration of the Report dated the 23rd January, 2003, of the States Board of Administration:-

1. To approve the adjustment of the security fee payable at Guernsey Airport with effect from 1st April, 2003, from £1.35 to £1.75 per passenger arriving and disembarking at the Airport from an aircraft in passenger configuration.
2. To approve the adjustment of the security fee payable at Alderney Airport with effect from 1st April, 2003, from £2.00 to £2.75 per passenger arriving and disembarking at the Airport from an aircraft in passenger configuration.
3. To approve the variation in the period which private aircraft with a maximum permissible take-off weight of less than 3 metric tonnes can remain parked at Guernsey Airport without incurring a fee from 72 hours to 24 hours.
4. To approve that fees and charges for the use of Guernsey Airport, other than that referred to in propositions 1. and 3. above with effect from 1st April, 2003, remain as set out in Appendix 1. to that Report.
5. To approve, as amended, that fees and charges for the use of Alderney Airport, other than that set out in proposition 2 above, with effect from 1st April, 2003, remain at present rates as set out in Appendix 2. to that Report.

## **STATES BOARD OF ADMINISTRATION**

### **ST SAMPSON'S MARINA TENDER SELECTION**

XV. After consideration of the Report dated 13th February, 2003, of the States Board of Administration:-

1. To reaffirm their approval for the construction and development of a Marina at St. Sampson's Harbour in the form proposed in that Report.
2. To authorise the States Board of Administration to accept the tender in the sum of £2,950,000 submitted by Miller and Baird for the marina development works, which sum shall include the cost of the remediation sub contract.
3. To approve the reclamation of the area of land situated to the east side of the Marine and General Shipyard, as proposed in that Report and shown for the purposes of identification at Appendix A to that Report, for the additional sum of £280,000 submitted by Miller and Baird.
4. To vote the States Board of Administration a credit of £3,400,000 (including a contingency sum of £170,000 for unforeseen additional works) to cover the cost of the above projects, which sum shall be charged as capital expenditure in the accounts of the Harbour of St. Sampson.

5.
  - (1) To approve the amendments to the Harbours Ordinance 1988 as set out in Appendix B to that Report.
  - (2) To direct the preparation of such legislation as may be necessary to give effect to their above decision.

IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 27TH DAY OF MARCH, 2003

(Meeting adjourned from 26th March, 2003)

The States resolved as follows concerning Billet d'Etat No. IV  
dated 7th March, 2003

**STATES HOUSING AUTHORITY**

**REVIEW OF THE RENT AND REBATE SCHEMES**

XVII. After consideration of the Report dated the 20th February, 2003, of the States Housing Authority:-

To direct the States Housing Authority to report back to the States with firm proposals based on that Report, setting out new levels of States' rents and a revised rebate scheme, and a date for their implementation, taking into account the views expressed by the States, together with consultations undertaken by the Authority with its tenants and other interested parties.

**STATES HOUSING AUTHORITY**

**ANNUAL REVIEW OF STATES HOUSE RENTS AND REBATES**

XVIII. After consideration of the Report dated the 20th February, 2003, of the States Housing Authority:-

1. That Standard Rents for States Houses be increased by 3.9% to the levels set out in Appendix 1 to that Report.
2. That the Principle Earner Rule be discontinued.
3. That the weekly charge to be added to the weekly assessed rent (but not so as to exceed the Standard Rent) for a non-dependent child of the householder aged 25 and over and for each lodger be increased from £13.62 to £20.00
4. That the other factors used to calculate a Rent Rebate be adjusted by 3.9% as set out in Appendices 3 and 4 to that Report.
5. That the gross income ceiling for eligibility for a Rent Rebate be increased to £431 per week.

6. That the States Resolution XIII of 30 April, 1992 be varied further so that Income Related Rents will not be applied to tenants whose joint gross incomes are under £651 per week as set out in that Report.
7. That all the above changes shall take effect from 3 May, 2003.

## **STATES INCOME TAX AUTHORITY**

### **INCOME TAX LAW AND HUMAN RIGHTS**

XIX. After consideration of the Report dated the 13th January, 2003, of the States Income Tax Authority:-

1. That the Income Tax (Guernsey) Law, 1975, as amended, shall be further amended as follows:-
  - (a) by the removal of the reference to "British subjects and residents in the United Kingdom or the other Channel Islands", currently contained in section 51 (2) with effect from the 1st January, 2004;
  - (b) by a revision to section 78(2) in respect of representation before the Guernsey Tax Tribunal or the Income Tax Authority;
  - (c) by a revision to section 68, to allow the Administrator to continue to request accounts certified by a suitably qualified accountant;
  - (d) by a revision to section 188D, to allow an appeal against the Income Tax Authority's decision.
2. That section 24 of the Dwellings Profits Tax (Guernsey) Law, 1975, shall be amended to reflect the principle that anyone charged with a criminal offence shall be presumed innocent until proven guilty.
3. To direct the preparation of such legislation as may be necessary to give effect to their above decisions.

## **STATES RECREATION COMMITTEE**

### **THE FORMATION OF A GUERNSEY SPORTS COMMISSION**

XX. After consideration of the Report dated the 20th February, 2003, of the States Recreation Committee:-

1. To approve the setting up of the Guernsey Sports Commission as described in that Report
2. To approve in principle the delegation of the States Recreation Committee's powers as identified, and to the extent set out, in paragraphs 6.1 and 6.2 of that Report to the Guernsey Sports Commission.



IN THE STATES OF THE ISLAND OF GUERNSEY

ON THE 28TH DAY OF MARCH, 2003

(Meeting adjourned from 27th March, 2003)

The States resolved as follows concerning Billet d'Etat No. IV  
dated 7th March, 2003

**STATES BOARD OF ADMINISTRATION**

**PARKING IN ST. PETER PORT AND QUAYSIDE ENHANCEMENT**

XVI. After consideration of the Report dated 19th February, 2003, of the States Board of Administration:-

1. To approve in principle the provision of basement car parking at the Fish Quay (Albert Basin) along the lines of the concept scheme described in that Report, and subject to further consultations as outlined therein.
2. (1) To direct the States Board of Administration to seek, in consultation with the States Advisory and Finance Committee, Expressions of Interest from private sector investors/developers regarding that concept scheme, taking into account the findings and advice of the cross-committee working group, as described in proposition 3.  
  
(2) To direct the States Board of Administration to report back to the States of Deliberation with the results of that process, including Expressions of Interest, the scope of recommended works and associated quayside enhancements, together with details in respect of funding.
3. To direct the States Advisory and Finance Committee to convene and lead a cross-committee working group to include the States Board of Administration, States Traffic Committee, Island Development Committee, States Board of Industry, States Sea Fisheries Committee and others as appropriate, which group is to
  - consider issues under the various committee mandates represented in respect of the Fish Quay concept scheme and quayside enhancements
  - assist the States Board of Administration in its seeking Expressions of Interest, prior to its reporting back to the States of Deliberation.

4. To authorise the States Board of Administration to appoint consultants and commission investigations as necessary in respect of that project, subject to the approval of the States Advisory and Finance Committee.
  
5. To vote the States Board of Administration an additional credit of £500,000 to cover the costs of the above, which sum shall be charged to that Board's capital allocation.
  
6. To authorise the States Advisory and Finance Committee to transfer the sum of £500,000 from the Capital Reserve to the capital allocation of the States Board of Administration.

## **STATES TRAFFIC COMMITTEE**

### INTEGRATED ROAD TRANSPORT STRATEGY

XXI. After consideration of the Report dated the 20th February, 2003, of the States Traffic Committee:-

1. To approve that, as a matter of principle, the main objective of the States' road transport strategy shall be to reduce the level of car usage in the Island, in particular by encouraging the use of alternative forms of transport, discouraging unnecessary car travel and promoting more responsible use of the car.
  
2. To approve the States Traffic Committee's intention to continue improving the scheduled bus service levels and the associated network infrastructure, as set out in section 4.2.1 of that Report.
  
3. To direct the States Traffic Committee to return to the States in due course with proposals for the provision of free school bus travel for all pupils.
  
4. To approve the States Traffic Committee's intention to undertake a comprehensive review of the opportunities to improve the Island's park-and-ride infrastructure, including the introduction of new sites and services, and to report back to the States with the results of that review in due course.
  
5. To approve the introduction of pay parking in the long-stay parking places at the Odeon, Salerie and North Beach car parks, as set out in section 5.2.1 of that Report.
  
6. To approve the introduction of pay parking in other on-street long-stay parking places in St. Peter Port, as set out in section 5.2.1 of that Report.
  
7. To enable the States, by Ordinance, to establish and review the applicable hourly rate or rates for pay parking.

8. To approve the States Traffic Committee's policies in respect of the construction of new public car parks, as set out in section 5.2.2 of that Report.
9. To approve the States Traffic Committee's proposals for the introduction of further on-street residents' parking schemes, as set out in section 5.2.3 of the Report.
10. To approve the States Traffic Committee's intention to develop proposals for the creation of off-street resident's parking facilities, as set out in section 5.2.3 of that Report.
11. To approve the States Traffic Committee's intentions in respect of motorcycle and cycle parking, car sharing, parking for the disabled and the management of the disc and approved parking systems, as set out in sections 5.2.4 to 5.2.7 of that Report.
12. To approve in principle that motor tax shall be abolished or reduced and that a corresponding increase in the tax on petrol and diesel sales should be introduced and to direct the States Advisory and Finance Committee to prepare detailed proposals in that respect as part of its future budget proposals, such detailed proposals also to include, however, consideration of raising revenue through any such tax to finance end of life vehicle disposal.
13. To approve the States Traffic Committee's intention to investigate the introduction of a register of driving instructors, as set out in section 7.1.1 of that Report and direct it to report back to the States with the results in due course.
14. To approve the States Traffic Committee's intention to carry out a review of the existing policies and legislation relating to the age requirements for driver licensing and direct it to back to the States with the results in due course.
15. To approve the States Traffic Committee's intention to commission a comprehensive and strategic review of the Island's speed limits and direct it to report back to the States with the results in due course.
16. To approve the States Traffic Committee's intentions in respect of vulnerable road users, as set out in section 7.1.4 of that Report.
17. To approve the States Traffic Committee's intention to introduce an experiment to reduce and/or limit the traffic using Church Square.
18. To approve the States Traffic Committee's intention to develop proposals for a ban on the use of "bull bars" and direct it to report back to the States with these in due course.
19. To approve the States Traffic Committee's intention to develop proposals for the introduction of compulsory emission and noise tests for vehicles and to report back to the States with these in due course.
- 19A. To direct the States Traffic Committee to report back to the States as soon as possible with proposals for legislation requiring the display on all locally registered vehicles of appropriate certificates of third-party insurance.
20. To direct the States Advisory and Finance Committee, when recommending the States Traffic Committee's annual capital allocation and expenditure limit for its revenue budget, to take account of the States Traffic Committee's responsibilities and plans associated with the provision of further improvements to the scheduled bus services,

the provision of the necessary infrastructure for bus users, cyclists and motorcyclists, the provision and maintenance of pay parking systems and facilities, the introduction of traffic calming schemes and improvements for vulnerable road users and, where necessary, the appointment of traffic engineering consultants.

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

### ***STATUTORY INSTRUMENTS LAID BEFORE THE STATES***

#### **THE BOARDING PERMITS FEES ORDER, 2003**

In pursuance of the provisions of section 17(3) of the Tourist (Guernsey) Law, 1948, as amended, the Boarding Permit Fees Order, 2003, made by the States Tourist Board on the 17th February, 2003 was laid before the States.

#### **THE HEALTH SERVICE (PHARMACEUTICAL BENEFIT) (RESTRICTED SUBSTANCES) (AMENDMENT) REGULATIONS, 2003**

In pursuance of the provisions of section 35 of the Health Service (Benefit) (Guernsey ) Law, 1990, the Health Service (Pharmaceutical Substances) (Restricted Substances) (Amendment) Regulations, 2003 made by the Guernsey Social Security Authority on the 21st February, 2003 were laid before the States.

K. H. TOUGH  
HER MAJESTY'S GREFFIER