



**OFFICIAL REPORT**

**OF THE**

**STATES OF DELIBERATION**

**OF THE**

**ISLAND OF GUERNSEY**

**HANSARD**

**Royal Court House, Guernsey, Thursday, 21st March 2024**

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**Present:**

**J. E. Roland, Deputy Bailiff and Deputy Presiding Officer**

**Law Officers**

R. M. Titterington, K.C. (H.M. Comptroller)

**People's Deputies**

|                      |                    |
|----------------------|--------------------|
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| C. P. A Blin         | J. P. Le Tocq      |
| A. H. Brouard        | D. J. Mahoney      |
| Y. Burford           | L. J. McKenna      |
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| P. T. R. Ferbrache   | P. J. Roffey       |
| A. Gabriel           | H. J. R. Soulsby   |
| J. A. B. Gollop      | G. A. St Pier      |
| S. P. Haskins        | A. W. Taylor       |
| M. A. J. Helyar      | L. S. Trott        |
| N. R. Inder          | S. P. J. Vermeulen |
| A. Kazantseva-Miller |                    |

**Representatives of the Island of Alderney**

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

**The Clerk to the States of Deliberation**

E. Gallienne, Esq. (Deputy Greffier)

**Absent at the Evocation**

Deputy H. L. de Sausmarez (*relevée à 9h 44*); Deputy M. P. Leadbeater (*relevé à 10h 50*);  
Deputy A. D. S. Matthews (*relevé à 9h 44*)

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# States of Deliberation

*The States met at 9.30 a.m.*

THE DEPUTY BAILIFF *in the Chair*

## PRAYERS

*The Deputy Greffier*

## EVOCAATION

# Billet d'État III

## REQUÊTE

### 5. Reduction of Mooring Fees and the Requirement to Consult in Respect of Future Increases – Debate commenced

*Article 5.*

*The States are asked to decide:-*

*Whether, after consideration of the Requête entitled "Reduction of mooring fees and requirement to consult in respect of future increases" dated 23rd January, 2024 they are of the opinion:*

- 1. To reduce the recent mooring fee increase to a 10% rise across the board (including GRPI) for the 12 months from 1st April, 2024, and*
- 2. To consult fully with the leisure boat stakeholders, the Guernsey Boatowners Association and the Guernsey Marine Traders Association in advance, before any mooring fee increases are made for 2025 and 2026.*

**The Deputy Greffier:** Billet d'État III, Article 5, Reduction of Mooring Fees and the Requirement to Consult in Respect of Future Increases.

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**The Deputy Bailiff:** Good morning everybody. Thank you very much, Greffier.

Before I ask Deputy de Lisle to start this debate in relation to the requête, I would like to declare an interest of my own. I am a part owner of a boat, the back half. (*Laughter*)

Deputy de Lisle, would you like to open with your introductory speech in relation to the requête?

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**Deputy de Lisle:** Thank you, madam.

The requête is entitled 'Reduction of mooring fees and the requirement to consult in respect of future increases. The leisure boat industry, madam, is shocked and reeling by mooring fee increases of 20% to 31% for 2024. (**A Member:** Hear, hear.) The proposals published in August 2023 for the three-year period to 2026, was for mooring increases over 50% to 100% in total by 2026.

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Madam, this is nothing short of a preposterous attack on boat owners. The leisure boat industry is being put at severe risk. Mooring fees in Guernsey have traditionally been at a level that a person with average means can afford. Any increases have typically been tied to Guernsey's RPI figure for the previous year.

20 The proposed increase was unprecedented and was considered unjustified and unfair by the boat owning community, who feared it risked undermining a fundamental element of Guernsey's way of life, in that the sea runs deep with knowledge passed down over generations to navigate the strong currents, undertows, tides, rocky outcrops surrounding the Islands and the boating fraternity in the Island provides a skill set that we must not throw away to the financial whims of the States.

25 The petitioners are of the view that the increases imposed by STSB will put the future of the marine industry in jeopardy and these increases will make boating unaffordable to most young families and those on fixed incomes, leaving Guernsey's long standing right to the sea to a privileged few. It is felt that this would lead boat owners to downsize their boats, sell their vessels or even move elsewhere; which is just what we do not want to see.

30 Madam, the boating industry, the leisure boating industry, has reported a surplus in every year over the past 27 years, even in the COVID years – a consistent surplus averaging £1.1 million each year. A massive contribution really to the Exchequer and the current problem facing STSB has been created by recent massive losses at the Airport.

35 The harbour results, in total, also show a full operating surplus, except for the small deficits in the two COVID years. It is entirely inappropriate and unfair to target users of the harbour facilities, even more so the 1,600 leisure boaters in the marinas, with such hefty increases in mooring fees. Particularly when the standard practice has been for increases to be tied to Guernsey's RPI figure for the previous year.

40 I worry about the future of the industry. The young people need to be encouraged into the marine industry, not discouraged by high above-inflation mooring fees, for the industry to be sustained into the future and our forefathers created the marinas to encourage the leisure boat industry to flourish and to cater for expansion, whilst still being affordable to all boat owners.

45 These hefty increases will destroy that legacy. There is also no independent regulatory body to oversee fairness to the boat owners. The States have removed economic sectors from the scope of the Competition Law. The boat owners find themselves in an impossible position as powers to regulate and investigate States increases in fees, has been withdrawn.

50 The Guernsey Competition & Regulatory Authority are unable to get involved, as clipped by legislation, unlike Jersey, and of course unable to investigate these huge price increases due to anomalies in the Ordinance, which prevents them from acting as an economic regulator where the States of Guernsey is concerned, and when you see, recently, telcos where Sure was told to drop broadband prices by a third by the JCRA Regulator. So the regulator would have come in, surely, with regard to this if they had had the authority.

55 I want to make the point that the Guernsey Voters Association (GVA) brought forward the compromise of 10% across the board, including the Guernsey RPI, and this was to add £350,000 in 2024 in fees to total up £3.35 million in fees from 1,600 boat owners for 2024. A phenomenal income generator, basically.

60 The boat owners are paying, in fact, their fair share but being frustrated by not having an independent regulator to investigate these increases and intervene. They are reliant on the States' body here as a result, here assembled to seek fairness is done through this requête for the States to resolve to reduce the recent mooring fee increase to a 10% rise across the board, including the Guernsey RPI, for the 12 months from 1st April 2024 and to consult fully with the leisure boats stakeholders, the Guernsey Boatowners Association and the Guernsey Marine Traders Association in advance before any mooring fee increases are made for 2025-26.

65 So considering these premises, the petitioners, myself, Deputy Vermeulen, Deputy Dyke, Deputy McKenna, Deputy Oliver, Deputy Blin and Deputy Gabriel petition the States to reduce the recent mooring fee increase to a 10% rise across the board for the 12 months from 1st April 2024 and to consult fully with the leisure boat stakeholders, the Guernsey Boatowners Association and the

Guernsey Marine Traders Association, in advance, before any mooring fee increases are made for 2025-26.

70 Thank you, madam.

**The Deputy Bailiff:** Thank you, Deputy de Lisle. Deputy de Sausmarez and Deputy Matthews, do you wish to be relevé?

75 **Deputy de Sausmarez:** Yes, please, madam.

**Deputy Matthews:** Yes, please, madam.

**The Deputy Bailiff:** Thank you.

80 I understand Deputy Le Tocq will speak on behalf of P&R.

**Deputy Le Tocq:** Well, as Members can see, we are going to be laying an amendment, in terms of the majority of P&R, on this particular matter. I think Deputy de Lisle has laid his case before the Assembly but, madam, I have got nothing to add until we get to the amendment.

85 Thank you.

**The Deputy Bailiff:** Deputy Roffey, as STSB do you wish to speak now in relation to Deputy de Lisle's opening of the requête?

90 **Deputy Roffey:** I do, madam.

The first thing to say is this requête has created a carbon copy debate of one that we had, at length, just a few months ago and I do worry about the good governance of this Assembly if every time a vote is narrowly lost or passed, for that matter, we read about the issue just to see if there will be a different outcome.

95 What happens if the requête passes today by one vote? Should the STSB consider bringing the matter back for a 'best of three' playoff? Do not worry, we are not going to, but I hope Members get my point. Now, I do accept that Deputy St Pier's motion to annul did not formally seek to instruct us to implement a 10% increase across the board. Of course, it could not because of the structure of motions to annul. But that idea was set out very clearly in the explanatory note, it was stressed that that was the motivation and the whole debate was predicated on that idea. So this really is exactly the same debate again.

100 Madam Deputy Bailiff, I am a bit of a sad man, really. (**A Member:** Hear, hear.) I live alone and I have not got much of a life, I really do not have much of a life. So last night I found myself at a loose end and I went looking for an old movie to watch on the internet and I found a real cult classic; a real cult classic with a stellar line up. It was called 'It's Time to Move Forward Together' (*Laughter*) and the star actors were Deputy Trott, Deputy Soulsby, Deputy St Pier (*Laughter*) and behind them, looking a bit sheepish, were a stellar line-up of bit players sitting at the back of the stage.

110 Of course, the studio that produced this absolute blockbuster was the partnership of independents and in it they told us their vision for the future of governance in Guernsey and one of the key points that they put forward was that when a decision had been taken, (**A Member:** Hear, hear.) did not matter how it had been arrived at, did not matter how small the majority, did not matter how much they disagreed with it, they would be totally against any effort to overcome that decision in the same Assembly, because that was not good governance.

115 So, with that in mind and bearing in mind that so many of those bit players as well as the three stars are sitting in the Assembly with me today, I am absolutely sure that they will stick by that, what is effectively an election pledge, particularly when they were so critical of people of a different political view when they changed, they resiled somewhat from their political pledge over increasing

taxes. So they were very critical of that, so I am sure they will be consistent and stick by their own pledges.

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Nevertheless, we do have exactly the same debate today and, therefore, in setting out some of the context, I am sorry if some of you have heard it before, but you cannot expect a totally different speech for the same debate. The first bit of context is that the ports business, pre-COVID, was at best marginal. It did not actually take taxpayers' support at that time, apart from for really major infrastructural works like the runway rebuilt at the Guernsey Airport some years ago and more recently the £5.1 million for the new hold baggage system, and it did make modest revenue surpluses but, and this is a critical point, those surpluses were never remotely high enough to fund the amount of ongoing capital investment that big bits of infrastructure, like Guernsey's ports, require and that is exactly the reason why we now face the daunting and urgent backlog of capital works that need to be carried out.

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The second bit of context is what happened during COVID-19. The States, rightly, expected our harbours and Airport to maintain crucial connectivity, so they could not scale down their operations to the extent that a private company probably would have done in order to save expenditure. But their revenue on the passenger side, at least, fell off a cliff.

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The result was massive losses. Losses which the taxpayer underwrote, losses which amount to the tune of £30 million by the end of the last financial year, but the P&R of the time, quite understandably, said that any General Revenue support for the ports would only kick in once all of the cash in the Ports Holding Account had first been exhausted; first been exhausted on underwriting those huge revenue losses.

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So when some boat owners ask what happened to previous years revenue profits, apart from the fact that I do not know how the Board of Administration spent those profits in the 1980s and 1990s, I have not even checked what size those profits were, they are not available to invest in the ports now, for the simple reason that COVID-19 stripped the cupboard bare and sent the ports back to year zero. We simply cannot spend previous years' profits that may have been set aside for capital investment when the States insisted that we spend on underwriting revenue losses.

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The third bit of context is what has happened post-COVID. Yes, things have, happily, returned to a more normal situation but one where passenger numbers are still significantly down, currently standing at about 80% of 2019 levels, or £200,000 fewer passengers across sea and air – and Guernsey is not unusual in that respect. The impact has been a dip in revenues from what was always, at best, a very marginal business.

150

The result is that the taxpayer is still continuing to put millions into the ports each year, as Deputy Trott highlighted in his Statement yesterday, and crucially at a time when we really can no longer responsibly defer vital investment in the structure and fabric of our ports, and I will come on to that more when we get to the A and F amendments. To do so, to perpetuate this lack of investment in our ports, would really put our community's future at risk.

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So we have a perfect storm, revenue deficits and unavoidable capital investment and, madam, that cannot continue much longer or rather it can, but only with ongoing revenue subsidies from the taxpayer. But how practical is that? We know that our public finances are in a dreadful state, we were told £32 million deficit looking back. We know, with demographics, that it is going to get greater unless we intervene in some way. Even without the ports being an ongoing drain, that is going to be a real challenge to address.

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So the STSB and the Ports Board took the view that we thought it was a responsible view, that at the very least, we needed to significantly reduce the reliance on General Revenue and to do so pronto. With this in mind, we undertook a root and branch look at the business. Where can we cut costs, where can we make efficiencies, where can we increase other forms of revenue and which fees and charges can we realistically increase? And we did not do this alone, we wanted some independent scrutiny, a fresh pair of eyes, so we asked for, and thankfully received, help from the finance team at P&R.

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Now, I am not going to go into all of the details of the other work streams today, although I can assure Members that they are all being progressed, but what rapidly became apparent was that our

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private mooring fees were way below commercial levels. Now, maybe that is not a problem in other financial circumstances but we felt it definitely was a problem when we are asking Mrs Le Sauvage to subsidise the ports out of her taxes.

175 How much cheaper are moorings in Guernsey compared with, say, Jersey? Really very significantly indeed, but we are not using that as an excuse to try and play catch up and match Jersey's fees. We are not trying to match Jersey's fees in any way whatsoever. The bulk of our vessels in our marinas, the large bulk, are between 20ft and 30ft and these will continue to be very considerably cheaper than in Jersey. In fact, boats of that sort of scale will continue to be charged about half what they will be paying in Jersey – often less.

180 Let me give you an example, if this requête fails and the original increase has come into effect on 1st April then this summer a very typical 24ft boat in Guernsey marinas will be paying less than 50% of what they would be charged in Jersey. We are frequently told we should not compare with other places with a different level of facilities and I would agree with that totally if we were aiming to equalise charges while providing a more basic offer; that would be wrong, I accept that completely. But we are not trying to do any such thing.

185 As I have shown, our charges for typical boats will remain at a fraction of Jersey's and Jersey charges are going up by 11% on 1st April this year. In that context, I think, it is a comparison which is both valid and illuminating. Not because we are trying to match, but just to show the scale of the reduction in Guernsey compared with elsewhere.

190 I confess that picture does change in respect of a small number of very large pleasure boats, and that picture is no accident. Madam, some have sought to portray this by STSB as an exercise in trying to force ordinary Islanders out of boating. I do not think that is at all fair. Yes, I suppose if somebody's finances are on a knife edge, and I accept that many people's are, then any increase may cause them to reflect. But the Ports Board has gone to great lengths to try to shield those with more modest vessels and put the bulk of the burden of the fees on larger boats, whose owners are more likely to be able to afford them, in stark contrast to the amendment from P&R, which will be coming forward shortly.

195 To put this in some sort of context, two thirds of the extra income from moorings will come from the largest one third of vessels. Or, put the other way round, only one third of the increased income will come from the two thirds of vessels of a more modest size. I confess, it is obvious, this means that some really large boats will be seeing large increases. But here too, there has been too much hyperbole.

200 Let us consider the typical changes that we have proposed for these top end vessels. Let us take a couple of examples and I mentioned the last time, and I am going to repeat them again today. The first is a 51ft Princess 48, now that currently pays £4,570 a year for its mooring fees. Next year, if the requête fails, that will go up to £5,834.

205 Now, I accept that is a big increase. It is an increase of just over £1,000, but look at it in context. If any Member wants to buy such a boat, I can tell them that to get an eight-year-old version second hand, it would set them back about £600,000. A second example is a Fairline Targa 52.5ft vessel: in that case you would have to spend about three quarters of a million pounds, but you will get a new vessel for that. But, of course, your costs will not end there. I am told that if you want to fill its tank it would set you back about £2,000 each time. So the increase in mooring fees will be only a fraction of the cost of filling up the tank of that vessel.

210 But returning to the more important issue, I think, of ordinary Islanders who enjoy getting out on the sea, if some do give up boating due to a move towards more realistic commercial mooring fees, I agree that would be a personal blow to them. I will regret it and it is certainly not what we are looking to achieve, hence the way the increases are structured. But nor will it hit the port's finances as some have sort to portray, for the very simple reason that there is a long waiting list indeed for berths.

215 Do not forget, a few months ago we were told with absolute conviction by any number of Members of this States that that waiting list was an illusion. Members who opposed our proposals were saying that if the increases were approved the waiting list would collapse as boat owners

scrambled to sell. Well, the increases were approved and what has happened? The waiting list has gone up quite significantly.

225 Another myth, which has been put about, is that these increases are unfair because the marinas are somehow subsidising other aspects of the harbour or even subsidising the Airport. Firstly, this is a slightly weird argument and, secondly, it is just not true. A weird argument because the ports has been one business now for 60 years, so as I said a few months ago, it is a bit like calling foul if you think the yoghurts in the chilled sector of your local supermarket may possibly be cross-

230 subsidising the baked beans that you are buying in the ambient aisle. But even if, bizarrely, and I accept some do, people want to view the ports as a whole series of mini individual businesses, section by section, the marinas will not be subsidising anybody. After proper apportioning of central costs any revenue surplus they make is modest, by contrast, the capital spend they require, is very large indeed.

235 So not only next year, but for the foreseeable future, certainly for the next decade and beyond, we expect to be spending far more on the marinas in capital injection than we receive from them in revenue surplus. This really is the key because I keep hearing that harbours are subsidising the Airport. Let me address that head on. Read my lips, it is not true.

240 **Deputy Meerveld:** Point of correction.

**The Deputy Bailiff:** Yes, Deputy Meerveld.

**Deputy Meerveld:** Deputies have had documents shared with them that show over the last 27 years the harbours revenue going into the joint ports account is positive £32 million, whereas the money taken out of the ports account to subsidise the Airport is, they have taken out a net amount of £54 million. Therefore, I believe that Deputy Roffey's statement is inaccurate. I realised in his earlier speech he said he had not bothered checking the historic account, but when you check the historic account revenue from the harbour is definitely subsidising the Airport through the port's

245 account.

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Thank you, madam.

**The Deputy Bailiff:** Deputy Roffey.

255 **Deputy Roffey:** Deputy Meerveld needs to get his tenses right. He said that the harbour is subsidising the Airport. It may well be that in the 1980s and 1990s, maybe the early noughties, it subsidised the Airport. That was, I think, a distinct policy of this Assembly over 40 years. What I can tell him is, at the moment, it is not subsidising the Airport and I will explain why. I thought I had explained why.

260 The bald truth is that at the moment both the Airport and the harbours are being subsidised by the taxpayer. I accept fully that the subsidy to the Airport is bigger than the one to the harbour. I also accept that if we ever get back to a point where the ports, as a business *in toto*, no longer requires any taxpayer support, which is what I thought was the States' policy given to SDSB to implement, please correct me if I am wrong, if we ever get back to that, then I accept completely

265 that in those circumstances the harbours will, indeed, be cross-subsidising the Airport.

If Members feel that is wrong in principle, for some reason, there is only one alternative and that is going to be to accept an ongoing General Revenue subsidy for the Airport because I tell Members one thing, there is not an Airport anywhere in the world of the scale, the sub scale, of Guernsey Airport which does not require some sort of subsidy, either overt or covert. Indeed, if we even tried

270 to make the Airport break even in the face of all today's regulatory costs and cover its capital requirements, it would require a fee structure which would be deeply damaging to our wider economy.

I can tell Members that as recently as last week my Committee reconsidered this whole area of argument against the harbour ever being expected to return to subsidising the Airport as it has

275 tended to do over many decades. We decided, just as we did last year, that we would write to P&R, albeit a different P&R this time, making it clear that if this Assembly is so opposed to a cross subsidy between the ports, the only alternative that would not cause economic harm would be a straightforward taxpayer subsidy of the Airport and we are probably talking about somewhere in the range of £3 million.

280 But that is a debate for another time because at the moment Guernsey's harbours, far from subsidising the Airport, are not even washing their own face. They are not generating sufficient revenue surplus. Yes, they are making a revenue surplus, but it is way below the level of capital injection that needs to be put into the harbours.

285 So somewhere down the road we can debate whether or not the subsidy, which we undoubtedly need at the Airport, comes from General Revenue or comes from the harbours; and as I say, I think over the last 40 years it has been a deliberate policy of this Assembly, through the Ports Holding Account, to have a cross subsidy. If we want to end that, fine, but it does not remove the need for a subsidy for the Airport and it is really not germane today, because that is not what is happening today. The taxpayer is subsidising both parts of the business.

290 Another very public argument has been that the percentage increases – I think this has been very much stressed by Deputy de Lisle this morning – are just too large, they are unreasonable. Well, I cannot disagree that they are far larger than ideal. We would much prefer not to be starting from here but I think Members need to understand why the old fee structure is no longer fit for purpose and this comes to the heart of what the Yacht Club said.

295 The Yacht Club said there is no need for any catch up exercise because the fees have gone up, more or less, by inflation over the years, so there is no catch up required. That is just missing the point. The current fee structure is a relic of a different age, an age when the taxpayer funded all of the significant capital works within the harbours. Need a new marina, the taxpayer will fund it and do not even think of them depreciating that investment, just a gift from the taxpayer to the harbour business. That is what the old attitude was.

300 Likewise, if you need to repair the new jetty, at a cost of many millions, it came from the taxpayer, it was a different world. Now the States expect the ports, or I think they do, to try and wash their own face. It is simply unrealistic, indeed naive, to expect a change from taxpayer funding of capital works in the ports to user funding to be achieved without some kind of fundamental reset of the fee structure. How on earth do you do that?

305 Madam, a few months ago, the States spent, I think, about five days debating the Budget for 2024. At the end of the five days they passed the ports budget unamended, but Members knew – well they must have known – that our budget was predicated on the series of fee increases which were already very much in the public domain. Nobody sought to amend that budget.

310 Later, we spent many hours debating a motion to annul those increases, and again the States decided they should proceed. So what happens now if this requête is passed? Well, I think the STSB will have two options. One is to go into next year – I say next year, this financial year – planning to fail to meet our budget. Yes, of course, we will be looking to make efficiency savings and to generate revenues elsewhere, but that was already factored into our 2024 Budget and, of course, if we mis-  
315 budget the taxpayer subsidy will continue with a higher level than it otherwise would have been. Basically, if this requête is passed, it increases the requirement for taxpayer subsidy by circa £400,000 a year. Is General Revenue really in such a healthy state as to even countenance that outcome?

320 The second possibility would be to come back with fresh statutory instruments (SIs), to adjust other fees across the ports to make up the shortfall. But the trouble with that is that all of those other fees across both the Airport and harbour are already going up really significantly this year.

Indeed it is odd, to my mind, that all of the attention has been focused on the private boat owners when I would have expected, in fact fully understood, more pushback on the increases in commercial fees. Could it be a case of Deputies just responding to the loudest voices? Just for  
325 context, 80% of the extra revenues proposed from the ports this year will come from commercial

fees at the harbour and the Airport. Just 20% will come from leisure craft and that includes the visiting vessels.

330 So finally, I really do have to close with a question, madam. Does this Assembly really want the ports to move towards self-sufficiency or does it want them to be forever dependent on taxpayer subsidies? I think that is a legitimate question and I know that the STSB, as a non-policy making Committee, will seek to implement whatever the States so decide in this respect.

335 Really no skin off our nose, but what does gall is to be criticised for trying to implement what we understand to be States' policy of the ports transforming itself from being dependent on General Revenue, as they have been for many years, and from capital requirements to being self reliant. So please, Members, through you madam, please decide one way or another. It really is not on to task us with ensuring the ports wash their own faces, only for us to face political intervention as soon as we take unpopular measures to try and ensure that it does just that.

340 **The Deputy Bailiff:** Thank you.  
Deputy Le Tocq. [*Inaudible*]

[Amendment 1](#)

*For Proposition 1, substitute the following:-*

*"1A To agree that fees for all mooring categories excluding visitors shall increase by 24.5% for the 12 months from 1st April, 2024 and to direct the States' Trading Supervisory Board to amend, or revoke and replace, the Mooring Charges (Guernsey) Regulations, 2023 accordingly.*

*OR, IF PROPOSITION 1A IS NOT APPROVED:*

*1B To agree that the increase in fees for all mooring categories excluding visitors for the 12 months from 1st April, 2024 shall be capped to a 10% rise, and to direct the States' Trading Supervisory Board to amend, or revoke and replace, the Mooring Charges (Guernsey) Regulations, 2023 accordingly and to compensate for the associated in-year loss of income of £261,000 through alternative means, including other fee increases, expenditure constraint or the reprioritisation of the capital investment programme."*

**Deputy Le Tocq:** I do not think that is necessary, it is quite simple and I will refer to that, thank you, madam.

345 This amendment is being laid because the majority of Policy & Resources Committee feel it would be irresponsible to not offer to this Assembly at least some options to be committed to and to be consistent to the annual budget which this Assembly set only a few months ago.

I will come on to the details of the amendment in a moment but I think just referring to some comments that Deputy Roffey has made, and he made them well, so I will not go over them again.  
350 This Assembly has a responsibility to manage its affairs effectively and part of that is discipline, being disciplined in having made democratic decisions to stick to those democratic decisions.

In the area of annual budgets, it seems to me that is the most important area where we should do so. If the Policy & Resources Committee did not give these options to the Assembly then the very likelihood is that if the requête passes unamended the very likelihood is that the taxpayer  
355 would have to pay, would have to make up the difference and that would require us to go to the Budget Reserve, which is almost already exhausted. We are not just talking about small amounts of money here, we are talking about principles and Deputy Roffey has referred to that.

This is a compromise amendment, madam. The nature of compromises is always such that probably it pleases no one, but it does at least give two options that enable us to be consistent and  
360 disciplined with regard to the Budget that this Assembly, as Deputy Roffey has referred to, certainly in this regard, unanimously passed and rather than tinker around with things as we move forward and make things far more complicated, that is an area that we feel is very important.

This amendment, if passed, would replace Proposition 1 and I just need to make a comment on that. There has been some criticism from certain quarters, the Guernsey Boatowners Association,

365 that it would remove the need to consult but that is in Proposition 2; that would remain on the agenda. So it does not remove the need in future for the STSB to consult.

The two options that would replace Proposition 1 and, Members, madam, might well find that they are amenable to one more than the other, but the two options, to a certain degree, give different manners in which we could offer the solution to enable STSB to look at the need for raising  
370 resources, but to do so in a slightly different way.

The first one would raise the fees right across the board by the same percentage. Now there are arguments for and against that and obviously the percentage is high and that might be a problem for some, but at least it is the same percentage and it will be fair. Indeed as fair as, some might say, adding a few percent on Income Tax might be fair right across the board. But that is Option 1.

375 Option 2 would increase the fees, but capped at 10%, and would require the STSB to find other means of making up the difference in their budget. Now, that requirement would mean that it would not be the taxpayer to do so. They would have to do that by either increasing fees and charges elsewhere or introducing new fees and charges or they would have to find some sort of reduction in service and some economies to make elsewhere, so that it is consistent with the budget that we  
380 have only just passed for this year.

Those two options would then be clear before the Assembly and the Assembly could choose which one it wanted in due course and P&R feel, by a majority, that this Assembly needs to consider its need to be disciplined with regard to our budgets. We cannot go on constantly changing our minds and feeling that the taxpayer can pick up the bill for those things.

385 There are many things that are passed in this Assembly which I am sure, madam, like others, I feel disappointed with that I voted one way or the other but not in the majority and as a result I, as a democrat, stick by that and do not want to revisit those things. We ought to do the same as an Assembly but particularly, madam, in the area of finances and budgetary finances that are set by ourselves. It is a bad precedent. I, therefore, suggest that this amendment enables us to do so more  
390 clearly and in the future I would encourage us not to spend time revisiting things that have been decided only a few months before.

Thank you, madam.

**Deputy Gollop:** Can I speak now? Not a lot to add to the powerful speech Deputy Le Tocq has  
395 made, and he is absolutely spot on that we as a Committee have diverse views and we wanted to come up with something that was not just a compromise, as a recent States' Member said, I think it was in the Education debate Deputy Trott said, the ideal solution sometimes is one that pleases nobody because everybody gets a little bit out of it. And to add a little bit of flesh to the bone, I would say I am really not keen on flip flops, but you do see in other parliaments elsewhere, changes  
400 of people, changes of personnel and so on. Flip flops are sometimes related to the times we live in, changing circumstances, well that came back twice and, yes, GST would be an example of something that did come back twice and we will see that again.

But the point is the debate we had in December was not a requête, nor was it even a policy letter, it was something Deputy St Pier put as a renunciation of, effectively, a standing piece of  
405 legislation; and it was, I think, sometimes we do ... we have done extremely well under your able speakership presidency today, we are going rather quickly, but we were on a slow mood that day and I think we were there on Friday afternoon and people were already beginning to go home or missing the meetings and all the rest of it.

So I think that justifies bringing this back and it is something that has stimulated the community  
410 and there are principles behind it. I think Deputy Roffey made a masterful speech putting his perspective. But we on P&R have to see the bigger picture, and the bigger picture is balancing what is a controversial political issue that affects people who we need on our Island versus fiscal probity? And yes, I did sign the abortive soldier monster flies and Deputy Ferbrache said yesterday it was irresponsible, well, sometimes I have been accused of irresponsibility with amendments as well that  
415 have not been discussed ahead.

420 But I think this is a responsible amendment because it expands the choices and it gives something for everyone. I probably agree with some Members who would say that if you have to increase charges it is fairer to go for the bigger boats and Deputy Roffey has explained the thinking there because, potentially, the bigger boats are more expensive to buy and are more likely to be owned by high net worth people.

On the other hand, some people inherit boats or have been sailors for many years and it would be unfair to assume that they are cash rich. We might as well say let us increase TRP dramatically for properties that people have bought and I do not think we would be quite so happy with those arguments. (*Interjection*) I do not know, it has happened a bit.

425 The argument is, I think, well made that the larger boats are often used by people who we desire to be a part of Guernsey society, whose economic overall contribution is significant and I think we should respect that. But nevertheless, this amendment, for those Members who feel that an increase is justified but was perhaps too harsh on the lower to middle class of community of boat owners, this gives the option of going for a flat 24.5%, as it says here.

430 This was first set out in Proposition 1A requests the States to agree that with the exception of visitors, mooring fees should increase by 24.5% for the 12 months from 1st April 2024. This removes the variation based on vessel size, whilst ensuring the overall income from fees remains at the level accounted for in the preparation of the 2024.

435 Obviously I am going to vote for this amendment and support it but if it wins, and I hope it will, then I am likely to, in fact I will, vote for 1B because I think for the present time the case has been well made by the community to follow, broadly, the lead Deputy de Lisle has set out, that the fee increases should be capped at 10%. My colleagues on Policy & Resources may take different views, but that is my perspective.

440 But where I do agree with the amendment and the work we have done on it and the leadership that Deputy Le Tocq has set out is we do need ... it is hard for me going on P&R because we have to have a responsible, consistent fiscal position and not just act to the whims of the politics of the day, or I will not say the loudest one.

445 Proposition 1B, although it is similar to the requête it is not the same, it agrees that the increase in fees for all mooring categories, excluding visitors from 1st April 2024, hopefully not April Fool's Day, shall be capped to a 10% rise. But to direct the States Trading Supervisory Board to amend or revoke and replace the mooring charges Guernsey regulations accordingly and to compensate, this is the important part, for the associated in-year loss of income of £261,000 through alternative means, including other fee increases, expenditure constraint or the reprioritisation of the Capital Investment programme.

450 Now this might come up in general debate, I am not going into all the cross-subsidization arguments but you are bound, on Policy & Resources, to get competent and expert advice which says, 'What are you doing increasing the loss, the scale of the deficit, when we are trying so much to encourage, to exhort, to order really, restraint?' So the answer may be other fee increases, I do not know if it will affect visitors, expenditure constraint, which probably means expenditure deferment in some cases or the reprioritisation. Now we do need reinvestment and I would say there might be another way, there might be more commercial opportunities in the ports that would raise revenue of one kind or another. I would like to see that, but that is not a quick fix.

460 But basically, we should not just vote for, 'Let them lose a quarter of a million because the money raised would not come in.' I know some boat owners might argue that if the fees go up, unamended, there might be a drop in revenue anyway because, sadly, some existing boat owners would not be able to pay, but I do not think we can judge a budget forecast on that.

465 Therefore, given the wording of the requête and the wording of this amendment, the amendment is clearer in saying any concessions we grant today have to be compensated elsewhere, they should not be taken from socially needy programmes in other parts of the States. It is very much something the STSB need to replenish rather than other parts.

So I do hope that in order to get, I think, the most sensible outcome that we, at this stage, vote for the amendment and then in the course of debate, once the amendment is hopefully passed, we

will then decide between the two or not vote for it at all. I do support the boat owners, but I think there is a long-term conversation and from what I have heard, one of the biggest issues we need to see, and we can argue all day about the history of the ports – and Deputy Trott knows more than probably anyone else in the Chamber about the ports from the port administration era – but I think the important thing is I have heard whispers that part of the problem, and I am sure Deputy Moakes, Deputy Parkinson and Deputy Roffey will work on this because they are very listening members, was somehow there a lack of dialogue and a lack of communication with the boat owning community.

So I hope, if we pass the amendment or the requête, whatever happens we will see meetings at high level between the political and the operational and the boat owning community, so that for the future the inevitable rises are more accepted and somebody said ... actually I was talking to a potential candidate at the election and I was saying we want to win or lose and we are always 19:18 or 21:19 and he said, you are missing the point. He said, if you are in a consensus system of government, which Deputy Roffey particularly supports, you really need to win by 25 or 30 to whatever, because if it is so tight and it is one vote, you may win or lose but you will walk out of the Chamber with a sense of dissatisfaction and a sense of voices not being heard. So when we have to make the changes on behalf of society, we really need a more robust majority to ensure that the governance is as good as it can be.

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

**Deputy Queripel:** Thank you, madam.

I will be speaking on the amendment as well as in general debate in this speech I am about to make. I will start with the amendment. I have a question in relation to Proposition 1b. We are told in that Proposition that STSB will be directed to compensate for the in-year loss of £261,000 through alternative means, including other fee increases, expenditure constraint or the reprioritisation of the Capital Investment Programme.

What we are not told is whether or not STSB will be coming back to the Assembly to seek approval of whatever they decide upon. So I would like clarification on that point from Deputy Le Tocq when he responds to debate, madam, please.

I give way to Deputy Le Tocq.

**The Deputy Bailiff:** Deputy Le Tocq.

**Deputy Le Tocq:** I can answer that straight away.

I mean obviously with certain of the issues that you have raised and that are mentioned in 1B, they would have to return to the Assembly; with others they would not.

**The Deputy Bailiff:** Deputy Queripel.

**Deputy Queripel:** I thank Deputy Le Tocq for that clarification and also what concerns me is there is no mention of consultation. Are we just supposed to assume that there is going to be consultation? I think everything should be put in the amendment, the intentions of the amendment should be laid out –

I give way to Deputy Le Tocq, madam, as he did ask me to.

**Deputy Le Tocq:** I did mention in my speech that Proposition 2 still stands in the requête and that mentions consultation.

**The Deputy Bailiff:** Deputy Queripel.

520 **Deputy Queripel:** I am just reading to where I can continue, madam.

So STSB could decide to increase fees for boat owners in other areas, in addition to the increase in mooring fees. So they will be paying for another increase on top of the 10% increase. But surely that cannot be fair. When Deputy Gollop spoke he made it sound like Proposition 1B is more or less the same as the requête Propositions, but nothing could be further from the truth. They are far broader.

525 So I urge colleagues not to be fooled and not to fall into that trap. Stick with the requête. **(A Member:** Hear, hear.) Vote against the amendment. I am absolutely delighted to see this requête in front of us today. I applaud Deputy de Lisle and his fellow requérants for laying it in front of us. It gives us all an opportunity to review the way we voted just three months ago now and also, more  
530 importantly, it provides the opportunity to vote to the seven Members of the Assembly who did not vote **(A Member:** Hear, hear.) last time round, namely Deputy Le Tissier, Deputy Parkinson, Deputy Falla, Deputy Helyar, Deputy Meerveld and our two colleagues from Alderney.

As I said in my speech back in December, I was undecided and I had considered 'for's and 'against's and I still could not make up my mind, so I was going to listen to debate, very closely, to  
535 see if I could hear something said by a colleague to help me make up my mind and at the end of that debate, I voted against the motion to annul; which was a huge mistake.

I have been traumatised by that ever since, which is why I say I am absolutely delighted to see this requête in front of us today. I know some of my colleagues will say this is a complete waste of time, we have had this debate not so long ago and it is going to bring the States into disrepute. I  
540 do not see it that way at all. Seeing as the motion only lost by one vote and seeing as seven Members did not vote, but many of whom were –

**Deputy Taylor:** Point of order, madam.

545 **The Deputy Bailiff:** Yes, Deputy Taylor.

**Deputy Taylor:** Apologies if I did mishear, Deputy Queripel, but I think he reserved the right to speak in general debate, so I am thinking 17(6), what relevance this has to this specific amendment.

550 **The Deputy Bailiff:** Thank you for bringing that to my attention, Deputy Taylor. To be fair to Deputy Queripel, he did say he was not going to speak in general debate and I recognise also this is becoming quite a route in for people to simply state that they are talking in both. As I have allowed Deputy Queripel to speak thus far in matters that are essentially about general debate, I am not going to stop him now but I think it is a habit that we need to stop having.

555 We talk on amendment and then if the amendment is passed, we talk in general debate about the amended Proposition. But I am not going to stop Deputy Queripel now because he was not given due warning that this new, perhaps tighter rule, perhaps more appropriate and right way of dealing with things, is going to be brought into play from now on. So I will allow Deputy Queripel to continue but I give everybody else due warning that it is my intention when I sit as Deputy  
560 Presiding Officer not to allow people to speak in general debate if they are talking about the amendment.

Deputy Queripel, please carry on.

**Deputy Queripel:** Thank you, madam.

565 Just to repeat the last couple of sentences because some of my colleagues are going to make a big issue of this, I am sure, when they speak that this is a waste of time, we have done all this before, but I would just remind colleagues seven Deputies did not vote and I believe I am right in saying that they were not even in the Chamber. I stand to be corrected on that.

570 So this provides them the opportunity to vote. Any way, on the issue of bringing the States into disrepute, 1,600 boat owners and their families and friends will not feel it is a waste of time and they certainly will not feel it brings the States into disrepute. To have a second bite at the cherry

gives them hope and, of course, they will all be relieved if this requête succeeds, because as many of them have told us, they will have to sell their boats if it does not.

575 On the point of having to sell their boats, in the previous debate Deputy Mahoney when he spoke made a really valid point. I think it was a really valid point, but I know he made it sincerely. He said something like, 'Boat owners who say they will have to sell their boats seem to be forgetting they have to find someone to buy the boat and is also prepared and able to pay the increase in mooring fees.' I think that is the essence of what he said.

580 But when I put that question to Members of the Boat Owners Association at their excellent presentation last week, (**A Member:** Hear, hear.) I was told that selling a boat is not too much of a problem because 50% of the boats that are sold are bought by people in the UK. When Deputy Aldwell spoke in the last debate she made a point that, at the time, made perfect sense to me with my limited knowledge and I know she made it sincerely. She said, if boat owners cannot afford to pay the increase in fees then they can moor their boats in the bays around the Island for free and that sounded like the answer to me at the time.

585 But I have since been told by boat owners that things are not that simple. They cannot get insurance over the winter and those moorings are restricted for space for swinging moorings, and also that the moorings are often handed down through the generations, so they are not that easy to attain.

590 I give way to Deputy Aldwell, madam.

**The Deputy Bailiff:** Deputy Aldwell.

**Deputy Aldwell:** Thank you, madam.

595 What I was speaking about last time was, we were speaking about little fishermen with a couple of pots and I was saying there are available moorings and there are at St Martins, St Martins at Saints there are available, there are different ones around the Island that are. But I am not talking about the big gym palaces or the nice big sailing boats or all those, I am talking about the little fishermen who want to put a couple of pots out, there is availability around the bays.

600 Thank you.

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

605 **Deputy Queripel:** Thank you, madam.

I want to emphasise at this point, madam, that I am not blaming Deputy Mahoney, I am not blaming Deputy Aldwell, I am not blaming anyone for the way I voted, that was my mistake. I take full responsibility for that and hold my hands up for making such a big mistake. What I am doing here is relaying to colleagues what was relayed to me at the presentation last week and there were nine of us.

610 I give way to Deputy Mahoney.

**The Deputy Bailiff:** Deputy Mahoney.

615 **Deputy Mahoney:** I thank Deputy Queripel for giving way.

Really just before he sits, just to get some clarity for me, just for some sense on the numbers really, the numbers game. He said in response that the Boat Owners Association or somebody at a meeting had said to him that 50% of all boat sales go to people in the UK. I think that is what he said.

620 But if you could just help me, surely that means, if that is the case, then the industry is shortly to die anyway, isn't it? If 50% of all sales in this Island result in the boats then moving to the UK, surely that is not long before the boat industry, the boats, the whole harbours thing, is dying on its feet in

any event? There must be a mistake in that matter somewhere, if half of all boat sales do not remain in the Island. Does he want to revisit that, or have I missed something there?

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**Deputy Queripel:** Madam, I am relaying what I was told. So there were nine of us at that first presentation last week and unless these issues were discussed at the second presentation then colleagues who were unable to attend either presentation will not know any of this unless they have spoken directly themselves to boat owners.

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One thing that has really bothered me and traumatised me since the last debate was my huge disappointment in myself. I often say in speeches I am a great supporter of Guernsey traditions and I would do everything I could to support them, and then I went and voted against supporting one of our traditions and I am thoroughly ashamed of myself for doing that, I hold my hands up.

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My good friend, the late and much missed former C atel Deputy Barry Paint, would have torn me off a strip, justifiably, for doing that. So I am doing my utmost here to address the injustice I contributed to by voting against the motion to annul, in the hope I can persuade some of my colleagues who also voted against the motion to annul last December to think again, because boating is no longer a game that only the rich can afford to play.

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Working class people can afford to own boats but many of them push the boundaries financially in order to be able to do that and they are the ones telling us they will have to sell their boats if this, what Deputy de Lisle referred to as preposterous, increase is allowed to go through; and I would add to that and refer to it as extortionate.

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Is that what we want to do; do we want to demoralise fellow Islanders and take away their hard earned pleasures? Boating is an Island tradition, not only good for Islanders' physical health but it is also good for their mental health. It is good for their souls and it is good for their state of mind and bearing in mind there is a lot of great work going on as I speak, progressing the Mental Health & Wellbeing Strategy and bearing in mind the number one objective of the States of Guernsey is to improve the quality of life for fellow Islanders, we will not be supporting either of those if we do not support this requ ete. Such a shame I did not bear that all in mind in December because if I had we would not be here today re-debating this issue.

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The reality is I did not think it through and I have had a lot of time to think it through since then. In an attempt to persuade colleagues to vote in favour of this requ ete I am going to focus on some paragraphs from a recent press statement made by the Guernsey Marine Traders Association and the Guernsey Boatowners Association. There were several paragraphs in that press statement that I could highlight, but I am going to focus on three of the most poignant which, in my view, absolutely nail the whole issue as to why the Assembly needs to support this requ ete.

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Starting with this one, the statement that Guernsey Ports does not generate sufficient income through fees to meet costs and is therefore reliant on taxpayers' funding is an attempt to suggest that boat owners do not pay their way.

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Moving on to the next paragraph, which reads as follows, if one looks deeper into the Guernsey Ports Accounts, one sees that the marinas are profitable, as are the harbours. The reality is the Airport has lost money since 2009 but those facts are lost in the Ports Accounts. The harbour's finances should be separated from the Airport and the harbour should be allowed to retain their surpluses to cover maintenance and improvements.

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The last paragraph I want to highlight from that statement reads as follows, the article on the front page of the *Press* published on Monday, 5th February attempts to discredit the recent consultation with the GBA, the GMTA and the Yacht Club by suggesting that the waiting lists for berths has increased. Despite the proposed price increase without even explaining the implication of the current non-refundable deposit scheme for a place on the waiting list. The Associations would like to clarify anybody hoping to obtain a mooring needs to pay  67 just to get on the waiting list and this fee is non-refundable.

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Consequently, once the fee is paid, there is no incentive for anyone to remove their name from the list even if they have no intention of taking up the offer of a berth if one were to become

675 available. So, why would anybody who was already paid to be on the list not wish to stay on the list indefinitely, just in case?

Bullet point eight, from a list of the 14 bullet points provided to Deputies at the Boat Owners presentation last week reads as follows, the 10% increase proposed in the requête will provide extra annual income of approximately a quarter of a million pounds to Guernsey harbours without losing any existing customers and without damaging the local marine industry, the greater Guernsey economy and its significant employment opportunities.

680 Moving towards a close, madam, one Islander with broken dreams is one Islander too many, especially when our number one objective is to improve the quality of life of Islanders; and 14 of our fellow Islanders, who are all boat owners, contacted me after the last debate and told me their dreams were in tatters and they were completely demoralised because going out in their boats means so much to them. The boat is their life and I thank them for telling me that because it helped to turn me around.

685 So, after completely missing the boat last December, I can only hope, madam, that some of what I said in this speech has an influence on colleagues who also voted against the motion and turns some of them around because there is nothing wrong with changing your mind.

690 Thank you, madam.

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

Deputy Leadbeater, do you wish to be relevé?

695 **Deputy Leadbeater:** Yes please, madam.

**The Deputy Bailiff:** Yes.

Deputy Ferbrache, I just will say, as I said in response to Deputy Taylor's 17(6) point, that I will be asking people only to speak in relation to the amendment rather than going into general debate. Thank you very much. Deputy Ferbrache.

700 **Deputy Ferbrache:** Thank you, very clear guidance and I think that is helpful going forward. So, I was only going to speak on the amendment anyway, albeit I make a prediction, the amendment will fail, the requête will succeed and I am going to vote against both. But I will speak in a moment in relation to this amendment because, quite properly, this is what is before you.

Deputy Gollop feared that, or commented that, some people may think it is irresponsible. I do not think it is irresponsible, I think it is a properly brought amendment and it gives consideration for the States to help. But it does not cut the mustard. The point in relation to where we are is that, as in his usual very able address, Deputy Roffey said two things. One of which did surprise me, which is that he does have the internet because I know he does not have a mobile phone, but I am very pleased he has got that. But the second point is in relation to the costs. That the bulk of the costs would be down to the larger boats, he gave examples of boats, I have never owned a boat. Unlike you, madam, I have never owned a boat or a part of a boat. But in relation to that Deputy Roffey said this type of boat could cost you £600,000, if it was seven or eight years old and this other one you could get, it would be brand new, but it would cost you three quarters of a million.

715 Now in connection with that, the part 1B of the amendment would effectively mean that the costs would be spread across equally whether you have got a little tiny boat or you have got a very big boat – 24.5% for the 12 months from 1st April of this year. Now, that is unfair on those middling range that Deputy Roffey talked about, people with 24ft boats or whatever it is. It seems to me that that is unfair. I know it is a generalisation and when you make a generalisation there are exceptions, but generally the people with bigger boats have got deeper pockets and can afford to pay more and I thought the whole purpose of the States, generally, was to make those who could afford to pay more, pay more.

720 So I cannot support it for that reason, albeit I fully understand the principles which Deputy Le Tocq and Deputy Gollop, albeit Deputy Gollop did not really favour 1A very much, according to his

speech, have brought this forward. Now I would like those who are going to again say this amendment to explain how they would expect STSB to meet 1B because 1B says if 1A is not approved, and I do not think it stands much chance of being approved because, as I say, it spreads the cost equally from those that have got deep pockets to those that do not have deep pockets, and more about that if I speak on the main Proposition in due course, which I may well do.

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But as regards 1B it says, to increase the fees 10% from 1st April and to direct STSB to amend, revoke and replace the mooring charges, Regulation 23, and accordingly to compensate for the associated in-year loss of £261,000 through alternative means including other fee increases, expenditure constraint or the reprioritisation of the Capital Investment Programme. Now, Deputy Roffey has been President of the STSB now for about 300 years, I was its President for a couple of years before that. There have only ever been four Presidents of the STSB. The first was Deputy Jones, who sadly died just a few weeks after taking office, then it was Deputy Parkinson, then it was me and now it is Deputy Roffey.

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Now, in relation to all of that, if Deputy Roffey would have been able to come up with this extra £261,000 through fee charges, capital reductions, etc., I am sure, having considered this amendment, he would have said so. Where do ... because it is easy to say find the money from anywhere else. I am sitting in a different place than usual, I used to look up there, now I have got to look out here if I want to see ... oh, I cannot because the blinds are closed, I cannot see any money trees. We will no doubt hear about those in due course, we have already heard about Mrs Le Sauvage in Torteval and I have got great sympathy with Mrs Le Sauvage in Torteval on this particular matter.

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But I would like those who are going to support this amendment to explain where they expect, in relation to 1A, the £260,000 is going to be found; and if they are going to support 1A, why they think that it is equitable to spread the costs equally from the little to the large, from those that possibly cannot afford it, to those that can afford it.

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Thank you, madam.

**The Deputy Bailiff:** Deputy Brouard.

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**Deputy Brouard:** Thank you, madam.

I have just really got a few questions to ask. I just must also comment that it was a masterful speech by Deputy Roffey this morning. I thought that was very well crafted and very clear. I think Deputy Gollop mentioned about possibly larger houses paying more taxes, well that is already in train and there has been a substantial increase for those people who have larger houses; and I take Deputy Ferbrache's point that there may well be some people who have larger houses who do not have deep pockets.

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But in the main, the larger properties probably have people who could possibly afford to pay more and we have always talked about, in this Assembly, the broadest shoulders of the Island bearing the most tax. But what intrigues me here from this amendment, from Deputy Le Tocq and Deputy Gollop, is what do they want us to do? Are you putting this amendment in as options but you are not going to vote for them or are you putting them in as options that you really believe in? And we know that Deputy Gollop has said that he believes in 1A, the lighter route, the softer option.

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I would really like to know from the lead Committee, and especially from Deputy Le Tocq and from Deputy Murray, are you supporting 1A or are you supporting 1B, all of you, in which case why not just put forward 1B? And probably my final thing is, do the boat owners from your research prefer 1A, where you spread the cost across all boat owners, or do boat owners prefer the *status quo*, which is the larger vessels pay more?

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So I am a little bit confused as to what lead you are giving. I wonder whether you are just throwing this amendment in as sort of a help yourself if you want to. I really want to know what sort of lead the lead Committee is because these are important matters and if we do not find the funds through the ports themselves, it is going to be the general taxpayer and of course General Revenue

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is under immense pressure. So I would like some clarification as to what the lead Committee is actually really saying to us.

Thank you very much, madam.

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**The Deputy Bailiff:** Deputy Prow.

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

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I very much support this amendment and I thank Deputy Le Tocq and Deputy Gollop for laying it. I also thank them for their opening speeches because I think they were clear and honest speeches and they both highlighted that they risk a compromise that pleases nobody and I, in supporting it, recognise that.

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I am going to speak to the amendment and I thank you for your clear guidance on that. But I think in speaking to this amendment I can say really what I need to say. So I do not, at this juncture, intend to speak in open debate, but I thank you for your guidance on that.

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So, in considering this amendment to the requête, I believe this Assembly finds itself between a rock and a hard place. I think the dilemma before us, in my view, is a direct result of our inability to set fiscal policy, both last term and this one. This is a challenge we have sadly ducked. Whilst I very much respect all the signatories, I find it difficult that it is being led by some of those who ignore the fundamental fiscal impediment (**Several Members:** Hear, hear.) and pursue a populist approach of 'just say no' to everything and ignoring the need for fiscal responsibility.

**Deputy Vermeulen:** Point of correction, madam.

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**The Deputy Bailiff:** Yes, Deputy Vermeulen.

**Deputy Vermeulen:** Madam, I am a 'requêtian' to this requête and our requête does not say no to more money, it suggests 10% more. So I am afraid Deputy Prow is misleading the Assembly.

805

**The Deputy Bailiff:** I do not think he is misleading the Assembly but, Deputy Prow, please continue.

**Deputy Prow:** Thank you madam.

810

This amendment has the courage to address, as best anyone can, this dilemma. That is balancing the heartfelt concerns of the boat owners, mostly genuine Guernsey folk. As I have already said, the requérants have not taken the bigger picture, in what we need to do to address the massive financial issues that beset us.

815

Already the presentation from the Boat Owners has been mentioned and I would just like to add my comments to that and this is how I see it. My late dad was a boat owner and a Yacht Club member for many years and I sailed with him as a lad. So I thank the Boat Owners most sincerely for the presentation they gave to States' Members.

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They clearly left me an impression that they have not been fully engaged with. (**A Member:** Hear, hear.) Clearly, they also did a lot of research and needed to be heeded, so I genuinely thank them. When I talk about needing to be heeded, I mean both now and in the future. So here is the dilemma for me and I would like to refer to the explanatory note to the amendment and the second paragraph which to me is fundamental. I will read it out, madam, the approved Guernsey Ports 2024 budget is based on the implementation of these and wider fee increases. It should be noted that even with the increases the 2024 budget is based on Guernsey ports experiencing a £4.1 million cash deficit. Through capping fee increases the requête, as drafted, would create a further in-year cost pressure of £388,000. This amendment, therefore, proposes two options which would avoid this challenge.

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I think that is very pertinent and underpins my support for the amendment. This is the dilemma that this paragraph is seeking to draw attention to. The Island is in a financial deficit. We are

830 struggling to maintain infrastructure generally, including at the harbour, and we just cannot complete, as a Government, the ever increasing capital projects without borrowing, let alone the ones that are in the pipeline and the figures are eye watering.

835 So we have had an extensive fiscal debate. We did not resolve that fiscal debate and one of the reasons why I supported the much maligned package was because, and we see this in the amendment and we see this in the requête, the alternative is implementing taxes and charges by multiple opportunities. Death by a hundred blows, the motorcar, parking, the Airport user, Tourist Act, home ownership, TRP, tourist tax and so on and so on and each party affected, in this case the boat owners, will rightly argue an unfairness and neither will it fill the hole. This is an *ad hoc* and chaotic prospect not underpinned by policy agreed by this Assembly.

840 I accept that that is not necessarily going to be a popular view. But as the paragraph I read out explains, each Committee of the States and the States' Trading Entities, all of which need to demonstrate budget constraint, are endeavouring to develop their services and maintain and invest in vital infrastructure.

845 Sadly, increasing charges is one of the few options available. Being more than understandably met by a chorus of 'Hang on, why us?' As I have said, on this occasion, caused by a massive increase to users of the marinas. Madam, I am not sure, having listened to the Boat Owners, that the harbour, who are a trading entity, have got this right and neither is this approach, although I understand their approach, but it is not sustainable.

850 Madam, we are between the devil and the deep blue sea. So I urge all Deputies to vote for this amendment. Yes, it might not please everybody but I think it helps to mitigate the issues rightly raised by the boat owners but it still gives us fiscal responsibility. And following on from Deputy Brouard's question, I am going to nail my colours to the mast: I will vote for the amendment but I, like Deputy Gollop, am inclined towards option 2 and 1B.

Thank you, madam.

855 **The Deputy Bailiff:** Thank you.  
Deputy Meerveld.

**Deputy Meerveld:** Thank you, madam.

860 I leap to my feet to contradict Deputy Prow. I do not believe the STSB has got it right on this. I will not be supporting this amendment and I will be supporting the general requête for reasons I will give during general debate.

Thank you, madam.

**Deputy Parkinson:** Thank you, madam.

865 I would take your advice and confine my remarks to the amendment. I will also, following your advice, declare my interest in that I do not have a boat and I do not have a mooring in St Peter Port harbour or elsewhere but I am on the waiting list. (*Laughter*) So the outcome of this debate could, potentially, have some effect on me in the future.

870 Having said all of that, I think this is one of the least meritorious amendments I have ever seen. (*Laughter*) It offers the States two alternatives to the requête, and we will not discuss the requête now, we will come to that in due course. Proposition 1A, effectively, would redistribute the burden of the fee increases onto those with smaller boats to the benefit of those with larger boats. Many Members who have already stood up in this Chamber and said we want to protect the traditional Guernsey lifestyle, the fact that boating is a traditional pastime and we do not want to make it exclusively the preserve of the affluent. Well, 1A will do precisely that, it is an extraordinarily poor Proposition. So I hope, and certainly if this gets passed, I hope nobody is going to support that, it would be very unfair on people with modest boats.

880 But 1B is also an absurdity. (*Laughter*) STSB clearly has its financial problems. Members will be aware I am a member of STSB, indeed Vice-President, and we are grappling with the fact that most of our trading assets are in deficit and the total deficit is relatively significant, it was mentioned by

Deputy Trott yesterday. Against that background, all of the trading assets have been asked to come up with plans to get themselves back to at least break even within three years, and that was the challenge that we set them over the last year.

885 All of the trading assets have been through their budgets with a very fine tooth comb, trying to find ways of getting back to at least break even and for some of them that is really not going to be possible but we have challenged them to do their best and come up with plans. The charges that have been proposed, and indeed approved by the States, in respect of mooring fees were part of a program to try and restore the trading assets to at least break even.

890 So when P&R glibly says, 'Oh, we will go away and find the money somewhere else,' the reality is we have looked under all the stones, there are no other cubby holes of cash which we could put our hands on. And the suggestion that if we cannot find ways of making revenue savings or other fee increases to cover the effects of reducing the mooring fee increase to 10%, that we should recover the deficit by reducing our capital investment, I think, is absolutely absurd.

895 The central problem that STSB has is decades of underinvestment in our infrastructure (*Interjection*) and nowhere is that more true than at the harbours. The reality is that they need substantial amounts of capital investment just to bring the infrastructure back up to a decent standard and prevent it deteriorating in the very hostile environment that harbours, inevitably, operate in.

900 There is no way we could sensibly cut capital spending which in any case, I think, for the value of the assets that the States owns is pitifully small. What we are proposing to do is, basically, the bare minimum and to say, 'Well, just go and cut some of it,' is just grossly irresponsible. So I would urge Members not to support this amendment because both 1A and 1B are just desperately irresponsible. Even those who support the requête, and I understand there may be good reasons for voting for the requête, we will come to that in further debate, but please, Members, do not go  
905 down this rabbit hole. Neither 1A nor 1B offers a better solution than the requête.

**The Deputy Bailiff:** Deputy Inder.

910 **Deputy Inder:** I disagree (*Laughter*) and I will give you the reasons why. What I have heard from the current President and a former President is that we cannot do anything, we cannot do anything at all. Yet both the current President and the former President have said two things: very keen on paid parking; Deputy Parkinson has always said the assets in the harbour are under-utilised. They are two things both have said.

915 In a previous debate, and I am probably going to misquote, but I did suggest that Deputy Roffey, who was extremely keen on paid parking and wants to raise revenue for the harbour ... I suggested he wrote to, I think Deputy Ferbrache at the time had the Chair, wrote to them and basically asked, via Policy & Resources and States' Property Unit, whether they effectively could keep the land which I suppose the harbours hold up and transfer it to them so they could effectively use it for generating revenue and this has been completely missed in this debate, entirely missed. North Beach between  
920 Salarie down to what we used to call number one beach, and I have done no assessment I have to take it from one of the leads on the GVA, but they believe that there is something like £800,000 which could be raised annually from paid parking and with the greatest respect, I have not done the maths –

925 I will give way.

**The Deputy Bailiff:** Deputy Parkinson.

930 **Deputy Parkinson:** I hope Deputy Inder will accept that if the States were to introduce paid parking, the revenue from that would go into General Revenue. None of it would come to STSB.

**The Deputy Bailiff:** Deputy Inder.

**Deputy Inder:** I do not accept that, I simply do not accept it. That is the narrow thinking that we have got on STSB, it is entirely the narrow thinking. Nothing can be done, everything must fall about  
935 for 40 years. Yet the two, the current President and the former President, and were under direction to look at it anyway, simply have not written the letter to Policy & Resources asking them whether they could keep that land, draw a red line around it and actually keep it as part of their revenue. They have not done it.

So I disagree, I entirely disagree and, by the way, I am not a fan of paid parking but I will not sit  
940 here and listen to people who actually support paid parking, have said it on multiple occasions that we should sweat the assets, who sit there with their heads in their hands saying we cannot do anything.

I will go slightly further than that, my honest view is that if we ever get a Machinery of  
945 Government, a sensible Machinery of Government, STSB needs entirely dismantling. It simply does not work. Airports should be under Economic Development as should the ports, because it simply is not working in its current state and we will have that debate another day.

So, Members, I would encourage you and I am thinking of sticking an amendment to direct  
950 them, to direct the people that have been speaking about paid parking for the past 20 years and never been able to implement it, to actually get on and do it. They simply ... and I have got Deputy Brouard shaking his head in the corner, and it is a challenge to Deputy Roffey actually and Deputy Parkinson to actually get on and do what they really want to do. They have the opportunity now and that point ... and this is for really for Deputy Ferbrache, this is why I am going to support Amendment 2, it asks for a loss of income of £261,000 for alternative means. Well, your alternative means is the paid parking both Deputy Parkinson, Deputy Roffey, Deputy Lindsay de Sausmarez  
955 and all the other paid parking junkies want, here is your opportunity to do it.

So take the challenge, vote for Amendment 2. (*Laughter*) Deputy Parkinson is right, I will not be  
supporting 1A, move to 1B and I will make some mention that other areas I have got, I would like to give fair warning. Certainly, visitor yachts and all the people who really want paid parking and do not want to do it; here is your opportunity.

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**The Deputy Bailiff:** Deputy Gabriel.

**Deputy Gabriel:** Thank you, madam.

I will again heed your warning and only speak to the amendment. (**The Deputy Bailiff:** Excellent.)  
965 And make a declaration that I am not a boat owner and not on a waiting list.

Proposition 1A, we have got two Propositions in front of us, or one Proposition with two  
cascades; 1A, I would like to address the inequity in that it increases by 24% across the board. Some analysis I have got, and I think Deputy Roffey said in his opening speech, that the majority of boat  
970 owners are in the small to medium section under 27ft. Some analysis from the Guernsey Boatowners Association, there are 535 vessels in the small 20ft area and there are in the medium category there are 384. A total of 919 out of the 1,500-1,600 or so vessels and those attract, with the original proposals, a percentage increase of 20% and 22.81%.

So the inequity is already there. They are going to be even more hammered with these mooring  
975 fees, if 1A goes through and the other larger vessels, the large vessels 35ft and over, there are 323 of those. So a third of those other units combined and there are 89 extra large and double extra large at 52ft and above, there are only 12 of those vessels. So there is the inequity there straight away. So I definitely cannot support 1A.

Proposition 1b has got some sense in it, in that it caps the rise to 10% for the first year, which is  
980 what the requête does of course, but then it leaves some uncertainty and that is what worries me again. The missing £261,000, it gives STSB carte blanche to increase fees or do whatever they want by alternative means and I would just really like to understand what that means, where they are going to get this extra £261,000 from, or more importantly, who they are going to get it from; because it is not going to come internally, they are not going to make savings because they would

985 have made those savings already, hopefully, you would like to think so. It does say expanded expenditure constraint, but we have all been tasked with expanded constraint.

So Deputy Gollop mentioned in his speech that we should be having much more long-term conversations and part of the whole thing that we are talking about really is about communication. The boat owners have had this lumped on them and here we are, we have had to draw up this requête in quite a short period of time really and, again, I do have some sympathy with those  
990 Members that say that this is poor governance, but really it was the thin end of the wedge and the wedge has been increasing and being hammered home even more. So I would really urge Members not to vote for any of the amendment because of the danger of where the extra is going to come from in 1B and also the inequity in 1A.

Thank you.

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**The Deputy Bailiff:** Deputy St Pier. (*Interjection by Deputy St Pier*)

Deputy St Pier has asked for a 26(1) guillotine vote. Will those who wish to still speak in the debate on the amendment stand in their places. Do you wish me to go to the vote, Deputy St Pier?

1000 **Deputy St Pier:** I will give it a go. (*Laughter*)

**The Deputy Bailiff:** So we will start aux voix and see where we get to after our stalling yesterday. Those who wish to support the guillotine motion in relation to the amendment, please say Pour; those against.

1005

*Members voted Contre.*

**The Deputy Bailiff:** So we will continue. Deputy de Sausmarez.

**Deputy de Sausmarez:** Thank you, madam.

1010 In relation to this amendment, I think Deputy Ferbrache summarised my position on it very succinctly. I cannot really see the attraction over the original Propositions either way of 1A or 1B because of the problems that he, pretty well, articulated and so I mainly rise in response to Deputy Inder, who is now not here. But really because his suggestion, I mean it does stem from this reference in 1B that the loss of revenue would need to be compensated for through alternative  
1015 means, including other fee increases, expenditure constraint, or the reprioritisation of the Capital Investment Programme.

None of those sound particularly great to me, but Deputy Inder did sort of fly the flag for the ports introducing charges for parking on the piers and I think that is just pie in the sky in relation to this amendment because there is absolutely no way, even if the States thought that was a good idea and that would need to be, I think, or it should be, a States' decision, but there is absolutely no way that could be implemented in time to take effect to compensate for any loss of revenue.

1020 So I think it is pie in the sky from that perspective but I would also warn against looking at, notwithstanding the point that Deputy Parkinson made about revenue going into General Revenue rather than the ports, I would warn against looking at parking in such a siloed fashion because it  
1025 would introduce the prospect of deep inequities, there would be all sorts of knock on impacts, I think it has to be looked at in the round. In fact, Deputy Inder was quite right that P&R and E&I are under direction to look at this and it has to be looked at in the round taking into consideration impacts on street parking, residential parking, corporate parking, etc.

1030 So I think it would be very foolish and indeed deeply impractical to look at the idea of parking charges as any *panacea* in the context of this amendment. But yes, I am struggling at the moment, unless my mind can be changed in further debate or response to the amendment, response to the debate, I am struggling to see the attraction of this amendment at the moment, so I do not intend to support it.

1035 **The Deputy Bailiff:** Deputy Murray

**Deputy Murray:** Thank you, madam.

1040 I do not have a boat, I do park on the piers, still do and I have considerable sympathy for boat owners who clearly this has come as something of a shock to. However, I would like to make some points here, and I think some of the quantum that we are talking about here is being missed, although it was alluded to by Deputy Parkinson.

1045 I certainly do not disparage or blame the boat owners for petitioning ourselves, Deputies; they do not have access to the understanding of our Island's finances that we do, or at least we should do. There should not be anybody in this Assembly at the moment who does not understand the scale of our challenges. Deputy Trott mentioned them yesterday.

We currently have a £35 million structural deficit. In fact, Deputy Prow, I agreed with pretty much most of his presentation. However, we are also faced with considerable, as yet unquantified or unverified, further costs coming down the pipe in terms of our health provision. They will be substantial.

1050 What I do know in relation to this issue, however, is that the harbours require £60 million worth of investment in maintenance over the next 10 years, or £6 million a year perhaps. Deputy de Lisle let us know at the outset that the surplus that harbours have been contributing is about £1 million a year, historically, so there is a disconnect already about the amount of money that we would have to generate from the ports particularly, well harbours particularly, to cover the investment that is going to be required going forward. It is a massive difference.

1055 It will be necessary, as had been said by many Members, for taxpayers therefore to pay the difference if we go forward, not just to try to make up the £4 million that the Ports Account is currently in deficit and which, as was referred to by Deputy Parkinson, a three-year game plan, business plan, was put together and put to the previous P&R in an attempt to bring that back down into equilibrium. Now I am of the understanding that if we were able to do that, then the future investment that is required in terms of maintenance on the harbours would be conceivably payable from that.

1060 If we do not have that amount of money coming back into the Ports Account, then we are going to have to go back to taxpayers to make up the difference. So we would be talking about a £4 million current deficit ameliorated to whatever extent by whatever we do agree with, and a further £6 million per annum on top of that. These are huge numbers that we are going to look to General Revenue or effectively the taxpayers to sort out, to fund again, and we keep doing this because every time we have to put taxes up for a particular group of individuals, there are howls of protest.

1070 TRP is a very clear one. We have had that discussion, that debate, but we do not have an alternative if we are not going to be able to meet our outgoings and we are not really meeting our outgoings if we have got a structural deficit that is so obstinate, it is not shifting. It is getting bigger.

1075 So, we in this Assembly have got to make very difficult decisions and nobody wants to penalise any particular group of people. Of course we do not. If we were not in a structural deficit position we would have more leeway, but we are and this is not going to solve the structural deficit, but we will add to the structural deficit if we do not generate the sort of quantum that I have just suggested.

Now, the requête does not take that into account. I do not believe the requête takes into account the amount of reinvestment that is required on the maintenance of the harbour alone. It goes some way to paying for the ongoing deficit that is already there and that, of course, is helpful. So we are looking at this £60 million figure over the next 10 years that has got to be accounted for.

1080 So for me, the Amendment 1A retains the same amount of money that I am told would have been raised and would be raised if the *status quo* remains, i.e. the new increases are taken into account across the board; and if that can be done then we do not have to go back to the taxpayers, who far outnumber the amount of people who may actually have a boat, to fund that investment, but, to be fair, we all benefit from. So I would certainly support 1A simply to try to preserve the amount of money we need coming out of the ports. Or, alternatively, you have to look at the Ports Account in total.

1090 Now, whether or not we are happy that we link the Airport and the harbours together is for a future debate. But if we are not going to actually get the amount of money we need the only other places we can look at are the Airport and we are having, quite understandably, a lot of noise being made from the tourism industry that already the Airport fees make travel far too expensive.

1095 So what do we do? What we do is that we actually allow ourselves not to think about the future, not to think about the bigger picture, but allow ourselves to be influenced by pressure and I understand and it seems very unfair. But the reality of our future is that we are going to have to raise an awful lot more tax than we currently pay. That is the reality, and I would love to do it in the most equitable way possible but that has not been possible.

1100 At the moment, all that is on the cards is the potential of increasing the same taxes we have got further and further and I am not going to go down that debate, it is not necessary at this point in time. But we have heard a lot of noise about, for example, paid parking. What we are now doing is getting into the nitty-gritty to try and find desperate amounts of money that we need, because we are making losses across the piste. In this debate we are talking about the ports and I do accept that it seems very unfair to actually put an across the board increase on boat owners but what I am trying to do is the responsible thing, which is to preserve the amount of money we need and there is no question that we need that money.

1105 So I would far rather the requête fails and the amendment fails and we stay where we are but if the requête succeeds then I would far rather we try to ameliorate that with the amount of money that actually will help because if we do not, I really do not know what we are then going to do, because General Revenue is not going to last indefinitely; it just is not.

1110 So we are either going to have to start looking very carefully at who pays, what user pays, essentially, which to some extent is what we are talking about, which will make it very expensive for some members of society, or we look more generally, as we tried before, to raise tax more equitably across the piste so that it can be spread more equitably.

1115 So I raise a warning flag here that if this amendment does not succeed and the requête does for one year, we will have a further loss that does not even take into account the money that we have got to spend on maintenance of the harbour. It does not get anywhere near it, it does not touch the sides but if that is what the Assembly want to do, kick the can down the road for another day, which we do time after time, then so be it. If that is the democratic will of the Assembly I will abide by it.

1120 But I urge you to think about the ramifications of what you are doing now and if you do not support the amendment do not support the requête, because that money has got to be found and it will come out of my pocket and as I said before, I am not a boat owner and I do not mind that, that is the way tax works but for those who are benefiting from those facilities, it does make some sense to ask them first to see whether or not they can assist the Island by giving us some extra money.

1125 So I will actually vote for either of these Propositions, I will certainly go for 1A first because we need the money. I will vote for 1B because we will have to find another way, because the requête will not find another way. The requête buys you a year and further losses that have got to be found.

1130 So just to be clear, you are sticking your finger in the dyke with the requête and not solving the problem – excuse the pun if there is one, (*Laughter*) but that is the reality. You are kicking it down the road for another year and we will still have this debate about how on earth we find that quantum of money and if any of the requérants had, even in the requête itself, suggested how we were going to find that extra money, I might be more inclined to support it, but as usual it is just stop, give a little and put the big problem off down the line.

1135 That is not acceptable and we do it time after time on matters that are sensitive and of concern. Well, we need to put our big boy pants on, our big girl pants on and stick with what we have already decided and not do this again. This flip flopping is just not acceptable, it is not, responsible adults do not do that. So please, think very carefully about what you vote for because the consequences are going to cost us all money if you are not careful.

Thank you.

**The Deputy Bailiff:** Deputy Blin.

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**Deputy Blin:** Thank you, madam.

I very much have listened with great care to Deputy Murray's speech and as usual he is always very balanced and pragmatic in the views. However, the point I would like to raise is that he has a point, if we do not hold it where it is we are going to be in trouble and everyone is going to pay. But I would like to start by, I am sure we are all aware, but reminding that when we talk of the ports we refer to the Airport and the harbours. Actually the harbours, let's say the ports there, it is used by everybody, whether it be for post, for freight, for food, for fishing, it is the whole lot. But we are still saying let the boat, private owners, the boat ones pay for the majority.

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If we did have a regulator in place we would not even be in this situation because it is about fairness. I was looking at the wording that they had for that if there were a competitive regulator it would be an abuse of a dominant position, any conduct which constitutes abuse of the dominant position within any market for goods and services prohibited directly or indirectly in improving on unfair purchase, selling or unfair trading conditions and, for the avoidance of doubt, this applies to all of the States and its Departments.

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If we had that, there would be another body, first of all, checking on what we are doing because already when we are talking about the penalising aspects as were used by Deputy Murray in his speech, already the GBA did, after the last amendment failed by one vote, did actually offer, they were offering to pay above 7.3% to 10% and, in fact, we see that as interest rates dropped, that is significantly a little bit higher. So there has been that offering already ahead. So we cannot just say, well, user pays and it covers the whole lot.

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So coming back to, obviously referring to 1A, I can see exactly Deputy Murray's point of view and others who support it, but I think we have to just go back to accept that the requête has been put there as a tool we have to say it was unfair, we looked at it the last time and in fact, if I remember correctly, Deputy Roffey then said the first increase would just be for the first year and then they would wait. But that first year increase is already too high.

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Referring to Deputy Inder saying actually there should be talk about the parking and all these other aspects, and maybe STSB and P&R should talk together where funding goes, I agree with that, that is a challenge there. But leaving it in Proposition 1B and then saying that they will have to find alternative means, including other fee increases, whether or not they take 1B or stick to the requête it is the same thing, that conversation is going to have to take place. So otherwise, the only analogy I can see to all this is a bit like one of these Vietnam War movies where I just see collateral damage and it is going to be the boat owners who are going to absorb the biggest hits, when actually we should be looking across this in a bigger scope.

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Thank you.

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**The Deputy Bailiff:** Deputy Dyke.

**Deputy Dyke:** Thank you, madam.

I will try to stick precisely to the amendment and not go beyond. Deputy Roffey, ironically, raised the question of good governance and yes, we need good governance and that applies at different levels. We have a lot of boat owners, mostly small boat owners, there are not many Princess 58s down in the harbour who run their boats, mostly smallish or mid-sized boats, on a budget from year to year, along with all their other expenses, they are on a budget. When we do fee increases, they should be staged in a sensible manner. (**A Member:** Hear, hear.) You start with inflation and if we think they are too low then you add a few percent to inflation, which is what the requête does. Our 1A here adds 24.5% and it is simply too much.

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We have had experience of this with TRP this year. We have put some massive increases on that and the day after the bills landed on the doormats, I had a few very cross people explaining how it was difficult for them to deal with it. So if you are going to do fee increases, as I say they should be gradual as a matter of principle in all areas, not just boating fees. Basically inflation plus some extra

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percent if that has to be done, possibly even below inflation. But the requête proposes 10%, which is several percent over inflation which we requérants think is a fair solution. So, personally, I would find 1A, at 24.5% across the board, very unacceptable.

1195 Looking at 1B, is a more interesting proposal and I thank Deputy Le Tocq for taking the trouble to put this together to give us an option. But, to be honest, I am really not very happy with it. It raises a lot of issues, which I cannot really go into here, which derive from the fact that accounting wise, we have cobbled together the Airport, the main seaport and the leisure vessel moorings.

1200 We have got three quite different things, all cobbled together under the same financial statements which, I think, is inherently unattractive and difficult to deal with in terms of costings. How much should be allocated to the Airport, and clearly quite a lot, that is a bit of a disaster area, the seaport and the moorings, I do not think that analysis has really been done. The boat owners have said that STSB have not seriously engaged with them. They could not get a meeting with Committee Members.

1205 So we do not really know what should be allocated. It is unfortunate that the rules applying to the GCRA have been interpreted in such a way that they cannot deal with this because that would have shone some light on the issue. They would have been able to give a decent look at what should be allocated, what is fair, what is right, but that has not been done. So we do not really have good figures. If you do not have good figures and you are left with a guesstimate and the suggestion from the requête is for 10%, which, which seems reasonable under the circumstances.

1210 There is a part of 1B that I am really concerned about. It suggests other fee increases. I am not sure what those would be. Expenditure constraint, well, that would be excellent, wouldn't it? But is that going to happen? But there is another issue here because this brings in the Airport, I will only spend 10 seconds on this, or 20 seconds. All we talk about really is fee increases. Do we ever talk about developing the economy? We have an economy now where our visitor numbers are dropping, the Open Market is in the doldrums, the prices are not going up, despite the prospect of a Labour Government in the UK which usually helps us in that regard. Business travel is down.

1215 STSB needs to look at the Airport, the airline and wonder what our connectivity and limited arrangements and, lack of EMAS at the end of the runway are doing to our entire economy. So there is a much bigger point for STSB to look at there. So that goes into another debate obviously. So on balance, I am definitely not going to support 1A nor 1B. So I would recommend that Deputies reject the amendment, with respect, and stick with the requête.

Thank you.

1225 **The Deputy Bailiff:** Deputy Moakes.

**Deputy Moakes:** Thank you, madam.

1230 I am going to keep this fairly short, because I do not want to just repeat what everybody else has said and I am going to specifically focus on this particular amendment and nothing else. So 1A, I disagree with that because it puts all the pressure on the people that own the smaller boats, maybe the medium size boats, and those are probably the people with less money to fund those large increases.

1235 Proposition 1B I have issues with because it says to compensate for the in-year loss of income, it should be done through alternative means and it says three things here. One is fee increases, then there is expenditure constraint and then there is reprioritisation of the Capital Investment Programme. So I think most people who have spoken today and talked about the harbours have said that it desperately needs investment so I struggle to see how you can cut expenditure or reprioritise the Capital Investment Programme, if in fact, what you want to do is make improvements to the harbour and keep it in good order.

1240 So then you are looking at other fees. So then I have to think to myself, well, okay, if this 1B passes, the can get kicked down the road for a certain number of months, STSB then comes back potentially with other fee increases and the whole likelihood is that they will be voted down again because people do not want to vote for fee increases. So I think 1A does not work for the reasons I

1245 have just given and 1B does not work because, effectively, it is just saying, phew, we have got rid of that problem for a short period of time, but it has not got rid of the problem because it will still need to be addressed.

Thank you.

**The Deputy Bailiff:** Deputy Vermeulen.

1250 **Deputy Vermeulen:** Thank you, madam.

So we are in the middle of a cost of living crisis and here we are, forgetting completely about the customer who in this case is the poor old boat owner. Now, that boat owner is our customer and we have looked after them rather well for a number of years. We have provided fantastic marina facilities which are there and they have all been paid off for by the revenue generated from the boat owners. So thank you very much, we appreciate that you have paid off the cost to provide those facilities and rebuild them, and thank you very much for the money that you are paying all the time to cover the maintenance of those marinas as well.

1255 I should say that I am a small boat owner. I have got a 45-year-old water ski boat, which I keep moored on my own dry dock I had to buy, but it is in the QEII Marina. So there you go, that is my interest. Speaking to these two amendments I have got no intention of supporting 1A or 1B and I will explain exactly why.

1260 The problem, quite clearly, is the losses generated, as others have pointed out, up at the Airport and that should be looked at first and foremost on its own and there has been a huge out-roar from the boat owners that, why should they be penalised and have to pay for the inefficient, flabby management or whatever goes on up at the Airport, whether it is chasing the wrong business model, I do not know.

1265 I do know I have tried to, although some people have said I have not done anything as a requérant I do know I have tried my hardest over the last three and a half years to create growth in the Island and create more people coming through the Airport and I have not always had the support of this Assembly. I have had the support of a few and we are not in a very strong position up at the Airport, but that is the Airport. I am here to talk about these two amendments.

1270 So yes, throw both of these amendments and do it quickly and let us have a look at the proper requête and 1A is just not workable. There has been absolutely no consultation with marine traders or the Boat Owners Association or even with the requérants. You know, I am at the end of a telephone, Deputy Le Tocq, you could ring me.

1275 **The Deputy Bailiff:** Please do not address Deputy Le Tocq directly.

1280 **Deputy Vermeulen:** Sorry, I am at the end of a telephone, madam, and I can be called on matters such as this that might be able to help people who are trying, at the end of the day, to improve the situation. This significantly worsens it and I have heard from two people I hold in high regard, they are not supportive of it, that are on the STSB, especially when we look at 1B which looks innocent enough, madam. It looks innocent enough, but the devil is in the detail, as they say, and scratch a little bit deeper and there it is, alternative means, what might they be?

1285 Well, wow, you know we have had a wide debate on this. I suppose the easiest one would be a management charge to chuck at boat owners or charge them extra for the refuse on the open skip bins that we have in Guernsey, reinstate the hoses and charge a penalty price on that. It really is not going to keep the marinas at a decent full occupancy. It will accelerate the emptying of these marinas and thus lose us half of our customers. I will give you a lovely speech later, madam, when we talk about the requête for about eight minutes. But on this one I would advise all Deputies, all my fellow Deputies, to reject these well-meaning but ill thought out amendments.

1290 Thank you, madam.

**The Deputy Bailiff:** Deputy Oliver.

1295 **Deputy Oliver:** Thank you, madam.

I will be quick because most of the things have been said but I just have to say, I have to declare an interest, I have a tri partnership in a very small boat, a 31-footer. Whenever I see amendments from Deputy Le Tocq, I normally actually think, ah fantastic because it is a real compromise. They are normally a real compromise and a way forward but this one, unfortunately, I do not for all the reasons that have been laid out.

1300 I just want to address some of the things that actually Deputy Murray said because people in Guernsey pay for lots of things that they never need. If people do not have children, they still have to pay taxes for the schools, if people are lucky enough not to need the Hospital they still have to pay for the Hospital and it is the same with planning because at the moment it is not all looked at equally, I suppose.

1305 I think that the boat owners have got so much to give to the Island, particularly the visitors as well, they bring in so much money to the restaurants because if you have ever tried cooking on a boat in a very small galley, it is always a bit challenging, especially when the boat is moving but when you land in port there is nothing better than just going out to the pub, and to have some food.

1310 So I really think we should actually be encouraging more boat owners to the Island and I think that, particularly, actually Economic Development; I would have thought they would have been all over this, actually, to try and keep the fees low, to try to attract more boats to the Island. (**A Member:** Hear, hear.) And while I was looking and doing some research, it is a little bit of a tandem but it is including the visitors, *Visit Guernsey* looking at their sporting events, there is not one mention of any yachting in here. It is all running, running, short marathon, there is even an egg hunt marathon if you want to know about it.

1315 The only other one, apart from running or walking, is actually the bowls. But we live on an Island nine by four miles, which is surrounded by sea. I would have thought half of the things in the sporting events in Guernsey would be about yachting. (**A Member:** Hear, hear.) So I really actually hope, if anything, and I hope people reject this amendment, but if anything, Economic Development actually go away and look at their *Visit Guernsey* site and look at their sporting events (**A Member:** Hear, hear.) and actually try and include some of the fantastic yacht races that go on in between Guernsey. (**Several Members:** Hear, hear.) But please reject this amendment.

1325 **The Deputy Bailiff:** Deputy Trott.

**Deputy Trott:** Madam, I rise simply to declare an interest. I have a half share in a little boat. The value of its hull would be equivalent or less than the value of Deputy Roffey's moped (*Laughter*) to give that some context but it is nonetheless, madam, a superb vessel for the purposes of ormering.

**The Deputy Bailiff:** Thank you, Deputy Trott.  
Deputy Haskins.

1335 **Deputy Haskins:** Thank you, madam.

I will have to start by declaring an interest. I do park my car in North Beach and go to Herm and to Sark, I visit the model yacht pond, I go to Castle Cornet, I buy food, I go to Liberation Day, Harbour Carnival, castle nights and I do have a 24 ft, or a share of a 24ft sailing boat. Although, the harbour measure it, because of the outboard, at 27 ft, (*Laughter*) which is actually more unfair than it seems because we measure, unlike Jersey and ... [*Inaudible*] so by just the length, we measure it by square footage, right. So if you have got an outboard, the boat ends here but the outboard is there but I am paying for that space too.

1340 I will now just speak to the amendment. So Proposition 1A: 24.5%, I think Members here can all agree that is a huge increase. Imagine putting TRP up by 24.5%. It is a very quick and very substantial increase. I mean, what do Members think would happen, what would be the knock on effects to the

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housing market if TRP went up 24.5%? Would there be one? I would suggest there would, especially for those who have fixed incomes and who may struggle to increase that income.

1350 So many Members have highlighted 1A as simply not equitable. So I am hoping that Members simply just will not vote for the amendment to come through because, madam, that is my point of view. I would not want to support an amendment that introduces a chance that such an unfair Proposition could be voted through. (**A Member:** Hear, hear.)

1355 If the amendment does succeed then I will, of course, vote for 1B over 1A, but I will explain that in the debate. If I am talking about 1B now, the only difference between the requête and this is that we are directing STSB to find the in-year losses of £261,000 from their estate, however that be. So other fee increases, future car parking, any other way that STSB see fit.

1360 Now, seeing as though this direction, it is not explicit in this amendment to the harbour accounts, it is to STSB in general. I do say that they have been given, or would be given, a fair amount of freedom to make up the estimated losses. I do have one idea, perhaps they can offer a licence, of sort, for those mariners, local mariners, boat owners, to pay more if they want to sleep on their vessel.

1365 Anyway, Deputy Roffey spoke about subsidising that he is trying to do the best to make sure each entity is washing its face. The user pays principle. I would like to remind Members of the Dairy. We subsidised the Dairy, I think last year was to the tune of over half a million pounds. We subsidised the farmers; I think last year it was a slightly anomaly because of extra subsidy but, generally, I think it is to the tune of at least £2 million.

1370 Now there is a new Dairy that has been mooted and I cannot remember, I cannot keep track of the cost of that one, I think it was circa £36 million. So I assume Deputy Roffey will be supporting the same principle with user pays and in order to pay for the capital investment of the Dairy it is going to be put on milk.

1375 I raise these ones just because that is in STSB but we subsidise a lot, all over. We subsidise the buses, I think that is circa £3 million a year. I think it is over that, but we have got Family Allowance. In fact, yes, I will not go on because I think I have made the point of the difference between 1B and the requête. So I will save any further comments for the debate on the requête. But I prefer the requête because it gives more options and thus I will not be supporting 1A or 1B unless the amendment succeeds, and then I will support 1B.

Thank you.

**The Deputy Bailiff:** Deputy Roffey.

1380 **Deputy Roffey:** Thank you, madam.

1385 I have to say, I had a great deal of sympathy with the macro points that Deputy Prow and Deputy Murray were making about this Assembly's apparent inability to face up to the broad fiscal challenges facing the Island. I think that it is time we did start to take that reality on board and deal with it. However, I could not translate that through to their support for this amendment and, at the risk of repeating some things that other people have said slightly differently, I do have to explain why I am so opposed to this amendment.

1390 First of all, I think people have identified that option A under the amendment is simply just a less fair way of raising exactly the same amount of money as the SI, which has already been laid before the States and which the States decided not to annul. So it raises the same amount of money, but the – I can give you the exact figures – 68% of boat owners with the more modest vessels would be worse off under Proposition A of the amendment and the 32% with the largest vessels would be better off.

1395 Now, if that is what the Assembly want, that is fine but I think that will be completely against the narrative that the STSB has been at the receiving end over a number of months now about the need to protect the salt of the earth, modest boat owner in Guernsey. So I think that does not really stack up at all. Deputy Le Tocq says it is a bit like pitting 2% on Income Tax, but it is not, is it? Apart from the fact that that would probably be a very foolish thing to do anyway.

1400 We specifically bring in allowances for the first part of your income to try and shield, to some extent, the lower earners from the effect of Income Tax. This would not be like the same here, it would be spreading it like butter, the harm across all boat owners. So I do not accept that. Now Option B gives a range of options. One of them is, and I am going to start with this one, is rescheduling capital investment in the ports.

1405 Now, I hope by now every Member of this Assembly has realised that what successive STSBs over recent years have inherited is decades of underinvestment in our ports and the suggestion that we should, therefore, put off investment yet further is really like a home owner that has had a hole in their roof growing bigger year by year and saying, we can just put that off another year or two. It just makes the situation worse and more expensive in the end. The underinvestment in our ports has to be tackled.

1410 So I think that option in part B of the amendment would be very unwise indeed. In fact, the urgent need to invest in our ports is such that the ports as a business is going to go and have to take out a significant loan to do the stuff that absolutely needs to be done over the next year or three, whether that is from the States at the centre or whether it is a commercial loan. For instance, the QEII Marina gates need to be replaced and fairly soon, otherwise they will fail, that marina will dry out and millions of pounds worth, many millions of pounds worth, of expensive equipment will be sitting on the sea floor. We cannot allow that to happen, we have to reinvest, we do not have the money to do it, there is nowhere near the sort of revenue surpluses being generated to try and actually deal with that. So we are going to have to get into debt, further debt, as a business in order to do that because it just has to be done. So the idea of, oh, just put back your capital investment a bit further is, I think, very foolish.

1420 Increasing other fees, well what I think is maybe missed here is that other fees, the SI's, have been laid before this Assembly at the same time as those for the private boat owners mooring fees and were approved and some of them were significantly larger percentage increases than that for the mooring fees. For instance, hydrocarbon fee was a considerably higher percentage increase already that this Assembly has allowed to go through, been laid before the Assembly and no one annulled it. So yes, we could bring back fresh SIs to bring up the landing fees up for Condor, or whoever takes their place, or the landing fees at the Airport but we have been told ... I mean we have done our best to consult with about 40 different groups and maybe it has not been in-depth enough for the boat owners, but what are we supposed to do, put up other fees?

1430 Well, those other interest groups have a right to be consulted as well, the same as we did the first time round. It is going to push it back months. This is something that is supposed to be happening, quite apart from the fact that it will put up the cost of living for everybody if we put up commercial fees. I think it is a very glib thing to say and it would not be an easy thing to do.

1435 Look at other areas of revenue generation. Yes, of course but that was something that we needed to do anyway. The scale of the task to bring the ports back into equilibrium is considerable. It is easy to play political games, but for somebody to get up this morning and say, 'Why not do it through paid parking? I will not support it, I am not in favour of paid parking, (*Laughter*) we were told, but bring it back anyway as an alternative.' Really! I mean really.

1440 I personally believe that the prime real estate in St Peter Port, we have reached the stage that particularly for long-term use, for long-term parking, we have probably got no choice but to do that and I actually support that and I think it needs to be done holistically, it needs to be done in a way that does not ... everybody suddenly moves from North Beach into the other long term car parks because they continue to be free and that one does not.

1445 I personally believe that if we ever commercialise the ports, which I support and which we are working up suggestions on which will come to light during this term of the States, then actually ring-fencing some of that real estate to actually provide a non-voting revenue for the ports makes a great deal of sense. But this is not a day for playing political games with ideas that you just throw in saying you do not support it yourself, but I have heard Deputy de Sausmarez and Deputy Parkinson say so before, so that is a way to deflect from the real argument today.

1450 So basically, I do not think this amendment stands much chance because the supporters of the  
1455 requête are saying that it is not a better way forward and I think those of us either on STSB or  
supportive of STSB's stance are also saying that this is not a better way forward either. So I think  
the best thing is actually to get on and vote on this. I suspect it will fail and then we can have the  
proper debate. We have already had one three months ago, I know, but we can have the proper  
debate on the requête once this amendment is out of the way.

**The Deputy Bailiff:** Deputy Matthews.

1460 **Deputy Matthews:** I will try and follow your advice and stick purely to the amendment rather  
than general debate and I should start off by declaring, or rather not declaring, because I am not a  
boat owner. And in doing so I would also like to thank the GBA and the GMTA for the presentations  
that they put on and the information that they provided because we often, as Deputies, have to  
decide on issues that are outside of our expertise or outside of what our knowledge is about and I  
am extremely grateful for the additional information which they provided, which I think really helped  
1465 my understanding. I think that the initial proposal from STSB came with some information which  
was quite limited and I think that I have gained a much better understanding from the information  
that we got from the GBA. **(A Member:** Hear, hear.)

Looking at the amendment, both of the Propositions look to replace STSB's proposal, which is  
essentially curve pricing or variable pricing with flat rate pricing. I understand the principle of the  
variable rate pricing was to say, well, we will protect the small boat owners. We know Guernsey has  
1470 a tradition of small boat owners that not all small boat owners are millionaires, but we would like  
to preserve that ability for people who are on reasonable or modest incomes to be able to keep a  
boat in the Marina, which market forces might dictate, should not be possible. If you were just to  
charge the market rate it would be incredibly high and it would be unaffordable for ordinary people  
to be able to keep a boat in the Marina.

1475 So I suppose the innovative solution that STSB have put forward was this variable pricing, which  
would protect boats at that lower end at the expense of boats at the higher end. But it is also, the  
information I have been provided, I realise the complexity of the situation because we are not just  
dealing with, and I am very keen to preserve the traditions that we have had where small boat  
owners have been able to keep a boat in the Marina.

1480 But there is a twin challenge because at the other end of the scale there is competitiveness to  
think about and if we have much higher charges for larger boats with the current poor facilities that  
we have got, then it is not really a very attractive proposition for those boat owners who may well  
then look to other alternatives and people who can afford these very large boats have probably got  
lots of options where they can put their boats in Jersey or France or somewhere else, or move  
1485 somewhere else.

So I think that those twin challenges are very difficult to resolve and I am not convinced that that  
curved pricing was really the best solution to be able to do that, on the basis that charging by area  
effectively, when it is looked at by length, it is already on a curve because boats get much larger.

1490 So it is a difficult problem to resolve and I have an enormous amount of sympathy with the  
position that Deputy Murray presented, which is essentially to say that if we do not do this, which  
is just jack up the prices, then we are kicking the can down the road. However, I would draw a slight  
distinction between this and other areas where we have similar issues, in health and Social Security  
and education, where the costs are just going up and we need to try and address them; because in  
1495 the case of the harbour it is potentially an economic enabler and it is not just the case, as we have  
with other Government services, that we are just looking at increases year on year and we need to  
try and address them as well, because in the case of the marina, there are future potential options  
like the Pool Marina that is the option that would be the real money spinner.

1500 That is the one that would improve facilities, help to clear down waiting lists and drive some  
economic growth and so I think it is a slightly different situation to the situation which you would  
find in health or Social Security or in education, where you are just looking at a constant increase

driven, in a lot of cases, by demographics. In the case of the marina there is other options, other economic options, which should bring more results in future. So it is not a simple case of a simple can kick and leaving it for the future.

I give way to Deputy Ferbrache.

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**The Deputy Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** It is just on this Pool Marina, madam, I have been in favour of it for a long time and I was a P&R representative on it for a time and it cost over £80 million. So where is that money, Deputy Matthews has alluded to it, and it would be absolutely splendid, that that is what we should do. It would meet what Deputy Vermeulen has said earlier in relation to what we should be doing. So where does that money come from, can he tell us? Because it is all right saying we can have paid parking or other things, where would the £80 million for the Pool Marina come from?

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**The Deputy Bailiff:** Deputy Matthews.

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**Deputy Matthews:** Thank you.

Well, I think that it looks like it is a good business investment. So it looks like there should be the possibility to be able to develop that. In terms of how it is going to be funded, there are lots of options that we can take. What I would not want to really see is that we would charge current boat owners higher rates in order to fund facilities in the future that they have not got now, which just would seem well, inequitable really, to do it that way.

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But really, the reason that I was citing the Pool Marina and to help to answer Deputy Ferbrache's question, is that to draw a distinction between the harbour and the marina facilities, where you have got a future option for expansion and for growth and for a different situation to the one that we see today, than the situation that we would see in health or education or Social Security, it is not quite the same thing.

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So for that reason, I think that it is not a simple can kick. It is not simply a case of saying, well we will kick it down the road and it will carry on like this indefinitely. There are other options there to be explored and in any case I agree with those Members who have said that if you are going to increase fees, if that is the solution that you come to, is that fees just need to go up, then that should be done with a lot of consultation about how it is going to work and not just jacking them up at very high rates.

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So I think that there is a really good case for saying, well, for now, limit the increases to 10% and do a lot more consultation and see what the future can bring and so for that reason, looking at the amendment, 1B is almost that is very similar to the requête, which is just talking about a limiting to a 10% –

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**Deputy Queripel:** Point of correction, madam.

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**The Deputy Bailiff:** Deputy Queripel.

**Deputy Queripel:** Madam, several Members have said just exactly what Deputy Matthews said in his speech, they are vastly different. I said it in my speech. Proposition 1B and requête Propositions differ greatly. There is nothing about consultation in the amendment.

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**The Deputy Bailiff:** No, Deputy Queripel, 1A and 1B just amends Proposition 1. Proposition 2 would still remain, which is that there would be consultation. So, although it does not say in the amendment, it has not amended Proposition 2 which is in relation to consultation. Consultation is still in there. Thank you.

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Deputy Matthews.

1555 **Deputy Matthews:** If it helps, Deputy Queripel, I did not say it was the same, I said it was similar in that it limits rates to 10% and I agree with Deputy Gollop who said that if the amendment were pass, I would support 1B. I certainly would not support 1A and so for that reason, I would not really want to run the risk of 1A being the option and so I think, due to the similarity, I would vote against the amendment and just keep the requête as it is. If the amendment passes I will support 1B.

Thank you.

1560 **The Deputy Bailiff:** Thank you.  
Deputy Mahoney.

**Deputy Mahoney:** Thank you, madam.  
Could we try another 26(1) but with a recorded vote please?

1565 **The Deputy Bailiff:** With a recorded vote?

**Deputy Mahoney:** Yes please.

1570 **The Deputy Bailiff:** Yes. Greffier, would you put up a vote for a guillotine motion. Can I first find out who wishes to speak, can they stand in their places? *(Laughter)* Well, Deputy Mahoney, it is up to you, do you wish to cut Deputy Helyar's opportunity to speak and take the risk that nobody else will change their mind?

1575 **Deputy Mahoney:** Well, I am loathe, having fallen for this yesterday *(Laughter)* and since we will then discuss all of this again, I think I will continue with the 26(1).

**The Deputy Bailiff:** You will, right. Well, the voting is on your screen, so I will therefore ask the Greffier to open voting on the motion to guillotine the debate in relation to the amendment.

1580 *There was a recorded vote.*

*Rule 26(1)*

*Carried – Pour 18, Contre 16, Ne vote pas 5, Did not vote 1, Absent 0*

| <b>Pour</b>        | <b>Contre</b>         | <b>Ne vote pas</b>       | <b>Did not vote</b> | <b>Absent</b> |
|--------------------|-----------------------|--------------------------|---------------------|---------------|
| Aldwell, Sue       | Blin, Chris           | Kazantseva-Miller, Sasha | Le Tissier, Chris   | None          |
| Burford, Yvonne    | Brouard, Al           | Oliver, Victoria         |                     |               |
| De Lisle, David    | Bury, Tina            | Queripel, Lester         |                     |               |
| Dyke, John         | Cameron, Andy         | Roberts, Steve           |                     |               |
| Falla, Steve       | De Sausmarez, Lindsay | Snowdon, Alexander       |                     |               |
| Haskins, Sam       | Dudley-Owen, Andrea   |                          |                     |               |
| Helyar, Mark       | Fairclough, Simon     |                          |                     |               |
| Leadbeater, Marc   | Ferbrache, Peter      |                          |                     |               |
| Mahoney, David     | Gabriel, Adrian       |                          |                     |               |
| McKenna, Liam      | Gollop, John          |                          |                     |               |
| Meerveld, Carl     | Inder, Neil           |                          |                     |               |
| Murray, Bob        | Le Tocq, Jonathan     |                          |                     |               |
| Parkinson, Charles | Matthews, Aidan       |                          |                     |               |
| Soulsby, Heidi     | Moakes, Nick          |                          |                     |               |
| St Pier, Gavin     | Prow, Robert          |                          |                     |               |
| Taylor, Andrew     | Roffey, Peter         |                          |                     |               |
| Trott, Lyndon      |                       |                          |                     |               |
| Vermeulen, Simon   |                       |                          |                     |               |

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**The Deputy Bailiff:** In relation to the motion to guillotine the debate there voted Pour 18, Contre 16, there were 5 abstentions and there was 1 Member who was not in the Chamber at the time of voting. Therefore the debate has been guillotined. So I will turn to Deputy de Lisle to reply on behalf of the requérants

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**Deputy de Lisle:** Thank you, madam.

Deputy Le Tocq made the point that the percentage of 24.5% was high and the requérants' view is that is far too high and totally unacceptable as it is way beyond the 10% increase in the requête, which already goes well above RPI. Proposition 1B, we find, lacks clarity on what other increases, or fee increases, STSB intend to bring forward to compensate for the loss of income and the worry is that it could be very negative to the boat owning fraternity because STSB have stated, quite clearly, that they will consider their proposals for ongoing increases in 2025 and 2026, based on the actual effects of their 2024 rates and fee increase.

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But I think the boat owners are concerned that the flat 24.5% increase would hit very hard at the very people that cannot afford to actually accept an increase of that type and therefore we are looking at 60% or more, basically, considering their situation very seriously. The bigger picture has been brought up in the debate, the big numbers, if you like, and the financial deficit, and the fact is that the boat owners are paying their way and in reality I think any accountant or any economist would be looking very closely at where and those areas that are not paying their way within the Ports Account. So that is where to focus. (**A Member:** Hear, hear.) So in all, the requérants would not support a 1B and would not support 1A, the amendment as a whole.

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Thank you.

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

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Deputy Le Tocq.

**Deputy Le Tocq:** Thank you, madam, Deputy Presiding Officer.

I will be brief. I will focus on questions and a few comments. There were not actually that many, I think most Members have made it very clear. I will just start, madam, by saying as I did at the beginning, that this amendment is laid by the majority of P&R on the basis that we need to have responsibility and particularly, as Deputy Prow referred to, fiscal responsibility in terms of the budget that we have set.

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So, it is not perfect, it is certainly a compromise, and I will come to that in a moment, amendment and I think I would disagree, therefore, with Deputy Parkinson and others that elements of this amendment are better than those in the requête. And that is largely because the requête, in terms of its similarity to 1B, does not look at ways in which the deficit would be made up. It does not force the issue, whereas 1B does force the issue and inevitably, as we have heard from Members of STSB, I think what will happen is the taxpayer will have to make up the difference there and that is irresponsible and certainly not something that we can just do like that. In this instance we set a precedent, we need to, I believe certainly, as the responsible senior Committee, to make that point clear to the Assembly and so from that point of view, at least, I think it is worth laying this amendment.

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Now, Deputy Brouard asked really, essentially, which direction would we vote in, bearing in mind there are two options in this amendment and that may well be different, as Deputy Gollop alluded to, depending on the Members here. But Deputy Murray certainly felt very strongly that 1A should be in there and 1A is in there because it does make up that deficit. It may not be fair, but really we are talking of shades of grey here. Virtually nothing that we need to do at the moment is going to be fair to everyone and it is there, it would make up that deficit, so in order for the investment to be made, which Deputy Roffey has clearly alluded to and argued for and this Assembly has agreed to, in the harbours, we need to see that deficit made up. We need to do it in some way and no way will be fair, the question is which way is considered fairer than others. So from that point alone, I think 1A is in there.

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1640 Personally, I would not be supporting it. We will be voting for this amendment first and it probably will not succeed but if it does succeed, 1A goes there, you can vote against it at that time and that is what I would do. Proposition 1B, as I have already said, is the closest to the requête and the reason that 1B is there is it would seem to us, from the information that we have received from Guernsey Boat Owners, that they would accept a 10% increase across the board.

1645 Now that is something, but it does not make up the whole of the deficit. On that basis we have not been specific, Deputy de Lisle is absolutely right, but the requête is even less specific in ensuring that that lack of income is made up in some way and as we have heard from Deputy Haskins and from Deputy Inder and others, there are other ways that one could be creative in terms of ensuring that deficit is made up.

1650 The preference really is up to STSB. That is what we have delegated to them as a responsible Committee and if not, then we will bring everything to this Assembly and let us get rid of Committees and we can decide here. That is not for us to decide, that is for them to decide but 1B puts the ball back in their court and if you feel that they should take that decision, they have gone for the wrong people, which clearly some of the arguments here are for the wrong people, then that does enable that focus to occur and for STSB, as a Committee, to reconsider where they might make up the difference.

1655 As for me personally, I still prefer the current statutory instrument and the way in which STSB has decided to raise the funds necessary this year. For me, it makes more sense. It is not fair, it is not fair particularly to those who own the largest boats who are more likely to be those able to pay but that is the way in which we have often argued when we are dealing with the need for income, we have said it should be user pays, with an emphasis on those that have the greater ability to pay.

1660 In this instance, I think, if this amendment does pass I would therefore vote for the amendment and I will probably vote against both of the Propositions (*Laughter*) because I will then have dealt with the issue completely. The requête will be gone and the reason for bringing it was, essentially, to do that. I am being honest here and I think it is very important to be honest. I do think, if Members do not agree with me and I am probably in a minority of one as I am on many things, (**A Member:** hear, hear.) (*Laughter*) but they have an option that is better, fiscally more prudent, than the current situation and I can only emphasise that. We need to be fiscally prudent otherwise we are, yet again, looking at issues in isolation without any responsibility for the impact it has or they have on other things.

1670 Thank you, madam.

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

1675 **Deputy Helyar:** Madam, I wonder if you permit me to declare a conflict now. I am aware I do not have to do that until we vote on the substantive Proposition but everybody else has, so I am a boat owner, whether it is modest or not is in the eye of the beholder. (*Laughter*)

**The Deputy Bailiff:** Yes, thank you Deputy Helyar. Thank you.  
Deputy Soulsby.

1680 **Deputy Soulsby:** Yes, I would like to declare an interest. I have got a share in a boat, I think, because I have not seen it for years. It might be at the bottom of the QEII Marina as far as I know. (*Laughter*)

1685 **The Deputy Bailiff:** Thank you.

Deputies, can I remind you that the amendment is for the alternatives 1A and 1B at the moment. Only if the amendment passes will you be choosing 1A or 1B. So your vote now is for the amendment to replace the main part of the requête and then after general debate you will be given an option to vote on the alternative. So I just want to be sure that you understand the basis upon

1690 which you are going to be voting now. So, Greffier, would you mind setting up the vote for the voting on the amendment and would you kindly open the voting, please?

*There was a recorded vote.*

1695 *Amendment*

*Not carried – Pour 11, Contre 26, Ne vote pas 0, Did not vote 3, Absent 0*

| <b>Pour</b>         | <b>Contre</b>            | <b>Ne vote pas</b> | <b>Did not vote</b> | <b>Absent</b> |
|---------------------|--------------------------|--------------------|---------------------|---------------|
| Burford, Yvonne     | Aldwell, Sue             | None               | Le Tissier, Chris   | None          |
| Bury, Tina          | Blin, Chris              |                    | Roberts, Steve      |               |
| Dudley-Owen, Andrea | Brouard, Al              |                    | Snowdon, Alexander  |               |
| Gollop, John        | Cameron, Andy            |                    |                     |               |
| Inder, Neil         | De Lisle, David          |                    |                     |               |
| Le Tocq, Jonathan   | De Sausmarez, Lindsay    |                    |                     |               |
| Mahoney, David      | Dyke, John               |                    |                     |               |
| Murray, Bob         | Fairclough, Simon        |                    |                     |               |
| Prow, Robert        | Falla, Steve             |                    |                     |               |
| Soulsby, Heidi      | Ferbrache, Peter         |                    |                     |               |
| Taylor, Andrew      | Gabriel, Adrian          |                    |                     |               |
|                     | Haskins, Sam             |                    |                     |               |
|                     | Helyar, Mark             |                    |                     |               |
|                     | Kazantseva-Miller, Sasha |                    |                     |               |
|                     | Leadbeater, Marc         |                    |                     |               |
|                     | Matthews, Aidan          |                    |                     |               |
|                     | McKenna, Liam            |                    |                     |               |
|                     | Meerveld, Carl           |                    |                     |               |
|                     | Moakes, Nick             |                    |                     |               |
|                     | Oliver, Victoria         |                    |                     |               |
|                     | Parkinson, Charles       |                    |                     |               |
|                     | Queripel, Lester         |                    |                     |               |
|                     | Roffey, Peter            |                    |                     |               |
|                     | St Pier, Gavin           |                    |                     |               |
|                     | Trott, Lyndon            |                    |                     |               |
|                     | Vermeulen, Simon         |                    |                     |               |

1700 **The Deputy Bailiff:** In relation to the amendment there voted Pour 11, Contre 26. I, therefore, declare the amendment has not passed and there were 3 Members who did not vote because they were not in the Chamber. The amendment has not been passed. So after lunch we will continue to general debate unless any other amendments come in in the meantime.

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

**Reduction of Mooring Fees and the  
Requirement to Consult in Respect of Future Increases –  
Debate continued –  
Proposition 2 carried**

**The Deputy Bailiff:** Good afternoon everybody.

1705 Over the lunch break you will have seen we have a further amendment, Amendment 2, and in order for the amendment to be laid, first, we need to take a vote on suspending the Rules. So that is a motion under Article 7(1) of the Reform Law which will start off as an aux voix and if necessary, we will take a recorded vote.

1710 So the motion is to suspend the Rules of Procedure in order to allow the amendment to be debated. Those who support the motion say Pour; those against.

*Members voted Contre*

**The Deputy Bailiff:** I am afraid, Deputy Inder, the Rules are not going to be suspended, your amendment will not be laid. We now turn then to general debate in relation to the requête. Who wishes to speak first? Deputy Taylor.

1715

**Deputy Taylor:** Yes, I will kick off, madam, because I do not think I have got anything massively important to add, or I say to add, I do not think there is anything to be added to. (*Interjection*) As a starting point, I am probably going to get a bit of flak for this, but this is not a debate about the haves and have nots. In my view, this is a debate about the 'haves' and 'have mores'. This is not a priority for this Government to be having this debate, not even close to a priority. I will leave that there for now.

1720 One issue I have had listening to some of the arguments that have come forward through email, well not just email, email from other Members, is this reference back to that historically mooring fee increases have been done by inflation, they are inflation linked, and as a general point, I just do not particularly like that.

1725 My experience in budgets within the States is that inflation and RPI increases just get added on to budgets without really looking at whether our budgets are affected by inflation. We just take it as this figure and we apply it and it is my view, perhaps it is wrong, but it is my view that historically mooring fees have just been increased by inflation and that does not necessarily reflect what the actual scenario is but it is just an established practice.

1730 So then when we deviate from that established practice, it gets everyone's back up. But the established practice was based on nothing more than inflation, which inflation itself is not based upon mooring fees, they do not feature in the basket, they are not in the calculation. So there is this sort of circular motion and I think we are now in difficulty stepping away from that method of calculating fees and it is giving us jip.

1735 The next issue that I do take issue with and I think Deputy Roffey has really knocked this one out of the park, but is this talk of cross-subsidy. I just think it is something you have to accept within Government. There will be cross-subsidies; they might change in size over the years, things change around, that happens in business. Why would Government be any different? I do not think that is really an issue. So I hope Members will just put that to the back of their minds.

1740 One of the arguments I have heard come forward from the requérant, and others, is that we should just go for growth. Yes, we will get growth and the growth will sort it, we will get growth and that will counteract any loss of revenue. But I do not really hear any examples of what that growth might be. I applied my mind to it to think, well, what could it be?

1745 I give way to my good friend, Deputy Vermeulen.

**The Deputy Bailiff:** Deputy Vermeulen.

**Deputy Vermeulen:** Thank you, madam.

1750 So I think a great example would have been extending the runway to prevent other aircraft  
coming in (**A Member:** Hear, hear.) and that would have made sure we were not in the current  
position we are today where you have just got two airlines when we used to have three airlines  
servicing the Island and you would have had more passengers and what we should be doing at the  
ports, at the marina, we should be going for more growth. We should be developing that Pool  
1755 Marina, not saying it is too expensive and we cannot do it and we do not know how. So there is  
your growth. There is two great, prime examples and perhaps you were not in the Assembly when  
those were made but there are two opportunities perhaps missed at the moment.

**The Deputy Bailiff:** Can I just remind Members, if you have not had the opportunity yet to speak  
1760 in debate, perhaps one should consider whether or not standing up to give way is worthwhile and  
whether or not one should just wait until one has had the opportunity to put one's point of view in  
debate. (**A Member:** Hear, hear.) Ultimately, it is a matter for Members, it is not something I can  
stop and if one of the Members chooses to give way, then that other person gets the right to speak.  
But it is just something worth considering.

1765

**The Deputy Bailiff:** Deputy Taylor.

**Deputy Taylor:** Thank you, madam.

1770 I think that is a very valid point to raise but I am grateful that I gave way to Deputy Vermeulen,  
mainly for comedy values, (*Laughter*) to understand that we somehow would not be facing mooring  
fee problems in the harbour if we extended the runway. Yes, I do not think that has quite sunk in  
yet, (*Laughter*) but that seems entirely ridiculous to me. But I think, as I was going to say, I did apply  
my mind to where these growth areas could be, specifically in the marinas, and what came to my  
mind was, well, what about boat shares?

1775 If there are people who are struggling to afford their boats, I have already heard in here there  
are Members who have shares in boats, they do not own the whole thing, they do not have the  
whole capital cost or the running costs, so maybe that could be a growth area. New businesses  
could be renting boats. Who knows?

1780 That is pretty much all I have got to ... I think we know which way this is going to go, sadly. I  
think Members do need a bit of a wake-up call if they are supporting this requête. Housing is our  
number one priority. (**Several Members:** Hear, hear.) I do not doubt that there are people in the  
community with boats who might struggle to afford these increases, but they can afford a boat.

1785 There are, I would say, I have not done the maths, I have not done a survey to check this, but I  
would imagine for every one person who might struggle to afford their mooring fees there are ten  
people who cannot even afford the mooring fees or, sorry, for every one person who might struggle  
with the increase there are 10 people who cannot even afford the mooring fee itself.

1790 So I think we need a reality check here. We do need to raise more money. There are costs that  
are going to be coming through and we need to get more money for those costs, so every little  
helps. In the scheme of things, these increases under the original proposals from STSB, I do not  
believe they are eye watering. If we were talking of mooring holders being given a £10,000 increase  
a year, okay that is a lot to swallow, but that is not what we are looking at. So I hope the debate will  
be short. (*Laughter*) I hope, and I apologise to Deputy Ferbrache because I have talked longer than  
I normally would, I hope debate will be short, I hope the debate will conclude with, let us say,  
mooring fees increasing by more than 10%.

1795 Thank you.

**The Deputy Bailiff:** Deputy Falla.

**Deputy Falla:** Thank you, madam.

1800 I agree with Deputy Taylor that housing has to be the priority, although I think it is a stretch to say that the two are mutually exclusive and I do not really see the connection. It is not just the ability to raise revenue that will magically solve the housing problem; it is much more complex than that.

I do not own a boat, other than a gravy boat, (*Laughter*) but this increase in fees perhaps smacks more of being perceived as a gravy train from port's perspective. In my view, this process could have been handled so much better (**A Member:** Hear, hear.) through more meaningful engagement with the boating community. (**Several Members:** Hear, hear.)

1805 The key part of consultation is listening, and listening might often be expected to result in some sort of compromise. It used to be the way of Guernsey politics, it still should be and it involves taking stakeholders with you. Let us remember what States' Departments are for, they are there to serve the community, to provide for the needs of the community, services largely paid for through the taxation of individuals in the community.

1810 But boat owners are, of course, part of that community and they also already pay towards the services they benefit from. The boat owners, alongside commercial shipping operations, are top stakeholders of Guernsey Ports, but this feels too much like an example of being done to rather than doing with.

1815 Yes, there has been underinvestment in the harbour over the years, but this hike in fees is a disproportionate response. It is too much in one fell swoop. Supporting this requête is a more proportionate response to a problem for ports: 10% for now and the year-long consultation opportunity that will allow stakeholder engagement through more communication, discussion and dialogue with a significant group of stakeholders within the community that we seek to serve.

1820 Yes, I was a bit player in the former partnership of independent candidates. On the subject of revisiting decisions of the Assembly, in this instance, I admit I have changed my mind. Having been named by Deputy Queripel, I will say that I regret that I was unable to be here for the December debate and today's debate is important for me. I believe it is appropriate for such major decisions that impact people to this extent to be debated and decided on the floor of this Assembly.

1825 Thank you.

**The Deputy Bailiff:** Deputy Vermeulen.

1830 **Deputy Vermeulen:** Thank you, madam.

Imagine how our economy would look if more than half of Guernsey's boat owners decided to sell their boats off Island and give up boating. Well, these are not just my idle thoughts. In a recent survey by STSB, which was suggested to the boat owners by the Guernsey Boatowners Association, 63% of all boat owners said that they would consider selling their vessel and giving up boating altogether if these charges were introduced.

1835 Marina charges proposed by STSB go way beyond inflationary increases and RPI in a time where there is a cost of living crisis and outgoings are at an all time high. It is said that some engagement is better than no engagement and yet not one Deputy from STSB has engaged directly with the boat owners or the marine traders, attended their excellent briefing sessions or met with their representatives, or attended the AGM and heard their concerns and I find this, madam, truly astonishing. Let me be clear, this is coming back to the States as we feel the matter did not receive fair debate last year due to the timing and a depleted Assembly. This issue is so important it warrants being revisited.

1840 Now we are trying to charge Rolls-Royce prices for a facility akin to a banged up Ford Fiesta. Our facility is less superior than those in other jurisdictions that we are being compared to when it comes to parity on pricing. But let me be clear, boat owners are not asking for better facilities, they are just asking for a reasonable increase in fees.

1845 An argument from STSB may be they cannot afford, they cannot upgrade the harbours without increasing fees significantly. However, as we are all aware, this increase in revenue will be used at the Airport and not at the harbour. It is not exactly the best PR campaign for STSB, is it? In fact, the associations, the Guernsey Marine Traders Association (GMTA) and the the Guernsey Boatowners

Association (GBA) have repeatedly raised concerns that the harbour income is being used to subsidise the significant losses and at the Airport, not to be confused with Aurigny's losses.

1855 The Airport has taken £54 million from the Ports Holding Account in the last 27 years, compared with the harbours contributing £32 million over the same period. Perhaps a plan from STSB on how the increased mooring fees would be used to benefit boat owners may have been the starting point and there is room for negotiation rather than these high handed measures.

1860 STSB have not listened to their own consultant's advice. Marina project stated St Peter Port is currently undervalued within the benchmark set, but it is acknowledged that the berthing infrastructure, associated facilities and marine services are somewhat lacking and prevent Guernsey ports from increasing their existing tariffs. Somewhere along the line, this message has been ignored.

1865 From the beginning, I was concerned about the marine traders. I set on Economic Development and I was aware of the blue economy and the numerous boat services offered in the Island. Engineering, gardener's, transportation, upholstery, cramage, etc., if those boat owners are forced to sell their boats a staggering 50% of these vessels will be sold off Island.

1870 Sadly, this has already begun and where does this money go? Most of it goes to the UK; a lot of it will go to Jersey. This puts the marine traders and their families at risk. We lose the skill set developed on Island and the wealth goes to Jersey, Jersey hoovers up the wealth yet again. The run has started and I urge you to support this requête and stop this from happening.

1875 There are only a few issues in this term that I have seen such engagement on. The engagement and concern from the boat owners has been unprecedented, and the wider marine community. You do not have to own a boat to be affected by this. We are talking about a large proportion of our economy that is, in some way, connected to this sector, whether it be boat owners, their families, friends, children, grandchildren, traders, their families, landlords, services connected to the traders, the list goes on. Through these increased charges, we are damaging our own community and our own economy.

1880 Last week I heard one challenge saying that surely those with bigger boats can afford to pay an even higher tariff. They were completely missing the point. There is the value for money argument, but a much bigger one is they simply sell up or move mooring off Island. Eighty percent of marine traders work in the Island; it is from this larger type of vessel. These vessels leave and so does that trade. It is simply wiped out, small Guernsey businesses gone. Do you really want to be responsible for that? Do you want to ignore the previously mentioned consultant's advice?

1885 Now the Channel Islands Competition & Regulatory Authority (CICRA) have just reviewed the Jersey Marina fees and charges. The ports of Jersey are not allowed to be anywhere near the fee setting for boat owners and with good cause and I probably know why now, their increase was 11%. Let me just end with this thought. We do not want to make boating an elitist hobby on an Island where enjoying the water is part of everyday life for all. Please support this requête.

1890 **The Deputy Bailiff:** Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** Thank you, madam.

1895 There has been, obviously, calls from Deputies to significantly reduce the number of Deputies in this Assembly and this debate is an example of what will come if we simply reduce the numbers, because the votes on debate will be much closer, for most debates, and what is going to happen is that we are going to have reruns of multiple debates over time because there will always be the opportunity to say, oh no, it was only one vote out so we can rerun the debate. So this is what is going to come if we have significantly fewer Deputies.

1900 I am now of firm belief that whenever this Assembly gets to debate pricing something has gone completely wrong with the Machinery of Government, with governance, etc. So at the moment we are debating prices, whether it is on milk, electricity or anywhere else, and we have the opportunity to explain how we feel the pricing should be, or we think it should be, or whatever combination of

other factors. I think it is completely wrong because pricing decisions should be, in my view, completely out of the reach of this Assembly.

1905 The reason for that? Well, just imagine if the pricing for Apple's products were being set by Congress in the US, can you imagine that situation? But it is exactly what is happening today. Pricing is a key commercial lever that is supposed to be set of trading businesses, of businesses trying to match expenditure revenue, trying to get margins to be able to invest in their businesses and their companies. They are not a political, I feel this way or whatever it should be this way; his is a key commercial lever.

1910 We want our trading assets to be more commercial. That is the theory, but we take away all the possible levers to let trading assets be run commercially. I will give some examples, corporate services HR, IT, procurement, etc., they are not within the remit of trading assets, but they are recharged for those services having zero control about actually what happens. Do they deliver value from central services or not?

1915 Land ownership, well there is clearly a real lack of full understanding. Where is the boundary of land ownership for trading assets for STSB in the ports, for example, North Beach, is that within the remit of STSB? If so, do they have control over what happens on the North Beach? Can they set pricing of what happens? Do they have full flexibility of being able to use those assets and that land to meet the objectives of the trading assets? No.

1920 Local planning briefs, Planning Department. We are in a crazy situation where the ports do not feel like they can do a lot because there is a planning process, a local planning brief process, running in both ports which, apparently, prevents any development because it is going to prejudice further development.

1925 So again, they are constrained, they cannot do much on port's land because Planning is driving a local planning brief process. So we have taken away just about all levers of our trading assets, even though we always want them to be commercially run.

I give way to Deputy Oliver.

1930 **Deputy Oliver:** Thank you.

Can I just remind Deputy Kazantseva-Miller that we did have a meeting and we did say that if ports did want to bring anything forward that we would look at it on an individual case-by-case basis.

1935 **Deputy Kazantseva-Miller:** Thank you.

And the point I am trying to make is that the cost of providing port facilities and port services is extremely high because we are also located in a very harsh jurisdiction with an extremely high tide range and it is very difficult to try to compare us against some well sheltered, protected marinas somewhere else.

1940 So first of all, there is a very high cost of providing the facilities we currently have, which are also in a prime location in the centre of our Town. I would like to really thank the GMTA and GBA in engaging with Deputies on this matter because they have done really good analysis and presented an interesting point of view.

1945 But I do think it is also fundamentally flawed and the reason for that is that if you look at the historic Port's Accounts and we have got some really good summaries presented by GMTA and GBA teams, for example, they say that about £29 million of CapEx expenditure has been undertaken since 1996, the Airport has had more. The whole point is that this CapEx expenditure, which would be about £1 million per year over the last 20, 25-plus years, would not be anywhere enough of what is actually needed today and what was needed over the last 30 years to maintain the facilities and to invest into the facilities.

1950 So I think to summarise that the Port's Account has been in some kind of profit is not actually representative, fully, of what the cost of providing port facilities actually is. So we need significantly more maintenance and CapEx expenditure than what we have had and that means that whatever

1955 numbers are being shown to us today they are just simply not enough to pay for what the ports actually require.

Having said all that, am I happy with the port situation today? Well, I am really not. In the previous debate I did say that I would not be supporting the three-year plan increase but I was tempted to support, in the first instance, the one-year increase that we are talking about and what I really want to see from STSB is a clear commitment for a plan for transformation, for a plan for change.

1960 Since the last debate we have not had any information about whether anything is coming and, to me, that plan for transformation has to centre around the importance of incorporation back so that ports have the levers to run as a commercial business, whether it is pricing, whether it is land ownership, whether it is making decisions on hiring, procurement, IT, whatever it is, in order to be run commercially, that is an essential step that needs to happen. I still have not seen anything from  
1965 STSB saying that this might be on the way and until we start trying to solve this fundamental issue with the ports everything else will be just trying to fiddle on the edges.

So we are in a situation, I believe, where, and I think Deputy Prow said between the rock and the hard face, the ports are not making enough money today, despite what has been presented to us, they are not making enough money today to provide and maintain for the facilities and the CapEx expenditure that is required. Whatever has happened to the Airport, whatever has happened to the  
1970 Ports Holding Accounts, it does not matter, because today and in the recent history there has not been enough income to support the expenditure required for harbours.

So with this in mind we are in a situation where, do we want to propagate and worsen that problem or do we want to just help, a little bit, to close the gap? But having also said that, we do  
1975 want the ports to start investing in some of the facilities desperately, some of the Marina facilities for visitors, for boat owners, we want those projects to happen because we cannot keep waiting for some long-term transformation.

So again, if we are supporting their proposals for this year's increase we need to see something back. We need to see a commitment to facilities improvement immediately, we need to see a longer  
1980 term commitment to a plan for transformation and change for, not just the ports, but all the rest of the trading assets and I do not hear that this commitment is going to be on the place, I might support the requête because I have not heard anything since the last debate in relation and I made exactly the same point. So that was three months ago and nothing else has happened.

So I am still tempted to not support the requête and support STSB with their current, this year's,  
1985 plan for the fee increases because I think unfortunately they are high, but they still do not go even far enough to meet the challenges that we currently have and to recognise what is the true cost of providing ports. But I ask again, which I did last time, from Deputy Parkinson and Deputy Roffey, maybe Deputy Moakes as well, a commitment about what do we get in return for approving those price increases?

1990 Thank you.

**The Deputy Bailiff:** Deputy Gollop.

**Deputy Gollop:** Thank you, Madam Deputy Presiding Officer.

1995 We have had a cracking speech from Deputy Vermeulen earlier and an interesting, thought provoking analysis from Deputy Kazantseva-Miller, who I was going to quote anyway but she has given me more ideas and I could make a joke about sunk costs. But when Deputy Kazantseva-Miller talks about the need for transformation and change, I agree with her, but I am scared of the change  
2000 too and as somebody who has hung around the Chamber a long time, the so-called Father of the House, the reality is I remember debates not dissimilar to this when Deputy Trott first entered the Chamber, when it came every January, without fail, the boat owners annual rising.

If anything, there were more States' Members then, I agree; possibly we should not reduce by too many. But we had 55 in those days and a good half of them, I think, were boat owners. So it was of interest then as it is now. The thing is there is a point of principle that Deputy Kazantseva-

2005 Miller, particularly, is always strong on which is a more modern attitude perhaps to governance that States' Members should not be interfering with pricing at all in this.

Now, my history is that the public expect Deputies to do so. Possibly if there was a very small Assembly and we were entirely focused on policy and strategy that would eventually go, but whilst there are so many of us there is a perception in the public that we, somehow, need to micro-manage and that is an expectation.

2010 I will come on to that a bit more because we already, we cannot go off too wide, but we already do set prices from bus fares to milk. We have had all kinds of debates over the years about specific pricing policies to encourage or discourage use and the structure of the STSB, inherited to public services, which took over more administration, in some ways, is not quite fit for purpose. We do not quite know in what direction it is heading, or whether we even want it to go in a different direction because we have still got a Committee where a majority of Members are politicians, which says it does not do policy, but even these approaches will form of policy in a manner of speaking and impact on other things like paid parking, as we heard from Deputy Inder and they are not quite commercialised and if it was a commercial entity would you put airports and harbours together?

2015 I do not think you would nowadays, they clearly have different economic generators, they have different histories, different needs. One is more international passenger focused the other is more freight and leisure focused. Even Deputy Roffey conceded that in the distant past there was a degree of cost subsidisation and I will not bore people with the arguments of two Midland bus companies where one charged cheaper fares and the other (a) because it was a municipal, but (b) because it did not cost subsidies because the other company did rural routes that did not pay.

2020 We have seen a level of cost subsidisation in the ports because let us imagine, in a fantasy world or fantasy Island, that you had a Guernsey Harbours Incorporated and a Guernsey Airport Incorporated, they would clearly have different rationale for raising money. The investment needs would not disappear, the need to look at a Pool Harbour, but the drain of the Airport, which I think is an economic neighbour but that is another argument, would not be there and so some of the arguments for delivering this increase would not be.

2025 Also Deputy Kazantseva-Miller's approach, and Deputy Vermeulen raised it too, of the Jersey scenario, there you clearly, as the boat owners have informed us, have a regulatory structure where a regulator who is divorced from the political process has a role. Now, I would argue that if we went into the future of incorporated or semi-privatised, even, harbours you would require a regulator of some kind to be involved. So the current dynamic of a political board making these decisions would be different too. Obviously I am on Policy & Resources, and I got too involved in this, but there could be cost savings with a restructuring of the STSB and those cost savings could include the staff structure. But I know not. But again, with an entity that is partly trading, partly commercial, partly political but where there were lobbyists of significant calibre working on States' Members, talking to us, it is extremely difficult to say, 'Well, I am an elected person, but I have got nothing to say or do in this.'

2035 I do applaud the requérants for having the patience and the diligence to come back and I will support them, even though I think another cracking speech, particularly, was from Deputy Murray, who rightly pointed out, to use my little cliché, you cannot have the penny and the bun and if we do not vote for a broader, more holistic approach to long-term investment and long-term taxation, you will get uncomfortable debates where users will be expected to pay more.

2040 But I think a decider for me, I have already mentioned aspects of the need for modernisation, the need for clarity of whether States' Members have a micro-management role in these costs, the issue of long-term investment. But we, some of us, maybe all of us, got letters from various boat owners and I had a moving letter from a retired couple who have been suffering from inflation and they feel that the Airport has taken to a degree, substantial sums of funds that harbour users have been built up and it is unreasonable to ask the boat owners to support the Airport and their argument, which has not come across much in this debate but I think Deputy Vermeulen has injected it, did not come across this morning at all, is that as much as people like and want to use Guernsey Marina and support the wider economy, the people who write to us argue, and so do

2060 people who have met us, the Marina is very lacking in standard facilities such as washrooms with toilets and showers, modern security, parking trolleys, loading bays, 24-hour access. So to compare it with South Coast marinas where those facilities are broader and may be standard elsewhere is unfair in commanding the fees.

2065 Of course, that raises another question, if we do invest in improving the facilities and building new, would people want to pay more? Maybe not, but at least it would be a more transparent conversation. People feel it is the local Guernsey person, many of whom have been boating all their lives, who will be hardest hit with these excessive fees. They feel there are other ways the harbour could raise facilities. I think there are commercial opportunities down at the harbour. I have always been surprised at the lack of high quality catering facilities, restaurant facilities, retail facilities and other things in the area. Just a personal view, again actually, I would like a degree of commercialisation for those reasons.

2070 So when one looks at the strategic picture I think the requête is the fairest way to go at the moment, an increase not a decrease, of 10% and then mediation and conversation, conciliation and discussion between the leading stakeholders and the team at STSB and hopefully we can all, by consensus, move forward together for a mixture of increased use, the economic development Deputy Dyke and Deputy Vermeulen want, a way of raising money for infrastructure and a fairer consensus approach for 2025 and 2026.

2075 **The Deputy Bailiff:** Deputy Parkinson.

**Deputy Parkinson:** Thank you, madam.

2080 Well, as Members will be aware, I am a member, indeed Vice-President of the STSB, but I am not a member of the Ports Board. Within STSB we divide and rule, we have five Members of the board but nine trading assets and we divide up responsibilities amongst ourselves to try and ensure that we cover all the bases. So I am not and have not, in this States' term, been a Member of the Ports Board and, therefore, was not originally involved in the mooring fee proposals.

2085 There are differences of view within STSB on these issues. I think I can say, safely, that Deputy Moakes and I were both very uncomfortable about the full extent of the three years of mooring fee increases, which the Ports Board were mooting; and speaking for myself, if not for the Deputy Moakes, I have made it plain on the board that I would not support the second and third year increases on the scale that were originally proposed.

2090 However, we are discussing now the 2024 fees, the ones that the States has already agreed and my position on that is that I am content to support and will continue to support the fee increases that the States have already proposed. I should say also and I think this is perhaps a more general view, I am not sure if it is shared by all of my colleagues but I, personally, do not believe that the marina berth holders should be asked to subsidise the Airport. (**A Member:** Hear, hear.) So I think, to some extent, we need to cantonise the accounts of the ports to isolate and separate the accounts of the harbours, both for leisure and commercial traffic, away from the Airport. Other Members of the STSB may not agree with that, but that is certainly my position.

2100 Now why am I supportive of the very large increases that the States have already agreed for 2024 in marina fees? Simply because the marinas require very substantial investment and although, historically, they have made a profit largely, I think, because they did not have to pay for the initial capital investment in the QEII, the taxpayer paid for that, but historically the marinas have traded at a surplus, currently, I would say they are not terribly profitable but they certainly do more than break even.

2105 But the problem is, as we all know, that they need significant investment. Members will be well aware that at the moment various pontoons in the QEII are being replaced at a cost of, I think, £1.6 million. More fundamentally, in the not-too-distant future, we are going to have to replace the gates at the QEII and I think the likely cost of that will be £7 million or more. Now realistically that has to be funded by the marina berth holders. I do not think we can continue to ask the Guernsey wider taxpayer to pay for that sort of capital investment.

2110 On the wider points of the whole Port's Board mandate, Deputy Roffey has made the point that  
the Airport probably cannot become self-funding and I think this is a point for another debate really  
but the States needs to eventually face up to the fact that if we charge the full cost of operating the  
Airport to the people who use it, basically people would stop using it because it would be so  
expensive to fly to Guernsey, we already have some of the highest landing fees in the British Isles. I  
think we will have to accept that the Airport is an economic enabler and that it does require long-  
2115 term taxpayer funding to keep it going. But as I say, that is for another day. My contribution on this  
point, in this debate, is simply that I share the view of those who say that the cost of the Airport  
cannot be charged to the marina berth holders.

Now another point which has been raised by Deputy Kazantseva-Miller is she asked what is  
going on with the wider programme to radically reform the trading assets? And I had a private  
2120 conversation with her before this debate actually, so I am surprised she did not mention that she  
had had pretty recent and up-to-date information on that subject.

I am the STSB's Head of the Commercialisation Project, and I believe I can say, with reasonable  
confidence, that somewhere, probably before the end of this year, if not early next year, we will be  
coming back to the Assembly with proposals which, at this stage, I think will involve  
2125 commercialisation of Guernsey Water.

We are looking at three of the trading assets as possible candidates for commercialisation and  
one of those is, of course, Guernsey Ports. But Guernsey Water is the most straightforward candidate  
to take forward as a first project, Guernsey Ports is quite difficult. For one thing, actually creating an  
opening balance sheet for the new company would be very difficult. There is a little bit of vagueness  
2130 about what its assets are, for a start, but more potently there is considerable uncertainty about what  
provisions need to be made against those assets for the dilapidations and so on, which is evident  
in the ports; and realistically I think for Guernsey Ports to be commercialised, the States would have  
to provide a very significant dowry to get the new company up to the point where it could be  
regarded as a going concern. You cannot simply incorporate a company and then set it free when  
2135 it has, quite clearly, got an unsustainable financial position, which there would be a grave risk of  
with Guernsey Ports.

So I think Guernsey Ports is further down the line. But Deputy Kazantseva-Miller and Deputy  
Gollop should be relieved to know that it is not out of mind. It is something which, in principle, we  
would like to do. It is just, I think, commercially quite complicated and I do not expect that to make  
2140 any progress in this States' term.

So all that is really for another day and another, no doubt, very interesting debate on the future  
of the trading assets and indeed, linked to that, the future of STSB itself; and those are interesting  
discussions which we will have to have. But for today, we simply need to recognise, as a States, that  
the marinas need significant investment, which they are starting to get, and they cannot fund that  
2145 investment out of fees at the current level of charges. On the surpluses they are making now, you  
could not really make an economic case for funding replacement of the gates at the QEII, for  
example.

I think Guernsey boat owners, in which one day I might be included myself, and the States of  
Deliberation need to understand that, actually, it has been okay up till now, the marinas have done  
2150 generally quite well largely, as I said earlier, because they got a dowry from the taxpayer back in the  
early 1990s of the gift of the QEII Marina for which they have been able to charge fees ever since.

So the ports, at least the leisure side of the ports, have been commercially sustainable but that  
has been at a level which is not sustainable going forward. We must expect the ports and the  
marinas, in particular, going forward to become self-funding and we cannot expect the taxpayer to  
2155 be handing out any other dowries like the QEII Marina to make the life of the management of the  
marinas more easy. In the end, and going forward from now, the marinas have to wash their own  
faces and they are going to require more investment than we have been putting into them.

The depreciation charges which the marinas are currently bearing are not commercially realistic  
because they were gifted the capital assets and it is true that, at the moment, they make a surplus  
2160 and they make a surplus after covering depreciation; but the problem is the depreciation charge is

nowhere near the economic reality of what it should be, just because they were given the assets and, therefore, do not depreciate them.

2165 We have debated all this back in December and I do not think it is good Government for us to be looking at it again now. My position remains now, as it was then, that I will not support years two and three of the original Ports Board proposals, who knows what those may become when the STSB returns to the States with proposals for 2025 and 2026.

2170 But I am prepared to support the 2024 increase because we need to do this to enable the marinas to become self-sustaining and, to be fair, Guernsey's marinas have been relatively cheap by any international comparison for quite some time. Now we can say, as people have said, that the facilities are not as good as South Coast marinas and that is true, the security is not terribly good except, oddly, it is better at St Sampson's than in St Peter Port. There are other things that we could all think of that could be improved, maybe better Wi-Fi, better marina facilities and so on. But the reality is that, people were citing examples, I think Deputy Roffey was citing examples earlier of what you would pay to moor a 50ft Fairline in St Peter Port and, I think, the numbers were somewhere  
2175 around £5,000. Well, that number would be £10,000 or more in the UK and it would be significantly higher than £5,000 in Jersey.

2180 So although these increases are steep, they still do not bring the costs of Guernsey anywhere close to the costs of mooring a boat anywhere else and also we have to be realistic about the costs of boating. As a rule of thumb people in the industry reckon you pay 10% per annum of what the boat cost you to keep it up and keep it fuelled and insured and so on.

2185 So your £500,000 or £750,000 boat, the examples Deputy Roffey was giving, boaters in the UK would expect that to cost them £50,000 or £75,000 a year and that is just the way it is, (*Laughter*) because the costs of fuel, insurance, annual servicing and so on, it all adds up. I am sorry, indeed as a prospective boat owner myself, I am sorry that we are going to have to charge more for Guernsey marina spaces but I think the 2024 proposals, which the States have already agreed, should be allowed to go ahead and should be taken forward.

2190 I have given you my personal assurance that I will not be supporting increases of the scale envisaged originally by the Ports Board for 2025 and 2026. That matter needs to come back to the States and be reconsidered. If for good governance and no other reason, the States should simply allow the extant decisions on 2024 to proceed, I think the case has been made that a relatively steep step up in marina charges needs to happen and I urge Members to vote against the requête and just to allow that to proceed.

Thank you.

2195 **The Deputy Bailiff:** Deputy Gabriel.

**Deputy Gabriel:** Thank you, madam.

2200 Many people have been in touch with me about these proposed rises and one in particular struck home with me. They asked how the STSB are even allowed to increase them and they have been voting for many, many years and recalled something from earlier this century limiting any increase.

2205 So I looked a little deeper into it and so I would like to question if the raising of fees by an amount over the RPI over the previous year is lawful and perhaps His Majesty's Comptroller can help, I see he is in the room today. I will summarise my position, my understanding is as follows. The 95th Statutory Instrument of 2023 is titled The Mooring Charges Guernsey Regulations 2023 and it increases the mooring fees by inserting schedules. The SI relies on the STSB and the powers conferred upon it and those powers transferred across when it was conferred to the Board of Administration and those powers are conferred upon it by Section 2 of the Vessels and Speedboats Compulsory Third Party Insurance Mooring Charges and Removal of Boats Guernsey Law, 1972 and also the Fees, Charges and Penalties Guernsey Law, 2007 and all other powers enabling it in that  
2210 behalf.

Section 2 of the 1972 projet is titled Mooring Charges and subsection 3 of Section 2, bear with me, was inserted by the Harbour Dues, Harbour Charges and Mooring Charges Guernsey Amendment Law, 2001 Section 2 with effect from 20th November 2001 and that subsection 3 states:

A resolution under subsection one prescribing mooring charges may, subject to such conditions as may be specified in the resolution, authorise the Board, remember that was the Board of Admin, to amend the amounts of those charges in respect of any 12 month period or periods so specified by an amount not exceeding the change in the Guernsey Retail Prices Index during such earlier 12 month period or periods, so it may be so specified.

2215

So my question to His Majesty's Comptroller is: is the fee raising lawful, as it appears to go well beyond the powers and, more importantly, the RPI level set by the 2001 amendment which this is still in play? I have got plenty more to say about my speech, but maybe he can think about it and ask it, or is he in a position to answer at the moment?

2220

**The Comptroller:** Madam, I do not need any time, the answer is quite straightforward. The answer is, yes, the Regulations were made lawfully. The position is that there are two laws that are relevant. Under the 1972 Law, which was mentioned by Deputy Gabriel, there is power for the States by Resolution to set mooring charges under the 2007 Law, the Fees, Penalties and Charges Law, that same power can be exercised by the Board by way of Regulation.

2225

Now there is this rather quirky power, though, for the States to authorise the Board if they are going to pass a Resolution to increase charges and there is a limit where that power is conferred on the Board so that charges cannot be increased in any year beyond the increase that would be applicable if you applied the Guernsey Retail Price index. But I do not believe the States have exercised that power and even if they had, the Board itself can now, ever since 2007 by Regulation, set the fees and there is no limit on the charges that they can set.

2230

**The Deputy Bailiff:** Thank you very much.  
Deputy Gabriel.

2235

**Deputy Gabriel:** Thank you for clarifying, because I have got some examples and we have all seen them previously, but just to reiterate it, so the current 2022 and previous charges were all based on rate per square foot, and that was a flat rate of £6.62 and the STSB have changed those rates for a small, medium, large, extra large, double extra large and double extra large plus vessel and those increases go from anywhere between 20% to over 30%. Even that sounds pretty huge.

2240

If my grandfather put his prices up by 30% he wouldn't have any customers left and that is what we are talking about here, is customers, and I think STSB are forgetting that the boat owners are customers and you would consult with your customers and that is what Proposition 2 does in the requête.

2245

Deputy Taylor said he would not mind if it was a £10,000 increase; well for some it is. Take a Princess 95, yes, it is a double extra large vessel at 95ft, its 2023 mooring fees are in the region of £14,000. The STSB proposed increases over the next three years will amount to around another £13,000, making a total annual mooring fee for that vessel of around £27,000.

2250

Madam, notwithstanding the H.M. Comptroller's advice and that, seemingly, STSB have enormous powers over its customers to raise these fees and not even in the spirit of the original amended enabling law, it is unreasonable to expect boat owners to stomach such large increases in fees in a relatively short space of time.

2255

If the STSB really believe that they have had fees too low for years at the harbour, that fault should not be used as an excuse to correct the position in such a short period of time, namely the three years with a year on year increase of approximately 30% each year, which will most likely cause financial pain and again a reduction in the STSB customer base. Not forgetting the knock on effect to the vital marine businesses that service the leisure marine sector, well described by the Guernsey Boatowners Association and the Guernsey Marine Traders Association in recent media.

2260 Most of the leisure boat owners believe they are already subsidising the Airport and with a 90% increase in fees they will be expected to do this even more and, to me, that is clearly wrong. STSB have increased fees broadly in accordance with inflation for many years, if they are so desperate for cash as to attack their customers with this price rise, then perhaps they should be looking at parts of the harbour infrastructure that they have available for all to use currently free of charge, for example, the swathes of parking on piers and other wet areas they give away for free.

2265 I really do believe that the harbours and Airport, as even we have heard from Deputy Parkinson, should be split out as separate trading entities and account for their own profits and losses, not one cross-subsidising another, or to put it another way, one propping up the other. If you ask the average person in the street they would agree that harbours are subsidising the Airport and by a substantial amount and it is inequitable and unfair.

2270 I have seen some financial analysis from 2022 back to 1996 and those of you that attended the briefings last week on two separate days would have seen copies of that too and they are compiled from budget reports going back those 27 years showing that the harbours have had an operating surplus for 25 of those 27 years. The deficit for the two years being attributed to COVID years 2020 and 2021 and as an aside, boat owners were still paying their mooring fees for 2020 and 2021 but not able to use their buses because of lockdown.

2275 The harbour operations surplus before depreciation and capital expenditure, you will be astounded to learn, cumulatively over those 27 years was £61 million. Meanwhile, up at the Airport, the same analysis shows that the Airport has suffered operating deficits every year since 2009 and, remember, the new terminal was our saviour, that opened in 2004, and those deficits amount to a staggering £40 million.

2280 The Port's Holding Account analysis shows that the Airport has seen withdrawals of approximately £54 million, while the same analysis shows that the harbours, as a whole, has contributed some £32 million. If you think that looking back to 1996 is too far and skewing an average, then let us look back over the last three years of the published accounts. The Ports Holding Account has seen an operating deficit transferred to it from the Airport of £21.5 million and the harbours, conversely, has seen a contribution on operating surplus of £3.9 million and, Members, it has also been mentioned by Deputy Vermeulen earlier, do not confuse this with the contributions made to Aurigny of up to £100 million. These are the operating deficits from Guernsey Airport.

2285 Yes, while I agree that to progress we do need to increase fees moderately to contribute to infrastructure improvements, well described by Deputy Parkinson, I would suggest that a 3% over RPI is a sensible way to achieve that and that is what the requête does, limiting it to 10%. For me, the hardest thing to swallow is it is the way that STSB has gone about this. It has not been ideal and if they do need to raise funds for harbour operations by increasing fees to catch up, as we heard earlier, as Deputy Roffey stated, then do so with some common sense and not by nearly doubling the fees over a three-year period with little or no consultation. **(A Member: Hear, hear.)**

2295 Our leisure boating members are sensible people. They would likely understand a need to raise fees, where necessary, and with adequate consultation with a planned increase over maybe a protracted period or a stepped period. We have heard a little bit of mitigation earlier and to help Deputy Queripel out, he was confused as to why bay moorings could or could not be used and I was at the same meeting as him and the most important thing, yes, they can be used and the parishes administrate them very well for our smaller boats, but the most important thing to remember is that vessels that are moored on parish moorings over the winter period are unlikely to be able to get insurance cover and for a vessel that is in the bay on a swing mooring, then yes, it is liable to everything that the elements will throw at it.

2305 So in summary, madam, one of the many emails I have seen sums it up for me, and it states, 'Sadly, it is the local Guernsey person, many of whom have been boating and paying mooring fees all their lives, who will be hit the hardest with these excessive fees'. So Members, for the sake of our leisure boating industry, I urge you to support the requête. **(A Member: Hear, hear.)**

Thank you.

2310

**The Deputy Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** Thank you, madam.

2315 I will start off with a declaration of interest. I do own a boat, but since it has not floated in over 10 years, and I do not think ever will, I suspect mooring fees will not be an issue for me. But I do have another interest, as does everybody in this room and everybody on this Island. Deputy Blin mentioned everybody benefits from the harbours and then we had Deputy Parkinson mentioning about the Airport being an economic enabler that we have to carry on subsidising, apparently without thinking twice, chucking money at it willy-nilly.

2320 The fact is, if today, the Airport blew up, we do not have an airport, we do not have an airport connection anymore, it would have an incredibly chilling effect on our economy. Business people would not be able to fly in, our high net worth people would be thinking about relocating and anybody wanting to go on holiday would have a lot more difficult boat journey.

2325 But on the converse side, if our harbours were not accessible, if a tsunami came and took them out, we would be starving on this Island within a few weeks. A few gales here and you watch the supermarket shelves empty in four days: 90% of what we eat on this Island, or more, comes in by sea. Every car we drive comes in by sea, all our furniture comes in by sea. Those harbours are not just an economic enabler, but they are absolutely essential for us to be able to live on this Island and yet we quibble over capital works and maintaining them and investing in them and then turn around and expect the harbours to help subsidise the Airport.

2330 Deputy Roffey is, by far, the most eloquent speaker in this Assembly. I swear that he could convince you white is black when he speaks (*Laughter*) but as I have said before when you sit down and analyse what he is saying, it does not always stand up to scrutiny. So Deputy Roffey has criticised this Assembly, how dare we go back and look at a decision we have already made? Well, strange, I seem to remember Deputy Roffey leading or championing or supporting many initiatives to overturn policy of the States. Education Policy springs to mind.

2335 Deputy Gollop, alright quite rightly, pointed out the December debate we had, the results of that December debate were 16 against, 17 in favour. Sorry, the other way round, motion to annul 17 against annulling, 16 in favour, 7 Members absent. Deputy Falla has already said he was off Island, unfortunate. I know at least one other Deputy was and I was sitting at home running a fever of 40°C, 104 Fahrenheit, feeling very frustrated that I could not contribute.

2340 I am very grateful to Deputy de Lisle for bringing this back to the Assembly and allowing myself and others to be able to have our say and put our vote in and hopefully conclude this matter in the way I think it should be concluded. (**Several Members:** Hear, hear.) I have scribbled a few notes here. Deputy Vermeulen pointed out, as have several other people and Deputy Gabriel most recently, the fact is the harbours over the last 20 years have put in to the harbours account, the Ports Account £32 million and the Airport has taken out £54 million.

2345 So again, I look at this parallel. The Airports can take out £54 million and Deputy Parkinson said, oh no we cannot possibly have user pays on the Airport because the prices will be so high nobody will use it, but to use the analogy of Deputy Roffey earlier, how can the taxpayer, Mrs Le Page up in the Vale, how can she, as a taxpayer, subsidise the cost of boat owners?

2350 Well, over the last 27 years, boat owners have put £32 million into the account. So let me turn it around and say, how come Mr and Mrs Le Page, with a little 20ft fishing boat that go out on weekends, subsidise the Airport for the last 27 years? How is that fair? (**A Member:** Hear, hear.) Because if you take that £32 million and you adjust it and add interest to it you would have more than enough to do the £60 million worth of capital works that Deputy Murray wants. At 7% interest money doubles every 10 years. So you would have your £60 million sitting there.

2355 The ports have generated that. So we cannot use the argument that, oh, the marina needs a £1.7 million for new pontoons. We have got £60 million worth of work, which the last time I heard it was £30 million but now it is £60 million. I am not surprised, I mean, look at the hospital extension. (*Laughter*) So we have an entity that has been paying its way and I think it is completely unfair to now turn around to boat owners and say we are going to stick you for charges for all the

2365 improvements, not improvements, just to maintain the facility you have got when, arguably, our facilities are far inferior to most marinas surrounding us. Certainly the ones that have been compared with Guernsey for fees, have far better facilities.

Also, the STSB has neglected to look at France, our nearest neighbour, they decided to go to the Solent to compare because, of course, they go to France they are about half the level of fees of ours. I would agree with Deputy Gabriel's suggestion, and others, that from now on we should be separating the Ports Accounts and accounting for the Airport and the harbour separately, Deputy Parkinson as well, yes. I absolutely agree that we should be separating them because at least then we get to see a real figure.

2375 I also go to Deputy Inder's point, in December Deputy Roffey, in that debate I was listening to at home, saying about he regretted that the harbours maintained the piers but do not have access to the land on the piers they could utilise to generate revenue. As Deputy Inder suggested at the time, he should apply to P&R and Property Services to get it transferred. Apparently that has not been done. And why not? It is logical, incorporate that in and then find ways to generate fees from it. Now Deputy Inder's suggestion was paid parking but there are other opportunities there.

2380 Yesterday Deputy Roffey accused Deputy Dyke and the requérants of being lazy and not having done their work properly on preparing the requête. Well, do they all accuse Deputy Roffey and the STSB of being lazy and doing what the States often does? We want to spend more money, or we need to spend more money, what shall we do? I know we have got a monopoly let us just charge the users more money to generate revenue, instead of being entrepreneurial, looking at other opportunities to raise money.

2385 If STSB control the ports, we do not have to have paid parking for the entire port, but I tell you what boat owners would pay for it and people using the ferries. What have the Airport's got? A section of parking for long term-parking paid for. So you could pay if you were taking a boat overnight, you could pay for 24 hours or 36 hours of parking, if you go on the ferry to Saint-Malo or Jersey for the weekend, a section of paid parking. There are other ideas and there are other ways to raise money other than simply taxing the users because the money that was put in by them had been hypothecated across to the Airport.

2390 So I will be supporting this requête. I do not accept the arguments that have been put against it. I want to see the STSB go back and do its work again and come back with ideas on how they can generate the revenue through more entrepreneurial usage of the assets, which are very extensive that they have, rather than taxing Mr and Mrs Le Page's little fishing boat.

2395 Thank you, madam.

**The Deputy Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you, madam.

2400 This is a rather difficult debate, actually I think for me personally, because caught between a rock and a hard place that I think others have felt as well, because we have got the inequity of the large price hike that has been imposed on the boat owners but we have got to balance that with the needs to increase charges to balance the books.

2405 It is not lost on me, the irony, and I think other Members have raised this, that some of the most impassioned speeches during this debate have come from those who are unable to bring themselves to support what, I thought, were the fairest and most sustainable revenue raising measures last year, which actually have resulted in the place that we are at now.

2410 One of the boat owners wrote to us, in fact we have had lots of boat owners writing to us, and one of the particular emails really resonated with me and I will just read a little bit from what I wrote back for them, which was an emotional response to them rather than what I will have to be using here in this Assembly, which is my hard headed response. But the emotional response that I have had is that I am sad that costs have increased across the board and that better care has not been taken in the past of our infrastructure when we had the money to pay for it. I am sad, also, that the States last year took what, on the face of it, was the easiest path to balancing the books of a

2415 piecemeal approach of increasing charges, duties, raising levies and cutting services which actually, for Islanders, is the most damaging approach.

2420 Whilst the prospect of a GST was not something that I was in love with, I could see it was the fairest approach which would fill the black hole quickly and was the least impactful for Islanders, especially those who are on low incomes and with the proportion of contribution coming from those with the deepest pockets, the richer man. And in that context, I was reflecting back what I had heard from the boat owner who was saying that they felt very much, as Guernseymen, that the rich man was now benefiting from Guernsey rather than the middle income or lower income Guernseymen which they felt that they represented.

2425 I said further that I felt that we had inadvertently disenfranchised the Guernsey person and I think that we need to think of ways to reverse that and the most important thing is that we make it affordable to live here and currently it is not and in the States, what I told that person was that I called it a death by a thousand cuts, levies and taxes.

2430 This is not the only debate that we will have where we have a group of important stakeholders coming to us saying what you are doing is unfair, it is inequitable, it is painful. We are going to lose parts of our important culture, our way of life. We are disenfranchising local people because we did not have the guts to make a hard decision last year. (**A Member:** Hear, hear.)

2435 We have decided, instead, to go about it in a piecemeal way. It was not about creativity because there are only so many things we can do to be creative, we have got real life restraints and one of the problems that I have with this debate is that I am only seeing half of it. I am only seeing the politicians in the room. I am not seeing the ports managers. I do not understand the graphs. I do not understand the operational pressures and we are all in this room speaking from a position, not so much the members of STSB, but speaking from a position of a lack of information (**A Member:** Hear, hear.) and that is why Deputy Kazantseva-Miller is so right.

2440 We should not be in the weeds of this debate. Something has gone very wrong when we are bringing back these matters to the States and quibbling over should it be 10% here, or should it be 17% and should it be for larger boats or smaller boats? How are we going to do it? The stakeholders should not be having to come to us to resolve these matters and in that way I do criticise STSB in the same way that I have had criticism of my Committee. We need to do this better.

2445 We need to be conversing with the stakeholders and bringing them with us at an earlier stage in the game. It does take longer and the pressures of the work are sometimes such that we do not always get it right and that is why it was disappointing to me that the States' Trading Supervisory Board members did not support the amendment. (**A Member:** Hear, hear.) I think that that was a compromise position this morning and we could have actually got to a position which a lot more people would have come away with a little bit more than they feel that they are going to come away with now.

2450 I would like to thank the boat owners, the GBA and the GMTA because I think they did an amazing job. Clearly, the amount of research, exploration that they have done, without having access to full transparency, the open books as members of the public, the packs that they gave us all last week, the professional manner in which they put forward their case and obviously had done their research. I really am grateful and actually, I really hope that some of that passion for sticking up for their cause converts into some of them standing as Deputies in the next election. (**Several Members:** Hear, hear.) I really do because it is work like that and that (*Interjection*) attention to detail that we need more of in this particular Assembly.

2460 But notwithstanding that, I do not know whether I am going to be able to support the requête, certainly not Proposition 1. I am going to have to listen really carefully to debate. I have got the utmost sympathy, I do not think it is particularly fair what has happened in terms of the hard hit that has been levied and I certainly do think that we need to go back and do a better job of consultation, but I will be listening very carefully. As to the adverse consequences, I really do want to hear about that from the President of STSB, about not going ahead with the regulatory increase and going ahead with the proposed increase from Deputy de Lisle. So I will listen carefully to the rest of the debate, but thank you very much.

**The Deputy Bailiff:** Deputy Oliver.

**Deputy Oliver:** Thank you, madam.

2470 Do I need to declare the interest again or have we already done that? Thank you.

I just want to touch on a point that Deputy Dudley-Owen was saying about GST. I think I am the only requérant that voted for the first GST that came through and then it was priced to go away, look at savings, look at a number of other things, but before it really had done that I felt that the GST had already come back to the table, which is why I did not vote for it the second time because I felt a whole lot of work needed to be done before that vote should have come back.

2475 But anyway, I have probably sailed into more harbours than anybody else here and I have sailed into really, truly excellent ones. Maybe Deputy Haskins might come close, but anyway I have also sailed into really industrial ones, some really pretty and some with no facilities and some with the best facilities I have ever seen and I would say our harbour is pretty, but there are no facilities really. There is a bin at the end of our pontoon and I think that is about it really.

2480 But the big problem that I have got is that I think, as with so many things we say we consult on, we go out and we speak to one person and then that is the consultation done and actually, I think, and it is not just STSB that needs to really learn from this, it is really all the Committees that when we go out to consultation we actually need to do it so much better than it is done because I just do not think we actually get the real story.

2485 We get the story that we want to hear and then we say right, that is it, let us go, we can put the fees up, we can do that and we can do a whole lot of things. (**A Member:** Hear, hear.) So I hope that, if anything, that has proved that there are people out there that can show us, the States, that consultation can be done in a much better way. The information that the Boat Owners Association has provided has been next to none and it has really been some comparable evidence.

2490 Now as a States I think that we are just rubbish at trying to prepare for the future, we really are. Years ago we had quite a bit more money than we do now and we should have arranged, we should have the foresight and people should have had the foresight to actually go, okay, we know the loch might need replacing in 10 years, we know that the Bridge might need looking at, why are we not setting out sinking funds now, preparing for our children's children, to sort of say that is what needs to happen because, at the moment, we are just bumbling along, as we always do, and nothing really does.

2500 I just do not think that this increase in mooring fees will actually get anything more done than it would if we did not have it, if I am truly honest, because all that will do is put out in the States saying the loch is going to cost seven oh no, wait 10, oh, but we still do not have enough money because we just do not do procurement properly. So I have got no doubt if we put out we have only got £4 million a quote might come out for £4 million instead of £7 million.

2505 At the moment we have a very inclusive harbour. We have a lot of smaller boats and they go out for the odd days of fishing and I have to say by increasing the fees we are actually making it less inclusive and inclusion, I know we all bang on about this in the Assembly that we need to be inclusive, and actually by increasing the mooring fees we are really not.

2510 Now we get a lot more money for bigger boats. Are we going to start saying, you know what, actually to raise a bit more money let us get rid of some of the 20fts and increase them with 40ft, 60ft? There are places, and I can name a few, you have got Porto Cervo in Sardinia, you have got to be 65ft to even enter that port. If you are smaller they say, I am ever so sorry you cannot come in. You have got Monaco, if you are 65ft or over they prefer, 65ft is their very much limit otherwise you cannot come in. Are we going to become like that and say, actually, all these smaller boats should not be allowed in there because we get more money from bigger?

2515 I am really sorry, I have to say, please stop raising the fees, make it more inclusive. The people that have got the smaller boats under 20ft equate to 52.4% of our make-up of our marina. Those are the smaller boats that deserve their space and do not deserve this high rake. I know that when Deputy Roffey opened with his, he sort of said that, well, it is not actually that much because if you

go out in a motorboat you can get rid of £1,000 in fuel. You might do on a motor boat and motorboats are very different beasts to a small sailing boat.

2520 Normally the wind is always on the nose wherever I seem to go. (**A Member:** Hear, hear.) So sometimes I think I should actually say, let us go there and then quickly change our mind when the wind is going that way (*Laughter*) because then I might be able to sail. But we did a hell of a lot of motoring last year and we did not even reach £20 to fill up our tank and that was for a three-week time and the places that we went, some of the moorings were actually free, some of them were a

2525 small amount, but really much more.  
Just going back to where we have used our comparable evidence, we have used it in so much better harbours. Harbours that have 24-hour access, harbours that have much less tide than us and I just think we actually need to stop and listen to some experts, because they are experts. You speak to any boat owner and they tend to know, well some, I am going to correct that, some boat owners

2530 know a lot more than STSB and I just hope, actually, people can get behind this, get behind the inclusion of the harbour and keep the mooring fees at a rate which will be acceptable for the majority of people.

**Deputy Leadbeater:** I would like to try 26(1) please, madam.

2535

**The Deputy Bailiff:** ... [*Inaudible*]

**Deputy Leadbeater:** Yes, please.

2540

**The Deputy Bailiff:** ... [*Inaudible*]

*There was a recorded vote.*

*Not carried – Pour 16, Contre 19, Ne vote pas 4, Did not vote 1, Absent 0*

2545

| <b>Pour</b>        | <b>Contre</b>            | <b>Ne vote pas</b> | <b>Did not vote</b> | <b>Absent</b> |
|--------------------|--------------------------|--------------------|---------------------|---------------|
| Aldwell, Sue       | Blin, Chris              | Queripel, Lester   | Matthews, Aidan     | None          |
| Burford, Yvonne    | Brouard, Al              | Roberts, Steve     |                     |               |
| Cameron, Andy      | Bury, Tina               | Snowdon, Alexander |                     |               |
| Dyke, John         | De Lisle, David          | Taylor, Andrew     |                     |               |
| Helyar, Mark       | De Sausmarez, Lindsay    |                    |                     |               |
| Inder, Neil        | Dudley-Owen, Andrea      |                    |                     |               |
| Le Tocq, Jonathan  | Fairclough, Simon        |                    |                     |               |
| Leadbeater, Marc   | Falla, Steve             |                    |                     |               |
| McKenna, Liam      | Ferbrache, Peter         |                    |                     |               |
| Meerveld, Carl     | Gabriel, Adrian          |                    |                     |               |
| Murray, Bob        | Gollop, John             |                    |                     |               |
| Parkinson, Charles | Haskins, Sam             |                    |                     |               |
| Prow, Robert       | Kazantseva-Miller, Sasha |                    |                     |               |
| St Pier, Gavin     | Le Tissier, Chris        |                    |                     |               |
| Trott, Lyndon      | Mahoney, David           |                    |                     |               |
| Vermeulen, Simon   | Moakes, Nick             |                    |                     |               |
|                    | Oliver, Victoria         |                    |                     |               |
|                    | Roffey, Peter            |                    |                     |               |
|                    | Soulsby, Heidi           |                    |                     |               |

**The Deputy Bailiff:** In relation to the motion to guillotine the debate, there voted Pour 16, Contre 19, there were 4 abstentions and 1 Member was absent from the Chamber, so did not vote. So therefore we will continue.

2550

Deputy Mahoney.

**Deputy Mahoney:** Thank you, madam.

I am afraid it is going to be a broken record time again for me. This should all come down to financial responsibility or perhaps more pertinently, the lack of financial responsibility shown by this Assembly time and time again. This is going to be a long and unproductive 15 months through to the election if this Assembly is just going to be driven by what is popular and what is not popular.

I have to pick up on a couple of comments this morning from two Members. Deputy Gollop, I am sorry I have been trying to stand a long of time. I was hoping to speak before him. He noted that support for the requête had been clearly demonstrated in the community. Those were his words. I have not seen that, I have seen a few emails, a lot of emails perhaps, but that, to me does not show massive support in the community. It shows some interested group saying, do not do this.

Deputy Gollop referenced some emails that he had received, that most of us, I suspect, received, and I fear that acting on a small number of emails from interested parties, I am afraid to say, is an abdication of the faith put in him by 11,000-odd voters in October 2020. Just because a few interested people, quite rightly to protect their interests, speak up I do not think that outweighs the faith put in all of us to make the right decisions for this Island. Rather than just particular groups.

Deputy Queripel noted in an email to us, I think it was in December sometime, and he referenced it earlier today that he had emails from 14 people that had changed his mind, 14 people changed someone's mind. That seems like an incredibly low number to me and perhaps we do not need 40 of us here, perhaps all we need is for the States' Greffier to stick out a Facebook poll every time there is a decision to be made, give it a couple of weeks and see what the electorate or anyone on Facebook decides we should be doing. This is not the way to govern.

We have had arguments that it is the wrong time because prices are at an all-time high but that is how it works. 2020 prices are higher than 2010s, which were higher than 2000, which were higher than 1990. Unless you go through a period of deflation, prices are always going to be higher than they previously were and that just goes on and on.

Now we have had lots of comparisons in this debate, the debate before and then the original debate about the costs of these mooring fees, etc. in Jersey, France and the UK and I just do not buy the relevance of any of them. The costs here are what the costs are here. I do not really care what the costs are in the south of France or the south of England. There are so many other variables GDP, population, consumption taxes that all of those places have that we do not. That affects the cost of everything to everybody. We have got to take everything in the round.

I would also like to touch on the scale of the increases and urge caution when we just look at percentages. All we have been banging around in the last few days or so is percentages because you have to look at the starting point when you talk about percentages and the scales involved. When P&R were pushing St James' Chambers to look at their various fee scales, they did so and they approached P&R and presented us with a list of suggestions, one of which was a 300% increase in a fee. Of course, that was horrifying to us until we noted the fee was going from £2 to £6. *(Laughter)* It was for a photocopy of some document or other.

So it is all relative and it is on that relative matter that I just really want to finish. We have got to get a grip on this, this is so relative. There are people out there that are living on sofas or that cannot afford houses that have to rent because of the situation they are in and we have spent nearly a day talking about increasing some mooring fees for a very small subset of Islanders. This is ridiculous. **(A Member:** Hear, hear.) I would just like to finish with just three comments financial responsibility, financial responsibility, financial responsibility. Please get this right.

**The Deputy Bailiff:** Deputy Le Tissier.

**Deputy Le Tissier:** Thank you, madam.

I am going to start off by saying I am probably not going to be popular with the voters, but that is life, I care more about taxpayers and, of course, they are taxpayers as well, I accept that. *(Interjection)* Deputy Queripel mentioned that I did not vote on the motion to annul and that is true. I had to leave, I think it was at 4 p.m. and it was unavoidable. But I will tell Deputy Queripel that I intended to vote Contre if the vote had been taken slightly earlier.

2605 So I have the greatest respect to all the requérants but let me say, first, and it is a big *but* – I believe they have fallen under the influence of a group, some of which are extremely wealthy boat owners and organisations, not all of course, there are many boat owners of very modest means and yes, some are pensioners. One contacted me.

2610 But on governance, time and time again, decisions are made by the States entirely validly and democratically and then we see them being brought back again after only a short while. The mooring fees debate, this is the latest example. Now I get quite a few emails from people saying, well, why can't the States make a decision? Well, the public do not like it when we start going over and over again because people do not like the first decision.

2615 As I mentioned, not all boat owners are wealthy, some are pensioners and the comment that we often hear is that, 'We cannot afford these new charges.' I am truly, truly sorry for anyone in that position but I have to say that is life, *c'est la vie*. I cannot afford to go and buy a new Ferrari every year, I cannot afford it, but I have to live with that.

2620 So their argument goes that they will be forced to sell their boat. Maybe they will, maybe they will not but unless that boat is broken up, put in a bay or sold off Island, the chances are that someone is going to buy it locally and they are going to be paying the mooring charges, whatever they are. It was said this morning that 50% of boats will be sold off Island and so I would ask, not sure who I should ask, but the requérants to provide some data to back up that assertion because I have not seen that.

2625 So it is not, I am not giving way. (*Interjection*)

**The Deputy Bailiff:** No, you are not giving way, it is not a question and answer session. So Deputy de Lisle will be able to provide that information when he responds. Are you giving away, Deputy Le Tissier?

2630 **Deputy Le Tissier:** Yes, I will give way, madam.

**The Deputy Bailiff:** Well, in that case, you can answer.

**Deputy Vermeulen:** Am I alright to speak now, madam?

2635 **The Deputy Bailiff:** Yes you are, but it has to be done properly, Deputy Vermeulen.

2640 **Deputy Vermeulen:** Yes, it is not a figment of anyone's imagination, this is direct from a broker who was at the model yacht pond in the Guernsey Yacht Club. Both yacht clubs support this, but he actually said that of the sales he has made, they are the larger boats that are selling. Ironically, we are providing larger pontoons for larger boats in the QEII right now and 50% of them are going off Island.

2645 **The Deputy Bailiff:** Deputy Le Tissier.

**Deputy Le Tissier:** Thank you, Deputy Vermeulen, for that making that point.

2650 So I will go on to the next point that I wish to make. I do not know of any service charged by the States that is based on ability to pay. A service is a service whether you are a pensioner or millionaire. Take TRP, there is no discount if you are a struggling pensioner. If you have got the same house and rateable value as a millionaire, you just have to pay it. So, struggling pensioners versus millionaires, it makes life difficult.

2655 Therefore, why should we have an exception for mooring fees? I.e. to reduce the increase to 10% as proposed in this requête just because some boat owners cannot afford them. But as one boat owner said to me in an email, I think we probably all received it, he does not want to give up his hobby because he cannot afford it.

Well, okay, I say to him and others, why should your hobby be subsidised by the taxpayer? Someone has to pay for the marina upkeep and upgrades. We already give boat owners considerable help with duty free diesel and reduced duty on petrol, for example. I do not think anyone has mentioned that. So we are being generous on the fuel side.

2660 Now, I asked each person that I sent a reply to to tell me if he thought that general taxpayer, which are by a majority non-boat owning, should pay or whether actual boat owners that use the facilities should pay. I never received a reply to this question. I was not surprised as I think it is an unpalatable fact that taxpayers should not have to subsidise the mooring fees. But in reality, the most equitable option is the principle of user pays.

2665 Now user pays across the board in lots of areas. Just take motoring for example, recently the motorist has been, and continues to be, hit with increased taxes and costs and there is talk of raising an additional £10 million a year. Not all for motorists, I accept that, but for transport and of course the MOT, or the Guernsey version of the MOT, is coming in. Now motorists just have to suck it up. There is a strong case that some motorists actually need a car, it is essential. Yet we do not say to those that cannot afford a car we are going to reduce your fees. No, if you cannot afford it, you are going to have to sell your car and no one bats an eyelid at that. It is just a fact of life.

2670 Yet having a boat is a discretionary decision. It is a hobby, boaters say this themselves. None, or very few people, actually need a pleasure boat. Now it is very sad for some, and I agree, but it is a fact of economic life that if you cannot afford something, you cannot have it. That is basic economics. I do not believe the taxpayer should be subsidising people's hobbies and I think just tell that to low income families if the taxpayer has to pay. I do not think that would go down very well.

2675 Now another argument is the fees will be higher in other jurisdictions. I know I am repeating what others have said, but I do not think there are any services that we actually price by comparing with other jurisdictions. You know, I will just briefly go back to the cars analogy, we have a hefty import charges, duty, the old road tax on fuel, the UK does not and we do not compare our rates to them or Jersey, do we? No, and there is also suggestions that we may charge on width. That is fine, you know, I am not objecting to that, I am just saying that Guernsey is going its own way.

2680 So I think the boat owners are wrong to compare what other marinas charge. We are what we are, we make our own decisions, we are independent. Now, a number of the requérants voted against GST. I will not embarrass them by reading out their names, but the majority did. Now, in my opinion that puts them in an untenable position. (**A Member:** Hear, hear.) They said no to GST but no to these increased charges proposed by STSB.

2685 You know, motorists and homeowners, well that is fine, we will just charge them more. If this requête is passed then more services paid for by the taxpayer with money we do not have. I am not in that category, I voted against GST and I accepted that the money has to come from somewhere.

2690 So winding up, I am very uncomfortable and I think you should be too. But the States deciding to give boat owners a break, while we have many people depending on food banks and benefits, for me, it is not a good look to the public for us to give some wealthy owners and as I say, some, to have a reduced fee increase to 10%, with some pensioners and others on low incomes having to rely on charity and food banks. If this requête is passed it will just make the black hole, the deficit bigger. Now I am asking you not to be in denial, throw this requête out and I suspect the vast majority of the electorate will remember you for it.

Thank you.

2700 **The Deputy Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** Madam, the people who own boats are good people. To use and have a leisure facility for a boat in an Island is a good thing. People have had leisure boats for forever and ever and I hope that will continue to be for the future. They are good people. The requête will pass. I am not going to support it, because it is the point that Deputy, almost like Saint Peter, Jesus' favourite disciple and well named ... (*Laughter*) but in relation to that financial responsibility,

financial responsibility, financial responsibility is what he said and this Chamber, this Assembly has shown little of that over the last three years, very little.

2710 The standout speech, if I may say so and he had better write this down because I am probably never going to say it again, is from Deputy Taylor, (*Interjection*) when he says it is a choice between the haves and the have mores, or words to that effect. Now, we have bigger concerns than boat mooring fees in this Assembly. We have got the food banks in the excellent speech made by Deputy Le Tissier that he referred to. We have got the housing situation where people are sleeping in cars or they are sleeping on somebody else's sofa.

2715 Those are the key issues and what are we doing to address it? There is an election just 15 months away and some people have signed lots of requêtes recently. The election is not that far away. Let us have regard to responsibility. Deputy Gabriel and Deputy Meerveld came up with figures and I am sure are absolutely right about the cross-subsidy from the harbour to the Airport.

2720 Well, I think I have got as much business experience as anyone in this Assembly. I have been self-employed for most of my life. I still have interests in businesses, one of those is the catering, restaurant industry. I have got that and we know the pressures that we face in relation to that. So we may have one of our restaurants subsidising another one of our restaurants, because that is the way businesses work.

2725 Or in the legal profession, I think it is those that provide a multi-service to their clients that generally the corporate sector subsidises the conveyancing sector that is just the way that it is. That is how businesses operate, you have one subsidising another. So I do not have any problem with that.

2730 Deputy Gabriel gave a statistic, which I fully accept is accurate because I know him, he would have researched it well, which is that if you have got a 95ft boat, which is in the super, super – I cannot remember what, there were so many super supers I thought it was Deputy Trott speaking, one of his speeches, super, supers – (*Laughter*) boats, 94ft long and the fees will go up, I think he said, from £14,000 to £27,000 over the next three years. I imagine that boat will cost a lot of money. I imagine you are not going to get one of those for six foot safely down the market. I imagine that that person will be a multi-millionaire.

2735 Deputy Roffey gave us the figures in relation to, and I do not even remember the type of boats, a Princess or something like that. I have got an Audi that is 20 years old, but people do spend their money on various things and I fully accept that and I welcome it. Yes, a Princess and another type of boat, the fees would go up from £4,570 to £5,830, which is an increase of £1,260 per annum. It is a big increase on £4,500 but to get one of those boats you are going to have to pay £600,000 if it is an old boat, £750,000 if it is a different type of boat; that is a lot of money.

2740 I am not giving way, no, I am not giving way. As the Deputy Bailiff previously said, if people are yet to speak, they will have the opportunity of making their points in relation to that. So if that applies to anybody else, if it is a point of correction of course I will have to sit down, but I do not want to, in the late afternoon, be causing people to waste their energy unnecessarily. (*Laughter*)

2745 But in respect of that, the point is that we are in a society that is in a desperate financial position.

In a very ably given address yesterday, when outlining the P&R update statement over the last six months or so, Deputy Trott said in authoritative terms that, look, we did better than we expected last year, but we generally do, we generally get more revenue in than we expect, but it is still a long way from what we need and his topic is on Income Tax, I know he did not mention yesterday as something he could bring forward, it would have to be at 4p, 5p, 6p on Income Tax to address all the matters that we are going to have to address going forward.

2750 Another statistic, because I do like statistics, was given by one of the more, if I may respectfully say so, intelligent Members of this Assembly, Deputy Kazantseva-Miller, when she said over the last 28, 29 years from 1996, whatever is four plus 24, 28 years, we spent £29 million. That is all that has been spent on the maintenance of the harbour, just over £1 million a year. If somebody thinks that spending a million, or circa £1 million a year, on a harbour that gets bashed and bashed by the tides, that gets used 365 days a year, that that is adequate capital expenditure, then I am the next

James Bond! (*Laughter*) In relation to that ... Deputy Trott may support me, I am very grateful. He could be my grandfather, a bit like the ... but there we are.

2760 But in relation to all of that, that is not enough, we are millions and millions of pounds ... Deputy Meerveld said, well, we could have spent that money; instead of giving it to the Airport, we could have given it to the harbour, spent on the harbour. Well, that is true, but you cannot go backwards. You cannot go backwards in relation to where we are with expenditure. You have got to look forwards and the two most enjoyable jobs that I have had in the States since I first became a  
2765 Member in 1994, was my presidency of the Board of Industry from 1997 to 2000, I really enjoyed that; and my presidency, for about just over two years, of the STSB. You felt you were doing something, you felt you were constructing something, you felt you were trying to move things forward.

But Deputy Roffey really drew the short straw when he became President of STSB, we had COVID  
2770 and that knocked everything backwards and all the world has changed since COVID. We are 200,000, we are going back, Deputy Inder is right, the figures are increasing, but we are still 200,000 people short. Our revenue is only 80% of what it was and we could spend tomorrow £30 million, if we had the money, on just repairs and maintenance and St Peter Port Harbour, £30 million that we have not got.

2775 Now, the boat owners are, as I said, good people. What they are putting forward is very sensible in lots of ways, but where are we going to find the £388,000 shortfall? Where is that going to come from? Put up the fees, what fees? Charge more at the Airport. Well, now, those of us who have got business experience know that that is easier said than done. It is easy if you have never run a business or it is easy if you have retired from running a business, or it is easy if you think you can  
2780 run a business. It is not the way the world really works because people have tried at the Airport to have extra income over and above landing fees, etc. they tried to do that.

But Guernsey Airport is different from if you go to Gatwick or Heathrow or somewhere else where you may spend five or six hours at the Airport because you are waiting for your plane. Guernsey Airport, generally, you are only there for an hour or so. Generally, I say, there are  
2785 exceptions, (*Laughter*) as we know, but that is the generality of it. So we have got a cafe upstairs that is hardly ever opened because there are not enough people to service it and there are not enough people that use it. So to expect you are going to get big income from the cafe or other facilities at the Airport that are going to bridge the gap is just, it is cloud cuckoo land, it is Alice in Wonderland.

2790 The only way you are going to get lots of extra income from the Airport is to charge greater landing fees. Now that is just not achievable because Deputy Meerveld is absolutely right, if we had a disaster, if we had an explosion at the Airport tomorrow and we could not use it for three or six months, it would be very difficult and if we had a tsunami at the harbour, it would be impossible.

But we are not likely to have an explosion at the Airport, we are not likely to have a tsunami in  
2795 St Peter Port. The truth of the matter is that in relation to that, we need both. We need both a functioning airport, we need both a functioning harbour. When I hear people I normally greatly respect say, Deputy Inder say, 'Well, I am not going to have any of this, we can have paid parking. That will get in £800,000 a year. We could do it tomorrow.' In my previous role, I sat down with Deputy de Sausmarez and we talked about an integrated, extra set of charges for motoring, and I  
2800 call paid parking motoring. We have talked about that and we would have continued to talk about it, but I have not been able to talk about any of that since 13th December and I am not actually very sad now.

But in relation to all of that, the point is that has got to be done on a considered basis, not just to pull out the air, we can get £800,000 just like that, that will solve the problem. Or Deputy Prow, who I have much respect for and I always enjoy his speeches but I did not so much enjoy, it was not  
2805 one of his better speeches today as regards the content, when he was saying well, we have got to have a holistic approach and go through everything. I appreciate that, I do appreciate that and the people that did not vote for GST and its overall package, which as Deputy Dudley-Owen said, would have improved the lives of more of our community than the others, they backed out.

2810 They were without political spine. I do not want to be rude, but they were without political spine in relation to that, because it is easy to say the wind farm will produce masses of money, Pillar Two will produce masses of money. They may well do so and I very much hope they do so and I do not, post December of last year, have the same confidence in certain of the civil servants that I did for the reasons I have expressed in various other debates.

2815 I also feel great sympathy for my good friend, Deputy Brouard, because he has been badly let down. So I accept that but there are no instant solutions, Deputy Matthews said this morning when I challenged him £80 million, that is the cost of the non-tidal marina. Where is that going to come from? I am just seeing if there is actually a tree, no, it is still not there. Where is it going to come from? Where will it be?

2820 Now, I was sent off at the request of civil servants to see an old client of mine who lives in Eaton Square in London. Very nice house, well in fact he has got two of them, you can tell how much money he has got and I went to see him at the request of those civil servants, some months ago, to see if he would fund ... because he has got lots and lots of money and he does like Guernsey, if he would fund the Pool Marina.

2825 That is what I was sent off to do and I was the only politician he would speak to in Guernsey, because I am the only one who knew and he thought I had some common sense. Well, he was not right with all of it, but there we are, that is what he thought. (*Laughter*) So off I went to see him and we talked about, but these people are hard-nosed businessmen when it comes down to it, when it comes to actually writing the cheque, there is always a caveat. So we did not get the £80 million.

2830 We are not going to get it. And again, the whole procedure that we have of everything has to be chewed over, everybody has to be consulted to the ultimate degree, everybody has to talk this down and when there is an unpopular decision, we run for the hilltops. Deputy Brouard some time ago sought to introduce some charges at the Hospital. My goodness me, Deputy Brouard was wearing his tin hat, a short time later, Deputy de Sausmarez just talked about possibly changing some of the charging on the buses and she is a brave person, but I think even her courage was tested on that particular occasion.

2835 We have tried at P&R, 'Oh no, you cannot do that,' the intake of breath, it reminds me of the Les Dawson character when she used to dress up as a woman. It was that kind of approach when you had it in relation to where we are. Everything is so difficult, isn't it? I do not like what we have got to do, I really do not like what we have got to do because they are good people. Whether you were a multi-millionaire or you are somebody who has scraped your money together to get a little bit of a boat so you can go out either sailing or motor boating at the weekends or when you are on holiday, that is great, that is fantastic.

2840 Mind you, we have had so many Uriah Heep moments this morning where people, as the Deputy Bailiff quite rightly said, I want you, yes, sir, I want you to declare in this debate whether you have got an interest. 'My boat is small,' 'My boat is smaller than yours,' 'My boat is even smaller,' 'Mine does not even cost as much as Deputy Roffey's moped.' It is all small, small, small. The only one who actually probably attacked it with the right degree of perspicacity in relation to that was Deputy Healey, who said, 'I do not care what you think, but I have got a big boat or a little boat, how much it costs is my business' and absolutely right.

2845 I am here for the ordinary person of Guernsey and the ordinary person of Guernsey wants us to make some decisions. They want us to look after Guernsey and we have failed abysmally over the last three and a half years. We have failed abysmally over the last X number of years to make difficult decisions. I have got no confidence, if I may say so most respectfully, as I say to judges when I do not agree with them, I say most respectfully that I am sure people think they are doing the right thing, but we are not going to do the right thing. The next 15 months is going to be dead men and dead women standing, really. We are a busted flush as an Assembly, we are not going to take any decisions. I asked Deputy Trott, who is always an honest man, yesterday, is there going to be a mini budget over the next six months, sir? If I have understood it correctly, if I do not then I apologise,

2850 there is not going to be till the October, November budget. I think that is what he said.

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2865 So, therefore we will wait and see what comes along in October, November with the Budget and I think the next Assembly is going to be even more populist, because it will have the people who sang Sweet Caroline and they are going to get re-elected because they bashed GST and they are the ones that told these other people and if that is what Guernsey wants, that is what Guernsey wants.

2870 I will be able to stand up proudly at my retirement do, my humble legal work, trying to earn the odd shilling or two, (*Laughter*) Are we able to do that thinking I did my best for Guernsey because I told Guernsey people who I represent, the ordinary people, the decent people of Guernsey, the truth, and the truth is as meritorious ... and I say that the good people representing some of the voters there on the thing, they would have been better this afternoon watching the black and white film about the inconsistency of the partnership in progress people that Deputy Roffey was watching last night. (*Laughter*) So predictions from me, the requête will pass and Guernsey will be in a worse place.

2875 Thank you very much.

**The Deputy Bailiff:** Deputy Soulsby.

**Deputy Soulsby:** Thank you, madam.

2880 Deputy Ferbrache talking about inconsistency of partnership of independence or whatever we were called, but he does not even know how I am going to vote yet and, frankly, I find it quite difficult knowing how I am going to vote in this debate. What I do know is that it has gone on for far too long, (**Several Members:** Hear, hear.) so I am not going to speak for very long.

2885 When this first popped into my inbox and I saw the requête I was astonished, I was really depressed. I thought this really is really poor governance. We only in December last year voted one way and now we are being asked to re-debate it, not exactly, but very much along the same lines and at that time I did not vote for the Ordinance, I voted to annul, that did not happen but the States made a decision.

2890 So I do not know. I did hear Deputy Roffey talking about bringing things back and not voting for them, but I mean we have had a lot of that in terms of bringing back tax proposals which were the same, so I do not think anybody else can really criticise anybody for how they vote in that respect.

2895 Anyway, I do have concerns here. We have bigger fish to fry than this. I think it is ridiculous we have been debating this for so long. The actual cost of supporting this requête would be 100th of the potential overspend on the Hospital, yet we seem to find lots of time to discuss things when we should be looking at the bigger picture.

But, on the other hand, it is difficult because we are being asked to make decisions in a vacuum. We are told, and I totally get this, I totally understand how we need to invest in the ports, but we have seen no plan. We do not know what those costs are and neither do we know how ports, in the whole big wider picture, intend on that investment to be paid for.

2900 We hear that mooring charges need to be put up to help pay for the investment, but we do not know other potential opportunities. So that, for me, is a really big issue, that vacuum and we are told, yes, we need to increase it for investment. But what are all the other opportunities? I think if we are deciding to embark on significant cost increases, we really should know about that.

2905 I do actually thank Deputy Parkinson for saying, from his point of view, he thinks that future increases that have been proposed should come to the States and I think that is important; and frankly, I have been disappointed by the lack of engagement of STSB in not trying to find a middle way in all this and understanding where boat owners and others are coming from and their concerns, they might have a bigger picture and understand where things are going but we do not. I think, for me, that is a problem but I do want to trust STSB at the same time and so this is why I am finding it a really difficult debate.

2910 But for me, I think how I vote will be very much based on Deputy Roffey's response when he sums up at the end; if he agrees to the approach of Deputy Parkinson and is prepared to put future

increases through this States, if they are going to be embarking on such a ramp up of mooring charges in the future. I would also like to see what the plans are for the ports.

2915 In particular, we have had this comment, 'Oh GST would have sorted everything,' but actually it did not. The other capital expenditure programme that we were asked to support did not include all these investments in the ports. It might pay for the future 2% of GDP, who knows? But it did not include what specifically we need to pay for the ports. So I do think between now and the next rise, we need to see what STSB are planning, but in particular, I would like confirmation from Deputy Roffey that if they are embarking on these significant ramp ups in mooring charges, that they do come to the States for the debate.

**The Deputy Bailiff:** Deputy Inder.

2925 **Deputy Inder:** Hopefully briefly, madam.

Deputy Soulsby said we are looking at things in a vacuum. I genuinely do not think we are. Harbours are one of our largest assets, held assets, and probably one of our most underutilised and that is not peculiar to former Deputy Parkinson, former Deputy Ferbrache, even Deputy Roffey,

2930 I genuinely think ... oh he is just standing up, sorry, it is Deputy Vermeulen standing up. I never really know. I generally say I think it is cultural. I have been hanging around that harbour for almost 50 years and it simply has not changed. Deputy Parkinson said, and I think quite rightly so and he gave a little bit of an indication of where he thinks the harbour should go in terms of commercialisation, and he said that there are issues over the ownership of assets and I know that to be true.

2935 Only last week we were trying to assist someone who, and I do not want to say too much, someone who is taking a lease in or around the harbour area, and it is only in Guernsey this could happen, it transpired that the land was owned by States' Property Services, the building was owned by harbours. This is what we are dealing with on a daily basis and having had experience over the last three years in this position, I know harbour staff are trying to act more commercially, but they in no way act at the speed that commercial operators would do.

2940 It is a statement of fact, this is not a vacuum, it is not peculiar to Deputy Roffey, previously Deputy Parkinson. It is utterly culture. Quay Street itself, and I am going to say it again, may as well be the Golan Heights. It is that far away from the rest of Guernsey. It has been separated by culture for 40 or 50 years and it needs to be gripped and it has not been gripped. It simply has not been taken by the neck and sweated for its assets.

2945 That is a statement of fact, and I am glad that Deputy Ferbrache is nodding in furious, probably, disagreement with me. So that is where I am at the moment. Previously I voted, I cannot remember, I voted down the amendment, but this time I am afraid I am either going to abstain or vote for the requête because what this has shown today is that I genuinely think one, okay housing quite clearly is one of our biggest issues, but somewhere in this Machinery of Government, you have heard me say it before, I have permanently had an issue with trying to grab the levers of what that ... which is on the other side of Quay Street.

2950 It simply has not worked, it does not work and it is not peculiar to the previous Presidents. It is entirely cultural. Acres and acres of land entirely underutilised. Today, there was an opportunity for Deputy Roffey via, I think, a very sensible amendment from Deputy Gollop and Deputy Le Tocq to find a way to assist the 10% changes that Deputy de Lisle and his requérants want. But he got dismissed, even scoffed at by the Deputy of STSB and I am sorry that is so.

2960 So he has lost my vote. Today on the floor, like he did before, he has lost my vote again. I am sorry, he has lost my vote. There was an opportunity. So that has put me in a position now where there was no opportunity to replace the loss of the revenue, but it was scoffed at again on the floor of the Assembly and I will tell Members time and time again, we come into this Assembly as equals. Every single one of our votes is equal. Play with it as much as you want to. But today the vote was lost.

2965 **The Deputy Bailiff:** Deputy Trott.

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

Timing is everything. Deputy Inder has been hanging around the harbour for 50 years and it has not changed, he advises. Well, I am just going to remind him of some of the modernisation projects over the years. (*Laughter*) The QEII Marina was not there when we were boys (*Laughter and interjection*) and if my memory serves me correctly, we were still rowing around in what is now the Albert Marina in hired rowing boats and the fish quay was not there either and the wave wall, but I will stop there because I can see he is embarrassed and we do not want to go any further on that.

2970 But what I do want to talk about is the success of the QEII Marina. I mentioned it during the last debate. It remains the most successful infrastructure project in the history of Guernsey, and I think Deputy Roffey sought to challenge that last time, but it is a fact, and it is a fact because it paid itself back in 12 years and ever since then, everyone who has had a berth in that Marina has made a significant debt free contribution to the success of that particular investment.

2980 I accept there have been some upgrades along the way that is natural maintenance, nothing lasts forever and of, course, we did have the sort of sinking fund that Deputy Oliver was referring to for things such as the gates years ago. It was called the Ports Holding Account and until quite recently it was also called the Capital Reserve. We built up significant reserves to enable investment in things of that type.

2985 Now, if one had just landed from somewhere outside the solar system listening to this debate you would think that the berth holders were some form of unreasonable group of people who did not expect that any increases were justified? That is not what they are saying at all. They are quite happy, well maybe not quite happy, but they completely understand the reasonableness and the proportionality of a 10% rise in nominal terms and the requête makes that clear.

2990 What they do not think is reasonable, and neither do I, are rises of 20% or even 31% and when I was listening to Deputy Ferbrache speak and he was talking about the commercial realities and so on, there is no way in a million years, even an advocates practice of his esteem would think of raising their fees by 20% or 31% in one fell swoop, they simply would not do it, it would be a ludicrous thing to do. But significant rises at, or above, inflation over many years is an entirely reasonable thing to do because that is not only what governments have to do, it is also what the commercial sector has to do as well.

2995 May I say, madam, at the prospect of Deputy Ferbrache becoming James Bond I say, 'It is splendid, Miss Money Penny'. (*Laughter*) I think that would be a very good use of his time, madam, and whether the producers would view him as a crowd puller is, of course, a matter for them, I offer no judgement on that, but I would like to see him have a go at it.

3000 **Deputy Ferbrache:** Thank you very much. (*Laughter*)

**Deputy Trott:** Now, we have heard people say during this debate that we are all heretics if we did not support GST. Well, I would like to mention that other taxes are available (*Laughter*) and, interestingly, if you were to raise the basic rate of personal Income Tax by 10% you get to 22% which appears, once again, to be a reasonable increase to many in our community, including both the boat owners and, indeed, the requérants.

3005 It is quite clear I am going to support the requête and I made it clear in our letter of comment, at least I think I did, but Deputy Roffey said something in his opening remarks, he said that 'the waiting lists had gone up significantly since mooring fees went up'. Now, if he would have said waiting lists had gone up, I would have found that surprising but I may have accepted that.

**Deputy Roffey:** Point of correction.

3015 **The Deputy Bailiff:** Deputy Roffey, what is your point of correction?

**Deputy Roffey:** I did not refer to waiting lists having increased since the mooring fees went up. I said that it had gone up significantly since the increases in mooring charges had been approved by the Assembly.

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**Deputy Trott:** Yes, I think we are saying the same thing. So since rates have gone up, what you are saying is demand has grown.

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**The Deputy Bailiff:** I think the point that Deputy Roffey is making is that the rates do not actually come into effect until April, so they have not actually gone up yet.

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**Deputy Trott:** I see, okay. But the inference is that people know they are coming and it has not affected behaviour in any way, shape or form. So now that we have ascertained that is absolutely the case, I would be grateful if he could provide States' Members with some high level data supporting that because it is clearly contrary to what many in this Assembly, and many in our community, would have anticipated.

Thank you. Thank you, madam.

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**The Deputy Bailiff:** Thank you.  
Deputy de Sausmarez.

**Deputy de Sausmarez:** Thank you, madam.

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I will try to stick to points that I do not think have been made or made in much detail. But I would like to start, similarly to Deputy Dudley-Owen, by thanking all those who have engaged with us, and especially those who have taken the time to compile a lot of information and put on presentations which, personally, I found very helpful and I have been referring to it through this debate.

3045

I think STSB has come under some criticism in this debate for not consulting with stakeholders. I would like Deputy Roffey to speak to this point when he replies to debate because my understanding is that, actually, a very wide group of stakeholders in the STSB absolutely did undertake consultation. I appreciate that might not have been to the satisfaction of the particular group of stakeholders represented in the Public Gallery and those who have been contacting us. But I think the point that Deputy Roffey made in that, some of the other vessels affected by increases in fees include things like the hydrocarbon boats which, obviously, have an impact on a very wide, I would argue actually, everyone in the Island directly or indirectly. So I would like Deputy Roffey to please expand on the stakeholder consultation that has already taken place.

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A lot of the numbers that have been used in debate have assumed the three-year schedule of rises and, again, this is something that I would appreciate Deputy Roffey clarifying. My understanding is that those are no longer on the table. We are dealing with the increases that the States agreed in December and the STSB, I believe, although I would like to hear it confirmed, have already effectively taken off the very significant further increases, which I think do have a significant impact on some of the numbers that have been used. So really we are talking about the numbers that have already been agreed and I think it would be wrong, my understanding is it would be wrong, to assume that the originally proposed numbers are still in the offing.

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Just a couple of other things on numbers, I am not sure how relevant the statistic, the 50% of boats would be sold off Island is, how relevant that is, without taking into account the other side of the equation, which is about the number of boats coming into the Island. So I am not sure what relevance that particular stat has and really to just put a little bit more meat on the bones of the point that was made by both Deputy Mahoney and Deputy Ferbrache.

3065

I agree the percentage increase is big and I certainly, I completely understand and empathise with boat owners who do not want to pay any more for their mooring fees or not that much, I think the percentage increase is big, but I think the point is that it is from a relatively low base, no matter which way you look at it and, according to the figures that we have been helpfully provided, a small

boat, the smallest that they cite, the increase would be in the region of, it would go from £466 to £559, which is an increase of £93.

3070 A bigger, smaller boat of 20ft, the first one was 13ft, a 20ft boat would go from £1,091 to £1,310, which is an increase of £219. A medium boat of 31ft would go from £2,256 to £2,832 and a large boat would go from £2,537 to £3,185, if I have got the numbers correct. So I appreciate the percentage increase is very large, I completely understand why boat owners are unhappy with that, but even those numbers, in fact all the way through, I think, or very close, they are still very significantly less than Jersey.

3075 That really brings me on to, Deputy Vermeulen used a memorable phrase, which was paying Rolls-Royce prices for, I think, banger facilities. I think he said something along those lines. But I think the point is that even including those increased percentages we are not really talking about Rolls-Royce prices because they still do reflect the fact that the facilities are much less good than you would find in Jersey, for example. So I am not sure that is a particularly useful analogy.

3080 This is really the point that I do not think has been particularly touched on in this debate, Deputy Oliver said something very interesting, I think it was actually in the debate on the amendment rather than in general debate. But she said that we should be aiming to keep mooring fees low to attract more boats and I think that is absolutely fascinating because the point is we cannot actually attract more boats at the moment because the moorings are absolutely at capacity and, interestingly, I had someone approach me, who is a boat owner, and he said 'I am not adverse to mooring fees going up because from my perspective one of the biggest problems is the fact that no one can get a mooring'. So there is clearly a market failure in that respect and we are not at the point where we can attract more boats because there is a waiting list.

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**Deputy Oliver:** Point of correction.

**The Deputy Bailiff:** Yes, Deputy Oliver.

3095 **Deputy Oliver:** I was talking about visiting boats not permanent mooring holders.

**Deputy de Sausmarez:** Okay, I do accept that and I do apologise for misrepresenting what Deputy Oliver said. But I think the fact remains that in terms of the moorings for local boat owners, there just is, we do have this waiting list and there is no headroom in there to actually even allow for any turnover, particularly efficient turnover at the moment.

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But I really would like Deputy Roffey, as other Members have asked him, to elaborate on what the impact of the requête would be were Proposition 1 to be successful.

I give way to Deputy Oliver Deputy Oliver.

3105 **The Deputy Bailiff:** Deputy Oliver.

**Deputy Oliver:** Thank you.

3110 It was just a point that was mentioned earlier in the speech, was that the waiting list will, I think, once you have actually paid your £67 you would never actually say, 'Oh, I am going to come off it, I do not have a boat anymore', so your name is just left on there which probably needs to be addressed a bit more.

3115 **Deputy de Sausmarez:** Yes, that is a point I looked into, actually, because I raised the same point at the presentation I went to and I was actually told that there is an effort, I believe annually, to call around all the people on the waiting list and see if they still want to be on the waiting list. I actually think that is a fair point and I think it would not be unreasonable to suggest a small annual fee of £10, or whatever, just to see if people are still keen, just to make sure it is more accurate.

But yes, I would like Deputy Roffey to elaborate on what the shortfall in revenue, were Proposition 1 to be successful, would mean because certainly I know from my position as President

3120 of E&I, how difficult it is to squeeze the lemon that is savings and, obviously, one option is would it be subsidised by General Revenue. But if we are looking at savings, it is just so difficult.

If it means investing less in infrastructure we are at a point where those chickens have well and truly come home to roost and we are trying to turn the tanker in terms of investment on infrastructure. So I think I too will listen very carefully to what Deputy Roffey has to say in respect  
3125 of the impact of Proposition 1 carrying.

I do not have it in front of me right now, but I seem to remember that Proposition 2 sounded very reasonable. I think that was the one relating to consultation and clearly, I think if there are ways of improving that, that everyone would and should, wholeheartedly, support it, although I appreciate there is a bigger picture to take into consideration.

3130 So at the moment, I think with the arguments around governance and fiscal responsibility that have been well aired I am currently minded not to support Proposition 1. Not because I am not very sympathetic to the boat owners, but just because I am worried about the impacts of so doing on several different levels.

3135 **The Deputy Bailiff:** Deputy Helyar.

**Deputy Helyar:** Thank you, madam.

I have only come to my feet because of something that Deputy Ferbrache said. When I was talking before about the modest size of my boat I was doing it to, perhaps, prick people's  
3140 unconscious bias because it is, in fact, only 21ft. (*Laughter*) There is no gin on sale, or being served on board, because it is usually going too fast for that to happen and it used to be my life, boating, and then I became a politician. So I do not get to spend as much time as I would like to.

This debate, for me, is a lose-lose because I am also a taxpayer and I do understand, even though several Members seem to still not understand, that if you whack a mole in one place, it pops up  
3145 somewhere else. So if we do not pay fees for things that we use, we are going to end up paying more tax in order to cover them and Deputy Queripel, who is not here at the moment, did say before 'what the boat owners want?' Well, I am a boat owner, I do not necessarily pretend to represent everybody, but I would like a choice, I would like the choice of being able to spend my money on boating and fees and if I cannot afford it, to spend it on something else.

3150 What I do not want is the Government to take tax away from me and spend it on things it wants to do that I do not want it to and I suspect the vast majority of taxpayers in the Island probably feel the same way. They would like the choice in what they spend their money on. Boating is an expensive leisure activity, it is not for everybody, it is a minority hobby and it is expensive and unfortunately the costs of everything are going to keep going up, because of inflation and  
3155 increasingly people are going to find themselves unable to do things which they are doing at the moment for leisure, like frequent travel overseas and so on, that is just a function of the economic circumstances we live in. So, even if I were to vote, I am going to lose-lose today, one way or the other, I am going to be paying more in fees. I do not mind that, I accept that other people will find it more difficult, but it is the only fair way to do it.

3160 Thank you.

**The Deputy Bailiff:** Deputy Haskins.

**Deputy Haskins:** Thank you.

3165 Whilst I do agree with Deputy Helyar that it is a leisure activity, it is also a sport and I would like to highlight that. Now, Deputy de Sausmarez said, 'Well, there is a market failure because we are full'. Well, what you could do is increase the fees by, I do not know, £1,000 a day, and I am sure that you would open up a lot of spaces.

3170 There has been talk of privatisation, user pays, us not being involved in pricing but I think I mentioned these, what about the buses? We do it with the bus, fine, okay, do it with milk, do it with hospital prices; privatise a whole lot. I personally do not agree with that. What I did do, when I was

talking about the amendment, was raise an option, an opportunity that, I think, has legs and many other mariners that I know feel the same and that was licences to allow boat owners to sleep on their boats.

3175 I mean that could help with housing prices. I know that some people, they go through a divorce and they find that they struggle to find somewhere to live. It helps with them. You would have more people in town. Some people might even choose to Airbnb their boat, that is more revenue and what the price of housing is at the moment you are on a 36ft boat that is actually a substantial saving from a rent perspective.

3180 So the amount that you could charge for those licenses is actually quite substantial. So just doing a little off the back of a fag packet calculation, there is about 1,800, 1,850 active mooring holders. So if you were to charge £200 a month and there were 100 out of that 1,800 boats, well, that would equate to £240,000 which is, give or take, the deficit that we are talking here.

3185 So, madam, Members, I am a mariner, I have been for quite a long time until, like Deputy Helyar, I started this. I do have a boat and I have been out on it a handful of times. But being a mariner and being here now, I feel I have to represent people who may have voted me in, I would say a lot of those could be mariners and I will represent them. This requête is already a real terms increase that I believe is fair. So in my eyes, given the fact that I have given an alternative for revenue, I would ask Members to support this requête.

3190 Thank you.

**The Deputy Bailiff:** Deputy Dyke.

**Deputy Dyke:** Thank you, madam.

3195 I will speak very briefly. What has concerned me about this debate is that I sense a certain drift. The point at issue is whether the very high increases proposed by STSB are fair for the group of boat owners concerned and we seem to have drifted off into the ghosts of GST debate past in terms of saying, oh, because you did not vote for GST then you, Deputies, must vote for this.

3200 Well, no, we are looking at a very narrow point. We are looking at simply is this proposal that Deputy Roffey has made fair or is the requête a more appropriate and fairer way to proceed in a gradualist basis to bring up fees? And I submit that the requête, for these people in these circumstances, is a fair way to go.

3205 We have also had a drift into talking about 58ft Princesses. Well, that is not what most, or indeed any, of the boats out there are. They are much smaller boats. These are a central part of our population who have gone boating for years, in many cases, and I am not a boater myself, well I do not own a boat anyway. So I think we do just need to focus on that issue.

3210 The suggestion that the boat owners are being subsidised is not justified and has not been justified at all. They are not being subsidised, so far as I can see, and if they were then we should have some more figures to show it, but we do not have them. The best analysis that has been done is probably by the boat owners themselves, for which I thank them.

3215 So please, Deputies, do not start voting on this particular narrow issue because of some views about GST or because one is annoyed about something, just focus on this, is it fair to put up those charges in this very high manner proposed by STSB, or is the requête route a fairer way to go? I really humbly submit that the requête is a much more just way for us to proceed.

3215 Thank you.

**The Deputy Bailiff:** Deputy St Pier.

**Deputy St Pier:** I will humbly submit Rule 26(1), madam. *(Laughter)*

3220

**The Deputy Bailiff:** Those who wish to continue to debate and have not spoken yet, please stand in your places. Do you want to risk it?

**Deputy St Pier:** Let's nail it, madam.

3225

**The Deputy Bailiff:** You want to go ahead? Right we will do it aux voix. Those who wish to guillotine the debate indicate, Pour, those against.

*Members voted Pour.*

3230

**The Deputy Bailiff:** I am afraid, I am not afraid actually, I think the guillotine won. Unless anybody is going to call for a recorded vote, I think the guillotine won. Yes, Deputy Matthews, we have a recorded vote. Greffier, could we have the vote up in relation to the guillotine. Please, can you start the voting, please, Greffier on the motion to guillotine this debate.

3235

*There was a recorded vote.*

*Rule 26(1)*

*Carried – Pour 24, Contre 15, Ne vote pas 1, Did not vote 0, Absent 0*

3240

| <b>Pour</b>              | <b>Contre</b>         | <b>Ne vote pas</b> | <b>Did not vote</b> | <b>Absent</b> |
|--------------------------|-----------------------|--------------------|---------------------|---------------|
| Aldwell, Sue             | Blin, Chris           | Taylor, Andrew     | None                | None          |
| Burford, Yvonne          | Brouard, Al           |                    |                     |               |
| Cameron, Andy            | Bury, Tina            |                    |                     |               |
| Dudley-Owen, Andrea      | De Lisle, David       |                    |                     |               |
| Dyke, John               | De Sausmarez, Lindsay |                    |                     |               |
| Ferbrache, Peter         | Fairclough, Simon     |                    |                     |               |
| Haskins, Sam             | Falla, Steve          |                    |                     |               |
| Helyar, Mark             | Gabriel, Adrian       |                    |                     |               |
| Inder, Neil              | Gollop, John          |                    |                     |               |
| Kazantseva-Miller, Sasha | Le Tissier, Chris     |                    |                     |               |
| Le Tocq, Jonathan        | Matthews, Aidan       |                    |                     |               |
| Leadbeater, Marc         | Moakes, Nick          |                    |                     |               |
| Mahoney, David           | Oliver, Victoria      |                    |                     |               |
| McKenna, Liam            | Prow, Robert          |                    |                     |               |
| Meerveld, Carl           | Roffey, Peter         |                    |                     |               |
| Murray, Bob              |                       |                    |                     |               |
| Parkinson, Charles       |                       |                    |                     |               |
| Queripel, Lester         |                       |                    |                     |               |
| Roberts, Steve           |                       |                    |                     |               |
| Snowdon, Alexander       |                       |                    |                     |               |
| Soulsby, Heidi           |                       |                    |                     |               |
| St Pier, Gavin           |                       |                    |                     |               |
| Trott, Lyndon            |                       |                    |                     |               |
| Vermeulen, Simon         |                       |                    |                     |               |

**The Deputy Bailiff:** In relation to the motion to guillotine the debate, there voted Pour 24, Contre 15, there was 1 abstention and I, therefore, declare the motion to guillotine the debate has been successful. Just before I ask first Deputy Roffey, then Deputy Le Tocq and then Deputy de Lisle to speak, it is 5.07 p.m. and I am going to suggest that, regardless of how long the reply speeches take, we continue until we finish and have voted on this requête.

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Can I ask Members to indicate Pour if they support that motion; those who do not support it? *(Laughter)*

*Members voted Pour.*

3250 **The Deputy Bailiff:** Well we are going to carry on until we finish this and then maybe once we have done that, depending on what time it is, I may put the motion so you can think about it, whether we continue and try and finish off business and not carry on tomorrow. But let us see how late this takes us. So let us start with Deputy Roffey, please, on behalf of STSB.

3255 **Deputy Roffey:** Thank you, madam.

I am actually, not by nature a masochist, I am really not and it would have been the easiest thing in the world to simply put forward a proposal to go up by RPI or by 10% and I would have had a very easy time and it would have gone through and the amount of taxpayers' money that we would be taking for the ports would continue to be, to my view, unacceptable.

3260 So I do agree with those who say that it may be only a totem, it may not be a big percentage of what we might be spending on the Hospital, but it is an indication of our culture of whether we are going to have the fiscal responsibility to tackle the issues that lie ahead and if it means damaging myself and if other people get damaged in the process, it is still the right thing to do.

3265 It reminds me a bit of the 1980s, we had a Water Board that would not maintain, properly, the infrastructure of the Island as far as water and we had a President, lovely chap, incredibly popular, always top of the polls, always shied away from any over RPI increase because it was not really politically the thing to do.

3270 In the end they had to parachute in a previous President of the Water Board to rejoin that board to actually sort that situation out, a bit of a political bruiser who was willing to do that. We are in the same situation here. I accept, I understand, the boat owners saying 'but in the 1980s and 1990s we were showing a profit and that should have been put in a sinking fund'. It was, it was put in something, I do not know how all of it was spent and maybe not enough was left aside for the upgrade of the marinas, and in particular the QEII because it was built when it was built with all new pontoons and new gates, because you are not going to replace bits of that earlier than you need to, are now all coming together to needing replacement.

3275 Maybe more should have been kept but it was spent, not by the current STSB or indeed its immediate predecessors or the ones before that, that money was spent and the final nail came with COVID, when the whole of that sinking fund, the Ports Holding Account, was actually wiped out by the insistence that it was all spent to cope with the trading losses that inevitably took place during that time.

3280 Like others have said, I really do appreciate the understandable interests of the boat owners' representative bodies, but I have to say that some of the information has just been plain wrong that has been put out. As recently as yesterday evening we all got an email, I assume we all got it, I got one saying that between 2009 and 2019, I think it was, £21 million of income from the leisure moorings have been put into the Capital Reserve. Not a single penny has ever been put into the Capital Reserve from that source. The ports have never paid dividends back to the centre. I do not know how they made that mistake, it may be that they saw that the ports certainly did repay a loan for the new crane that was paid for from the centre, so that went back, but it was just repaying money that had been lent to them. So there has never been money going into the centre from the ports and that is wrong.

3290 Others have said we should have attended the various events. Well, I am really sorry that I could not make either of the two events last week. They were just called on times when I could not make it. Ironically, one of them was on a very long, previously organised away day for the STSB when we were considering, amongst other things, commercialisation. But I am sorry, we are sometimes busy and we cannot always make every single event.

3300 I know the time, but I do have to go through some of the comments that have been made. Now, Deputy de Lisle was not alone in referring to the three-year plan. The three-year plan that was mooted in the middle of last year, it was made absolutely clear that after consultation – and yes, Deputy Falla, we do listen when we consult – which took place, an engagement took place, we listened and we said, this three-year plan, we are going to have to say no, we are going to do the first year and then we are going to reconsider what we would do for years two and three.

That is not a promise, I do not know why Deputy Vermeulen is gesticulating that, that way was made very clear before and during the debate on the motion to annul in December that that was the case. I cannot promise, that is not a promise, that there will be no increases next year or the year after. It is not a promise that they will not be above RPIX. All I am saying is that we are wiping the slate clean, looking again at the situation from 2025 and 2026.

But 2024, the SI was, Deputy Dyke said the issue we need to focus on is whether the proposal from Deputy Roffey is fair or whether the requête is fairer. There is no proposal and if it was, it would not be from Deputy Roffey. The STSB brought forward an SI, a statutory instrument, which was laid before the States, the States debated whether to annul it, it was passed, or it was not annulled; that is not a Proposition, it is a set of regulations due to be implemented in 11 days' time, on which our Budget is predicated. That is not a proposal and it is not from Deputy Roffey, it is established policy on which our Budget for the next 12 months is predicated.

This requête will remove just under £400,000 per year, it is a bit less than that in 2024 because we run from April to April, but per year from that budget and the only ways that we could square that circle would be for us to halt or slow down or decrease the investment that is chronically needed in our key ports. Deputy Meerveld said what happens in the harbour that would be a complete disaster if something happened there, that is why the decades of underinvestment are so unacceptable and why the suggestion of, 'Oh, just slow down the amount of money you spend on the harbours' is so foolish, frankly, if we were to do that.

The other options are continue to take more from General Revenue, I think that is probably what a majority of the Assembly may want – I am not sure it is responsible – or to increase other charges, and listening to this debate you would almost think that the only charges that have gone up have been those for the leisure moorings. They have not, cramage for coal, cramage for aggregate, passenger fees for Condor at the harbour, passenger fees for the airlines at the Airport all of these charges have gone up very significantly as part of this package.

So what are we going to do with no time to really do proper consultation and we did consult with all of those stakeholders, bring back proposals and USI? I do not think the States would pass it and I would not blame them because I think that would be treating those stakeholders unreasonably.

When it comes to consultation, we have been criticised and I accept that the boat owners would have preferred more extensive consultation. But we did consult over the changes. Sometimes you consult and you do not necessarily always agree with the people that you are consulting with.

But Deputy de Sausmarez is right, Aurigny, Blue Island, Condor, the lift-on lift-off operators, the fishermen, the inter-Island people, the importers that use the cranes and the charges for hydrocarbons and for solid goods, every one of those we have to negotiate with – not negotiate, it is not a negotiation, consult with – and it would be utterly unreasonable to expect us to spend several days with each of them discussing. So we consult as far as we possibly can.

Deputy Vermeulen said boat owners do not want improvements at the harbour. I actually think he is not speaking for all boat owners. I think a lot of boat owners do want improvements in their facilities, but actually the current investment that we are talking about is not largely for those improvements and those improvements are actually probably more targeted at the visiting yachts people than the domestic ones because I accept that somebody from St Sampson's probably is not that fussed whether there is a shower block on the Crown Pier, whereas the visiting yachts are.

But what we are talking about is not improvements, we are talking about maintaining and spending to maintain what the taxpayers pay to be there before and this Assembly has told us that it should no longer come from the taxpayer. Deputy Kazantseva-Miller said we need to crank up capital spending at the ports from its historical levels and she is absolutely right and she asked where we were with commercialisation.

Well, I was going to give her an answer, I was going to give her a slightly cautious answer. I was going to say that, yes, we have been really cracking on with that, we have engaged consultants because we realised elements of it are beyond our bandwidth. That even as recently as last week,

we have been having lengthy sessions about it, that we are about to approach P&R to talk about our thoughts with it and we plan to bring proposals before the States during this Assembly.

3355 I was going to say, I am sorry we have not given a running commentary, but it is really quite a sensitive area because you have got staff groups that you want to engage with first before they hear through the media. You have got unions that you need to talk to. But I think actually my Vice-President has probably spiked that idea and I am hoping my officers are listening and are rapidly talking to those staff groups and unions, because I think we now need to handle the situation.

3360 He is right, what he said was absolutely right, but I was going to be slightly more cautious about what I said in public until we had engaged with stakeholders. It comes back to consultation again, I suppose. But yes, the STSB, some people would listen to it as if our main drive is to maintain the STSB as it is today.

3365 That is not my drive at all. I am really pleased that the changes in the system of government came in so that there can be intensive shareholder engagement with commercialised entities, unlike when P&R or T&R tried to do it before as part of a massive mandate. But I do not see that as the end of the process and the current STSB has no great mission to maintain the STSB in its current form.

3370 I think that it is ripe for moving forward and changing and that debate is all tied up with the whole commercialisation debate, which I must stress, because Deputy Haskins mentioned, privatisation, it is utterly different to privatisation, we have had no discussion about privatisation.

3375 Deputy Gollop says that actually we ought to micromanage the operational issues because the public expect it of us. Well, they do expect it of us and we have to say no. I get contacted about three times a week being told, 'You are in charge of States' housing, number 16 on this particular Close has come empty and my sister could really do with it because her cousin lives ...' and I say I am sorry, I do not do that. I think that politicians should say the clue is in the name 'policy', politicians. That is what we actually should be dealing with not micromanaging.

3380 As for the ports being together or separate, of course you should look at the finances separately. We do, we provide accounts, we produce accounts for both the harbours and the Airport separately. However, they are both really subscale operations and they share some functions and they are far more efficient in that sense of being one body rather than two totally separate businesses.

3385 It is no accident that the commercialised entity, Ports of Jersey, have gone down exactly the same line because of the synergies and the efficiencies that are there. So I would not agree they should be separate businesses, but I am very happy to see financial information provided separately.

3390 Deputy Parkinson re-emphasised the point that I made that Airports, by themselves or very small airports, find it almost impossible to be self-financing. I was told only a few days ago, and I must admit I have not had a chance to check it, but I am told that in the Isle of Man, the central Government pays for all of the security staff that actually work at the Airport. So there is not a small island community or a small community anywhere with a regional airport that does not find some way of propping it up because I am afraid in the current regulatory environment, the costs are such that they will not stand alone. But whether or not that needs to be cross-subsidised is a matter for this Assembly but that is not what is going on at the moment.

3395 Deputy Gabriel criticised us for not consulting, well we did. He referred to ... the only boat that I can find that really fits the picture, first of all he was talking about changes over the three-year plan, which I have said is not extant anymore, are you talking about a Princess 90 or 93 or something like that?

**The Deputy Bailiff:** Deputy Roffey.

3400 **Deputy Roffey:** Sorry, I do not know what Deputy Gabriel was talking about, a Princess. I give way to Deputy Gabriel.

**Deputy Gabriel:** Thank you, Deputy Roffey, for giving way.

3405 In my example I was giving, it was the largest example and I was replying to Deputy Taylor who was looking for a £10,000 increase and, of course, I appreciate that other vessels are.

**Deputy Taylor:** Point of correction, madam.

3410 **The Deputy Bailiff:** I do not think you can do a point of correction on a give way, Deputy Taylor, just let Deputy Gabriel speak.

**Deputy Taylor:** I think you can because they all say you can stand at any time. *(Laughter)*

3415 **The Deputy Bailiff:** But, Deputy Taylor, look I do not think it is good. Let us just get on with this debate, please. **(Several Members:** Hear, hear.) Can you just make the point you need, Deputy Gabriel, and let us move on, please.

3420 **Deputy Gabriel:** I thank Deputy Roffey, it was a Princess 95. The increase I was trying to show in monetary terms was that it was more than £10,000 over the three years and, of course, I appreciate there are smaller increases for smaller vessels.

**The Deputy Bailiff:** Thank you. Continue, Deputy Roffey.

3425 **Deputy Roffey:** We do not actually have any of those vessels. Now, I understand what the Deputy Bailiff is saying, she is extending the session and she wants us to show some discipline and I apologise for giving way, perhaps, for previously. But we do not have any of those vessels. If you do want to have one, it is going to cost you more than £1 million to buy and we do not have the three-year plan anyway, so just to put that in context.

3430 Deputy Meerveld, again, acted as if she said, 'Why do fees not go up at the Airport? Airport charges have gone up steeply and one of the differences is our charges at the Airport are right near the top of the scale compared with any comparison elsewhere. Of course, we can put them up more, but they are right at the top of the scale compared with comparisons. That is completely the opposite when it comes to leisure mooring fees.

3435 He again criticised us for paid parking. We levy paid parking wherever we have land under our control around the ports and that includes the harbours. We have quite a lot of paid parking around the harbours and if any boat owner wants to talk to us about taking advantage of that paid parking, they can do that. We do not have control of the disc parking areas and, yes, maybe that will change in future but it would be silly at a time when this Assembly have told P&R and E&I to go and look at motoring charges as a whole, to look at it collectively, for us to suddenly say from 1st April next year we are going to bring that in on the harbours, sorry this year, instead.

3440 He asked how £30 million we had said are needed for the harbours turned into £60 million. There has been no change, what we have said in the past is that it was £30 million of accumulated backlog of maintenance that needed to be done at the harbours but over the years ahead we will, even if all of that accumulated backlog was up to date and it was all tickety-boo, need to spend, roughly, 3445 another £30 million, £3 or £4 million on a regular basis, just to maintain that situation and to keep it up to date. So the £60 million is the combination of the two and it is one heck of a lot of money to find.

3450 Deputy Dudley-Owen, I think, I do agree with the wider analysis about this States' approach to the fiscal situation of the States like I did this morning with Deputy Murray and Deputy Prow, but she castigated me for then not voting in favour of the Le Tocq amendment and I think, two along from her, Deputy Inder said I lost his vote by not voting for that amendment. Well that was an amendment where the proposer said that if it was passed he would probably then go on to vote against both of the Propositions that he had inserted.

3455 I am afraid I was not very warm towards it before that but that probably did, I really welcomed his honesty, I think that was a transparent thing to say, but at that point I think its credibility really

did fall to the ground. Deputy Oliver talked about a sinking fund, I think I have explained that. Deputy Soulsby wants to know about all of the opportunities. Well, of course, we are looking in depth at the commercial opportunities. I am not sure they should all be laid before the States on an individual basis.

3460 Things like the Pool Marina, which are coming back, it is coming back, it is not going to be cheap, as Deputy Ferbrache said and frankly the charges in that marina to make it work are going to be an awful lot higher than the ones we are talking about at the moment but then you have got all tide access, so I think there is a case for that. It will be coming back to the States.

3465 But all the other things, if we want to have duty free on departure at the harbours or we want to put a lease for a large new restaurant and I have to say, we have been hamstrung waiting for the plans for the harbours. Yes, Deputy Oliver is right, we went and met the DPA and the political Members have said, 'Do not be too hamstrung by that' and the staff, the officers, were saying quite the opposite.

3470 So it was really a confusing meeting to my point of view, but we have been limited by limited changes of uses that have been granted. But I actually do not think all of those things should be coming back to the floor of the Assembly and I am surprised that a member of P&R actually believes that that is the right way to go.

**Deputy Soulsby:** Point of sort of correction.

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**The Deputy Bailiff:** Yes, Deputy Soulsby.

**Deputy Soulsby:** I did ask Deputy Roffey if he will follow the comment that Deputy Parkinson said that if he saw there really significant increases being proposed for mooring fees, they would be brought back to the States? I might have said the other bit, but that is the bit that Deputy Parkinson said he committed to and that might influence my vote with what Deputy Roffey says in that regard.

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**The Deputy Bailiff:** Deputy Roffey.

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**Deputy Roffey:** Any further increases would be done through Statutory Instruments and that is absolutely right and, therefore, they will be laid before the States and if the States do not like them, they will be able to annul them. To bring back, as a policy letter, where does it end? Are we talking about just for the marinas or are we talking about passenger landing charges, are we talking about freight charges? Actually, no, I am not going to bring that as a policy letter but the States will have ultimate control, I can assure Deputy Soulsby of that because it will be in SIs where it is clearly set out and if she, or any other Member, does not like it, they will be absolutely free to annul those and vote them down. I hope that gives her some comfort, but I do not know now.

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Deputy Trott said several things, he asked me for confirmation of some stats to back up what I had said about the waiting list, so I will give them to him. Last October, when we were busy consulting the various boat owners organisations and the, indeed, individual mooring holders, there was circa 200 people on the waiting list, last October.

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In January, when I have to say we did not plant a story in the *Press*, the *Press* came to us and asked us, what has happened to your waiting list in the meantime? And I suspect they were very much after a story that said it had gone down since the States had approved the mooring fees going up. At that stage, it had gone up to 237, at the end of January.

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As of today, it has gone up further, it is at 256. So more and more people are putting themselves on the waiting list wanting boats and I have to say, for those people who said that are we going to drive larger boats away by having this differential, Deputy Oliver and others, the real demand we are getting is if we want to put larger boats in the marinas, you have got nowhere to put them. That is one of the reasons we are so keen on the Pool Marina and reconfiguring some of the other marinas, not to drive the small boats out, but the trend is towards larger and larger boats and we

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would like to be able to accommodate them because we want to accommodate anybody that wants to take part in boating in the Island in the way that they want to.

3510 He repeated his often repeated statement that the QEII Marina was one of the best investments we ever made because it paid for itself in 12 years. But it depends which way you look at it. The taxpayer paid for it, the taxpayer has never had any money back from it. It may have generated money for the ports, which may have been spent in other ways, but the ports have never paid dividends back to the centre. So from the taxpayers' point of view, it was a large investment and, I  
3515 think, a good one. I have to say I voted against it in 1982, or whatever it was, 1983, and I think in retrospect that was ... Deputy Queripel fesses up his mistakes a few weeks later, I do it a few decades later! (*Laughter*) I think I probably got that one wrong. But, from the taxpayers' point of view it has never paid money back.

As I say, Deputy Inder was upset I did not vote for an amendment which the proposer was not  
3520 going to support any of the options if it was inserted. Deputy de Sausmarez asked about consultation, I think I have addressed that, and the three-year plan, I think I have addressed that and Deputy Dyke, I think I have talked about already.

From the STSB's point of view and I think we have sort of been the whipping boys here because  
3525 you have sent us away and it is not just the ports, it is every single business, from the Dairy to Guernsey Water to everything else. You said do not rely on central money and I agree with that philosophy and we are trying to implement it.

If it is not the States' philosophy to do that, Madam Deputy Bailiff, then that is fine. The STSB is  
3530 not a policy making body. We are trying to implement the policy of the States and as a result are getting a kicking because you do not like, sorry you may like Madam Deputy Bailiff, the States' Members do not seem to like the consequences of their own policy.

Well, fine, change it, subsidise the ports from General Revenue if you want to but at the moment  
3535 that is your policy and I think that this will be a big step back and make no mistake I will be very happy for all the boat owners of the Island if this requête goes through, but I will have to look at the taxpayer and say, we will need more of your money than we otherwise would have done to subsidise the ports going forward and I am sorry because I do not think we should do and I think that is contrary to States' policy and I do not think it is good governance, but I will just let the States decide.

**The Deputy Bailiff:** Deputy Le Tocq, on behalf of P&R.

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**Deputy Le Tocq:** Thank you, madam.

I do not need to be very long but on behalf, at least of the majority of P&R, I need to say a  
3545 couple of things. We are against the prayers requête, I am not normally against prayers but in this instance this is a bad one. We are against it for a number of different reasons, some of which have been articulated by Deputy Roffey and others, but particularly because it would be fiscally imprudent.

I want to take one particular example and it was an argument used by Deputy Dyke that we  
3550 should, discreetly, just look at this issue and at no other issue at all, just make a decision based on the fairness of this issue. Well, that is an argument that could be made for every issue of raising revenue that comes before us and if we do that, and we are in danger regularly of doing this, we never see the overall picture.

In fact, the reason that we have Committees and the system that we have where we delegate  
3555 that thing, is that you get all the information, even if we have been to all of the meetings and presentations and everything else, you would not have the civil servants' information that the Committee has and we have not got it here today.

So it is irresponsible of us to take that sort of approach to these sorts of issues. We delegate it  
to the Committees and in my mind, particularly having spent so long over this little issue, my goodness me what sort of problems are there going to be when we face some of the tax raising

3560 measures and income raising measures and changes that have been suggested by those in this Assembly that we should bring in. It is just not going to happen.

So I appeal to this Assembly for fiscal responsibility to take our decisions, not discreetly by themselves, but look in the round at the effect on the whole of our community. If we just have sympathy here and think that it will not affect anywhere else, then we are fooling ourselves, we have got to see it in the round.

3565 The second issue that I want to raise here is one of the need for us to focus our attention on the way in which we raise our revenue, the way in which we make our decisions to proceed, to move forward in terms of delegation to the various Committees that we have here. I think STSB has been given a very difficult task and this could be applied to any Committee that are looking to make ends meet in our current financial position. But we cannot expect them to, on the basis of the arguments  
3570 that have been made, never mind how strong they might be taken discreetly, as I was referring to before, to decide to make a change that is not going to have implications elsewhere.

I remember being in a debate on, I think it was, passenger landing fees at the Airport 20 years ago probably, in this Assembly, where because we had a Ports Holding Account at the time that had several millions in it, a number of Members argued that passenger landing fees should not be  
3575 increased because they were going beyond the level at which it was competitive to attract visitors to the Island and it was probably true but the point is this, it needed that sort of reference to see that actually we were not creating enough revenue.

We would not have been able to build the Airport terminal, it would have been taxpayers that would have ended up footing an even larger amount of the bill for that, in the end and as Deputy  
3580 Roffey has alluded to, we have not invested in our ports for decades and so, yes, there has been particular investments and if you discreetly say the mooring fees just go towards this tiny part of it then, of course, you can make an argument to say that. But how are we going to fund, as a small jurisdiction the other areas?

It will come down to either taxpayers paying for it, or we have a user pays, or a combination of those two and really, what I think STSB have sought to do is a sort of compromise that is responsible,  
3585 fiscally, within the constraints that this Assembly has given them. You cannot have it both ways. It has to be one or the other, and as the senior Committee, we want to be fiscally responsible ourselves and we want to remind this Assembly of that as well. So those are the points I would make and I would encourage as many as possible to vote against the prayer of this requête.

3590 **The Deputy Bailiff:** Thank you.  
Deputy de Lisle.

**Deputy de Lisle:** Thank you, madam.

3595 I will be reasonably brief because we have got some, and I am the last, but the fact is that I do not have a lot to answer for, to be quite honest with you. I have had very few questions. There was that one of Deputy Le Tissier with regard to the 50% boats being sold off Island, the evidence and I think Deputy Vermeulen made the point that we had consulted with the brokers and we had got the answer that, in fact, 50% were being sold off Island and that is Castleman Limited, they are yacht  
3600 brokers in the Island, and they know the industry upside down.

But there was also the points with regard to 2025 and 2026 that, I think, Deputy de Sausmarez brought up and she was enquiring about that. My answer there is that when the boat owners looked at the 2023 and 2026 increases from 50% to 60% to 70% to 80%, depending on the size of boats they still have that in the back of their mind because if the requête does not go through, then there  
3605 is going to be every reason for the States to turn round and say the States approved these rates, so why not continue with the 2025, 2026 increases as well?

That means that from 2023, £900 – well about £1,000 if you like, for a small boat, that is already a lot of money – it moves up to £1,500 and in terms of the extra large boats £4,000 up to £7,000. It is a lot of money and a lot of increases. One thing that has come out very clearly, I think, in this  
3610 debate is the real value of consultation (**A Member:** Hear, hear.) because, to be quite honest, the

3615 other side did not do the consultation, (**Several Members:** Hear, hear.) but we did and I really pay tribute to our requérants and I pay tribute also to the assistance that we have had from the Guernsey Boatowners Association (GBA) and also the assistance from the Guernsey Marine Traders Association (GMTA) in developing our arguments and not only that but providing insight into the boating business, the leisure boating fraternity and the concerns that their members had with respect to these increases.

3620 So a lot of time over the last few months has been spent researching numbers. I had asked for numbers, actually, on mooring fee costs and benefits when we, Deputy Dyke and myself, actually met with Deputy Roffey and his staff. We asked for the fee costs and benefits so we could see what was going on but we did not receive anything. But we were told at the meeting with them it would be difficult to extract the numbers we wanted.

3625 However, the Presidents and members of the GBA and the GMTA researched the States' Accounts, they got the numbers they worked on the competitive mooring fees in other jurisdictions and they contacted the GCRA, (*Interjection*) the Guernsey Competition and Regulatory Authority and others, the Jersey Regulatory Body, as well in order to get the facts and credit to all in assisting this requête and to members of the Boat Owners and other members of the public that have come with emails to us to help in our understanding of the facts. (**A Member:** hear, hear.)

3630 So what did we learn? Well, we learned, first of all, that the leisure boat industry has reported a surplus in every year over the past 29 years. Even in the COVID years and the fact was, they averaged a surplus of £1.1 million each year and do not forget that the boat owners paid throughout COVID. They could not get out, but they were still paying.

3635 We also learned that the 10% increase across the board is still well above inflation. It will add £350,000 in fees in 2024, which pushes the total contribution made by the boat owners to £3.35 million a year; incredible amount of money for 1,600 boat owners in 2024. (**A Member:** Hear, hear.) The boat owners are paying their fair share, Members. The industry is contributing over £3 million a year and a £1 million surplus each year.

3640 Analysis of the States' Accounts have shown that over the last 27 years, the harbours have put in a net £32 million into the Ports Holding Account, while the Airport has taken out £54 million. Since 2009, that is when the transformation went on and we had this ports business set up under the new combined Airport Harbours Transformation Policy, combined into the ports in the period since amalgamation, period 2009 to 2022, Airport losses totalled £41 million, while the harbours made £18.6 million surplus.

3645 It is quite clear that the harbours are heavily subsidising the Airport. The amalgamation of harbours and Airport into the Ports Holding Account conceals a cross-subsidy issue, a problem area that needs to be sorted and corrected. These type of conclusions come out of full consultation and that is what has to be done by all Committees before coming forward with their policy actions in front of the States.

3650 Also, we came out with a French mooring's being quite cheaper than ours, with considerably better facilities. In fact, the marina facilities in Guernsey fall well below the level of those in Jersey, France and the UK and our marinas are not tied access moorings like those in neighbouring jurisdictions. So there is much to be worked on there to improve the facilities and to utilise the surpluses that the boat owners are bringing in.

3655 Another issue that came up very clearly was that there is no independent regulatory body to oversee fairness. Fairness, to the boat owners. The GCRA are unable to get involved as the powers to regulate and investigate States' increases in fees have been withdrawn.

**Deputy Roffey:** Point of correction.

3660 **The Deputy Bailiff:** Deputy Roffey, what is your point of correction?

**Deputy Roffey:** I do not think those powers have been withdrawn. I do not think they ever existed.

**The Deputy Bailiff:** Thank you, Deputy Roffey.

3665

**Deputy de Lisle:** In fact, the boat owners did try and did speak to both the Jersey Regulatory Office and also the Guernsey Regulatory Office. They could get no help from ours here in Guernsey, but in Jersey the boat owners did have help and, of course, they were restricted to an 11% increase this particular year as a result of the regulatory process.

3670

So what does that all mean? It means that the boat owners are reliant on the States' body here, actually assembled, to give them fairness in order to seek fairness is done and it is through this requête that it will be done, hopefully today. All we seek, as requérants, is fairness in this requête. It is to give accountability, actually, and credibility to the States.

3675

Many have lost faith in the States here in Guernsey because they feel that they are told one thing and other things are done against their will and it is not only to give accountability and credibility to the States, but it is to see that openness and transparency is conducted in the States and also a thorough assessment is made of the accounts, because people desperately want to see this playing out in all areas of the States and not just in this particular area.

3680

I note that Deputy Roffey makes a point that, in fact, the list of boat owners is going up or has gone up, but the fact is he has got to realise that recently the harbour has had to reserve vacant berths. They are not on the market, they are not available as temporary berths while refitting the pontoons, the waiting list has been unnaturally inflated by berths not being reallocated and that is a very important point. Others, of course, on the reservation list and just the waiting list and stick on there because they have paid to be on and why should they be taken off? They have paid their money and their dues.

3685

The other point, of course, is that this is a repeat of something that was done in December. But the fact is, the States do this type of thing, it is a practice and I have seen it right through my 20 years or so here. Things coming back for reassessment, why not, times change? In fact, you know, GST came three times, it can come again, it will probably come again, why not? How many times did Sunday trading come to this Assembly? It came time and time again until eventually they got it in but it has not done a damn thing for our Town because we are all closed on Sundays. *(Laughter)*

3690

So your petitioners are of the view that the hefty increases imposed by STSB will put the future of the marine boating leisure industry in jeopardy. These increases will make boating unaffordable to most young families and those on pensions and fixed incomes, leaving Guernsey's long standing right to the sea to a privileged few.

3695

It will lead to boat owners downsizing their boats, selling their vessels or moving elsewhere and if it has not been seen yet, it is because the bills have not gone out yet and the increases are not known by the general public. It is the same as TRP: the bills have gone out, now I am getting the phone calls and I say why did you not protest before? Well, the boat owners are protesting before and they have got every right to and make their case.

3700

So I would like to finish by thanking everybody for their day of debate and I wish that all will support the requête and I will just report on, to finish, the terms of it. First to reduce the recent mooring fees increase to a 10% rise across the board, including GRPI for the 12 months from 1st April 2024; and secondly, to consult fully with the leisure boat stakeholders, the Guernsey Boatowners Association and the Guernsey Marine Traders Association, in advance before any mooring fee increases are made for 2025 and 2026.

3705

I thank you, madam for the opportunity to address the Assembly.

3710

**The Deputy Bailiff:** Thank you, Deputy de Lisle. I believe it was mooted by one Member, at least, that the two parts of the requête should be dealt with separately. Is that the case, that people would like the two parts separately? *(Interjection)* Yes. Greffier, are you able to separate up the two Propositions for the requête, please?

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STATES OF DELIBERATION, THURSDAY, 21st MARCH 2024

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3715 So on your screens now is Proposition 1 in relation to the requête, which is to reduce the recent mooring fee increase to a 10% rise across the board, etc. Greffier, would you open the voting on the first part of the requête, please?

*There was a recorded vote.*

3720 *Proposition 1*  
*Not carried – Pour 18, Contre 20, Ne vote pas 2, Did not vote 1, Absent 0*

| <b>Pour</b>      | <b>Contre</b>            | <b>Ne vote pas</b> | <b>Did not vote</b> | <b>Absent</b> |
|------------------|--------------------------|--------------------|---------------------|---------------|
| Blin, Chris      | Aldwell, Sue             | Roberts, Steve     | None                | None          |
| Burford, Yvonne  | Brouard, Al              | Snowdon, Alexander |                     |               |
| De Lisle, David  | Bury, Tina               |                    |                     |               |
| Dyke, John       | Cameron, Andy            |                    |                     |               |
| Falla, Steve     | De Sausmarez, Lindsay    |                    |                     |               |
| Gabriel, Adrian  | Dudley-Owen, Andrea      |                    |                     |               |
| Gollop, John     | Fairclough, Simon        |                    |                     |               |
| Haskins, Sam     | Ferbrache, Peter         |                    |                     |               |
| Inder, Neil      | Helyar, Mark             |                    |                     |               |
| Leadbeater, Marc | Kazantseva-Miller, Sasha |                    |                     |               |
| Matthews, Aidan  | Le Tissier, Chris        |                    |                     |               |
| McKenna, Liam    | Le Tocq, Jonathan        |                    |                     |               |
| Meerveld, Carl   | Mahoney, David           |                    |                     |               |
| Oliver, Victoria | Moakes, Nick             |                    |                     |               |
| Queripel, Lester | Murray, Bob              |                    |                     |               |
| St Pier, Gavin   | Parkinson, Charles       |                    |                     |               |
| Trott, Lyndon    | Prow, Robert             |                    |                     |               |
| Vermeulen, Simon | Roffey, Peter            |                    |                     |               |
|                  | Soulsby, Heidi           |                    |                     |               |
|                  | Taylor, Andrew           |                    |                     |               |

3725 **The Deputy Bailiff:** In relation to the requête, Proposition 1, there voted Pour 18, Contre 20, 2 people abstained and, therefore, I declare that Proposition 1 has not passed. Would you put up the voting for Proposition 2, please. So in relation to the second part of the requête Proposition 2, that is in relation to the consultation element, would you kindly start the voting, please?

*There was a recorded vote.*

3730 *Proposition 2*  
*Carried – Pour 34, Contre 3, Ne vote pas 3, Did not vote 0, Absent 0*

| <b>Pour</b>           | <b>Contre</b>     | <b>Ne vote pas</b> | <b>Did not vote</b> | <b>Absent</b> |
|-----------------------|-------------------|--------------------|---------------------|---------------|
| Aldwell, Sue          | Helyar, Mark      | Roberts, Steve     | None                | None          |
| Blin, Chris           | Le Tissier, Chris | Roffey, Peter      |                     |               |
| Brouard, Al           | Mahoney, David    | Snowdon, Alexander |                     |               |
| Burford, Yvonne       |                   |                    |                     |               |
| Bury, Tina            |                   |                    |                     |               |
| Cameron, Andy         |                   |                    |                     |               |
| De Lisle, David       |                   |                    |                     |               |
| De Sausmarez, Lindsay |                   |                    |                     |               |
| Dudley-Owen, Andrea   |                   |                    |                     |               |
| Dyke, John            |                   |                    |                     |               |
| Fairclough, Simon     |                   |                    |                     |               |
| Falla, Steve          |                   |                    |                     |               |
| Ferbrache, Peter      |                   |                    |                     |               |
| Gabriel, Adrian       |                   |                    |                     |               |
| Gollop, John          |                   |                    |                     |               |

Haskins, Sam  
Inder, Neil  
Kazantseva-Miller, Sasha  
Le Tocq, Jonathan  
Leadbeater, Marc  
Matthews, Aidan  
McKenna, Liam  
Meerveld, Carl  
Moakes, Nick  
Murray, Bob  
Oliver, Victoria  
Parkinson, Charles  
Prow, Robert  
Queripel, Lester  
Soulsby, Heidi  
St Pier, Gavin  
Taylor, Andrew  
Trott, Lyndon  
Vermeulen, Simon

3735 **The Deputy Bailiff:** In relation to the second Proposition there voted 34 Pour, 3 Contre and there were 3 abstentions. I, therefore, declare that the second Proposition of the requête has been passed.

**Procedural –  
Continuation of the sitting**

**The Deputy Bailiff:** Members, we are now at 6 p.m. or thereabouts. There are still a number of matters left on the Order Paper.

3740 Is there any support for continuing this evening rather than tomorrow morning? So the vote ... *(Interjection)* hang on. *(Laughter)* I am putting to the Members that the motion is that we stay to continue the Order Paper this evening. Those who support that motion say Pour; those against.

*Some Members voted Pour, others voted Contre.*

3745 **The Deputy Bailiff:** I am going to have a recorded vote on that, please. Just while that is being done, in the spirit of both Deputy Queripel and Deputy Roffey about admitting their mistakes, I admit my mistake to Deputy Taylor: you can have a point of correction on a give way, but nevertheless, I still think it was the right decision.

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

3750 **Deputy Taylor:** May I at least make the correction now, madam, though, while we wait?

**The Deputy Bailiff:** Nobody is speaking now, I am afraid, Deputy Taylor.

**Deputy Taylor:** Well, I did not say what Deputy said.

3755 **The Deputy Bailiff:** So in relation to the motion to continue to finish the business this evening, please could you start the voting now.

*There was a recorded vote.*

3760 *Carried – Pour 31, Contre 6, Ne vote pas 2, Did not vote 1, Absent 0*

| <b>Pour</b>           | <b>Contre</b>      | <b>Ne vote pas</b>       | <b>Did not vote</b> | <b>Absent</b> |
|-----------------------|--------------------|--------------------------|---------------------|---------------|
| Aldwell, Sue          | Dyke, John         | Kazantseva-Miller, Sasha | Prow, Robert        | None          |
| Blin, Chris           | Ferbrache, Peter   | St Pier, Gavin           |                     |               |
| Brouard, Al           | Gollop, John       |                          |                     |               |
| Burford, Yvonne       | Leadbeater, Marc   |                          |                     |               |
| Bury, Tina            | Parkinson, Charles |                          |                     |               |
| Cameron, Andy         | Queripel, Lester   |                          |                     |               |
| De Lisle, David       |                    |                          |                     |               |
| De Sausmarez, Lindsay |                    |                          |                     |               |
| Dudley-Owen, Andrea   |                    |                          |                     |               |
| Fairclough, Simon     |                    |                          |                     |               |
| Falla, Steve          |                    |                          |                     |               |
| Gabriel, Adrian       |                    |                          |                     |               |
| Haskins, Sam          |                    |                          |                     |               |
| Helyar, Mark          |                    |                          |                     |               |
| Inder, Neil           |                    |                          |                     |               |
| Le Tissier, Chris     |                    |                          |                     |               |
| Le Tocq, Jonathan     |                    |                          |                     |               |
| Mahoney, David        |                    |                          |                     |               |
| Matthews, Aidan       |                    |                          |                     |               |
| McKenna, Liam         |                    |                          |                     |               |
| Meerveld, Carl        |                    |                          |                     |               |
| Moakes, Nick          |                    |                          |                     |               |
| Murray, Bob           |                    |                          |                     |               |
| Oliver, Victoria      |                    |                          |                     |               |
| Roberts, Steve        |                    |                          |                     |               |
| Roffey, Peter         |                    |                          |                     |               |
| Snowdon, Alexander    |                    |                          |                     |               |
| Soulsby, Heidi        |                    |                          |                     |               |
| Taylor, Andrew        |                    |                          |                     |               |
| Trott, Lyndon         |                    |                          |                     |               |
| Vermeulen, Simon      |                    |                          |                     |               |

**The Deputy Bailiff:** In relation to the motion to continue there voted Pour 31, 6 against, 2 abstentions and 1 Member was not in the Chamber.

So we will continue. Greffier, the next item.

## Billet d'État IV

### STATES' ASSEMBLY & CONSTITUTION COMMITTEE

#### 1. Code of Conduct for Members of the States of Deliberation – Extant Appeals – Proposition carried

*Article 1.*

*The States are asked to decide:-*

*Whether, after consideration of the Policy Letter entitled "Code of Conduct for Members of the States of Deliberation - Extant Appeal" dated 28<sup>th</sup> February 2024, they are of the opinion:-*

*1. To direct a Deputy Commissioner for Standards to hear the extant appeal against the decision of the States' Members Code of Conduct Panel of 21<sup>st</sup> April 2023.*

**The Deputy Greffier:** Billet d'État IV, Article 1, States' Assembly & Constitution Committee, Code of Conduct for Members of the States of Deliberation – Extant Appeals.

3770

**The Deputy Bailiff:** Deputy Meerveld.

**Deputy Meerveld:** Thank you, madam.

3775

This is a single Proposition which will resolve the need to deal with an outstanding appeal of a Code of Conduct matter was dealt with under the old regime of the Code of Conduct Panel, from which this Assembly has now decisively moved away. This policy letter also arises from the decision of this Assembly, at its January meeting, to create the role of Deputy Appeals Commissioner.

3780

This is a one-off bespoke solution to a problem created by the transition from one regime to another and will now enable this appeal to be dealt with at arm's length from this Assembly by a professional Parliamentary Commissioner for standards. The history of how we got to where we are is set out with full clarity in this short policy letter attached to the Propositions before you.

3785

I am not sure there is any benefit in revisiting this history in this afternoon's debate. I think Members will agree that the establishment of the pan-Island Commissioner for Standards post and its bedding in over the last year have been a considerable success and the move to utilise the Commissioner's Deputies in this way will bring the objectivity and professionalism that is needed to resolve this matter. Madam, I would like to remind Members that it is not the business of this meeting to discuss the nature of this appeal, but merely the mechanism by which it can be heard. I therefore commend this Proposition to the Assembly.

3790

Thank you, madam.

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

**The Deputy Bailiff:** *[Inaudible]* ...

3795

*There was a recorded vote.*

*Rule 26(1)*

*Carried – Pour 20, Contre 17, Ne vote pas 1, Did not vote 2, Absent 0*

| <b>Pour</b>         | <b>Contre</b>         | <b>Ne vote pas</b> | <b>Did not vote</b>      | <b>Absent</b> |
|---------------------|-----------------------|--------------------|--------------------------|---------------|
| Aldwell, Sue        | Blin, Chris           | Burford, Yvonne    | Kazantseva-Miller, Sasha | None          |
| De Lisle, David     | Brouard, Al           |                    | Prow, Robert             |               |
| Dudley-Owen, Andrea | Bury, Tina            |                    |                          |               |
| Dyke, John          | Cameron, Andy         |                    |                          |               |
| Ferbrache, Peter    | De Sausmarez, Lindsay |                    |                          |               |
| Haskins, Sam        | Fairclough, Simon     |                    |                          |               |
| Helyar, Mark        | Falla, Steve          |                    |                          |               |
| Inder, Neil         | Gabriel, Adrian       |                    |                          |               |
| Le Tissier, Chris   | Gollop, John          |                    |                          |               |
| Le Tocq, Jonathan   | Matthews, Aidan       |                    |                          |               |
| Leadbeater, Marc    | Meerveld, Carl        |                    |                          |               |
| Mahoney, David      | Moakes, Nick          |                    |                          |               |
| McKenna, Liam       | Roffey, Peter         |                    |                          |               |
| Murray, Bob         | Soulsby, Heidi        |                    |                          |               |
| Oliver, Victoria    | St Pier, Gavin        |                    |                          |               |
| Parkinson, Charles  | Taylor, Andrew        |                    |                          |               |
| Queripel, Lester    | Trott, Lyndon         |                    |                          |               |
| Roberts, Steve      |                       |                    |                          |               |
| Snowdon, Alexander  |                       |                    |                          |               |
| Vermeulen, Simon    |                       |                    |                          |               |

3800

**The Deputy Bailiff:** In relation to the motion to guillotine the debate, there voted Pour 20, Contre 17, there was 1 abstention and 2 Members were not in the Chamber at the time of the voting so, therefore, the debate is guillotined. In that case, we may as well go straight to a vote then.

3805

**Deputy St Pier:** Madam, I may not be able to speak, but I do need to declare an interest before I vote.

**The Deputy Bailiff:** Yes, thank you very much, Deputy St Pier. Greffier, would you kindly open the voting in relation to the Code of Conduct Extant Appeal.

3810

*There was a recorded vote.*

*Carried – Pour 38, Contre 0, Ne vote pas 0, Did not vote 2, Absent 0*

| <b>Pour</b>           | <b>Contre</b> | <b>Ne vote pas</b> | <b>Did not vote</b>      | <b>Absent</b> |
|-----------------------|---------------|--------------------|--------------------------|---------------|
| Aldwell, Sue          | None          | None               | Kazantseva-Miller, Sasha | None          |
| Blin, Chris           |               |                    | Prow, Robert             |               |
| Brouard, Al           |               |                    |                          |               |
| Burford, Yvonne       |               |                    |                          |               |
| Bury, Tina            |               |                    |                          |               |
| Cameron, Andy         |               |                    |                          |               |
| De Lisle, David       |               |                    |                          |               |
| De Sausmarez, Lindsay |               |                    |                          |               |
| Dudley-Owen, Andrea   |               |                    |                          |               |
| Dyke, John            |               |                    |                          |               |
| Fairclough, Simon     |               |                    |                          |               |
| Falla, Steve          |               |                    |                          |               |
| Ferbrache, Peter      |               |                    |                          |               |
| Gabriel, Adrian       |               |                    |                          |               |
| Gollop, John          |               |                    |                          |               |
| Haskins, Sam          |               |                    |                          |               |
| Helyar, Mark          |               |                    |                          |               |
| Inder, Neil           |               |                    |                          |               |

Le Tissier, Chris  
Le Tocq, Jonathan  
Leadbeater, Marc  
Mahoney, David  
Matthews, Aidan  
McKenna, Liam  
Meerveld, Carl  
Moakes, Nick  
Murray, Bob  
Oliver, Victoria  
Parkinson, Charles  
Queripel, Lester  
Roberts, Steve  
Roffey, Peter  
Snowdon, Alexander  
Soulsby, Heidi  
St Pier, Gavin  
Taylor, Andrew  
Trott, Lyndon  
Vermeulen, Simon

3815

**The Deputy Bailiff:** In relation to the Code of Conduct Extant Appeal 38 votes for the Proposition, there were no votes against and 2 Members were not in the Chamber at the time of voting. I, therefore, declare the Proposition has been passed.

## Billet d'État III

### COMMITTEE FOR ECONOMIC DEVELOPMENT

#### Office of the Public Trustee Accounts for the Year End 31st December 2022 – Proposition carried

*The States are asked:-*

*To resolve, pursuant to Rule 20 of the Rules of Procedure of the States of Deliberation, to debate the Appendix Report to Billet d'État No. 2024 entitled 'Committee for Economic Development – Office of the Public Trustee Annual Report and Audited Accounts 2022.'*

3820

**The Deputy Bailiff:** And so our final piece of business is in relation to the – I am terribly sorry, it is not our final bit of business. Greffier, would you read the item in relation to the Audited Accounts for the Public Trustee, please?

3825

**The Deputy Greffier:** Billet d'État III, Committee for Economic Development – Office of the Public Trustee Accounts for the Year End 31st December 2022.

**The Deputy Bailiff:** Deputy Inder.

3830

**Deputy Inder:** Madam, I do not really have much to say. They were originally to be noted. There was a piece of work mainly, sorry, proposed by Deputy St Pier and Deputy Gabriel, to open us to have some sort of debate. I think he explained, at that point, why he wanted to discuss it and I am here to answer some very limited questions.

Thank you.

3835 **The Deputy Bailiff:** Deputy St Pier.

3840 **Deputy St Pier:** Madam, the hour is late, Members do not wish to stay too late, I shall be brief, but there are some comments and it is probably incumbent on me, having moved the motion to debate to speak early in case there is anybody else who wishes to do so. On page 2 of the accounts of the Independent Auditors Report to the Office of the Public Trustee, three quarters of the way down the page, there is a subheading, emphasis of matter, recoverability of costs incurred. The report says:

We draw attention to note three of the financial statements which outlines the unrecovered costs. This information is correctly disclosed in the financial statements, but we believe it is of such importance that it is fundamental to the understanding of the financial statement as a whole.

3845 Madam, emphasis of matters paragraphs in audit reports are unusual and relatively infrequent, so they should be taken seriously. At note 3, on page 8, the accounts read, and I will read the paragraph entirely:

Grants or loans from the Committee for Economic Development of the States of Guernsey are made in accordance with section eight of the Public Trustee Bailiwick of Guernsey Law 2002. Any amounts paid to cover expenditure and liabilities that are subsequently recouped from trust expenditures within the responsibility of the Public Trustee become repayable. The potential liability due represents the disbursements the Public Trustee expects to be recoverable from those structures. Disclosing this amount separately on the balance sheet reflects the understanding of the contingent nature of the corresponding debtor.

3850 And the key point here is that if the corresponding debtor is not realised or realisable, then the grants from the States will not be repayable, and the sums of significant £4.1 million at the end of 2021 and £5 million at the end of 2022 and no doubt more again at the end of 2023. I draw attention to this as a fact that we, and indeed the public, should be aware of. This is, I suggest, madam, the price or the risk of having a public trustee, which in turn is the price of having a significant fiduciary services industry in Guernsey, albeit we should not forget that the benefits of that industry in terms of employment, profits and tax far exceed the £5 million at stake here.

3855 Finally, madam, I would just wish to draw attention to Economic Development's update last year and the quote from the President then, I think attributed to the President, one of the thorns in the side of the Committee has been the funding of the Office of Public Trustee. Although extremely grateful for the work conducted by the office and the Law Officers on the single great matter that it has on its books and which will, in due course, be brought to conclusion. This is all being funded by the taxpayer in the interim, which means that they are carrying the risk and I consider that unacceptable. This month, the Committee will receive a paper on the matter that will set out a short consultation looking at alternative funding models. The Committee will explore new funding options for the Office of Public Trustee by the end of this political term.

3860 So, madam, in closing, the obvious question to the Committee in responding to the debate and to put on record in this debate is what progress has been made towards presenting alternative funding options before the end of this political term and those are, I think, just some simple points which should be on the record and I am grateful to Members for allowing what, I imagine, will be a relatively short debate.

3870 Thank you, madam.

**The Deputy Bailiff:** Thank you.

Deputy Gollop.

3875

**Deputy Gollop:** I thank you and, actually, the efforts of Deputy St Pier and Deputy Gabriel in allowing us to debate it. It is an arcane area that I do not pretend to know much about. I know it

3880 has come up earlier in this debate, but I suppose I have two questions that, possibly, Deputy Blin or  
anyone else could really answer today. It is not the President's support for the Minister and founder  
of this. It is written for professionals by professionals. But really my two questions are what total  
liability is potentially possible ... *[Inaudible]* I mean, according to this, you can read and it says  
debtors ... *[Inaudible]* My other question is, as I understand it, the assets that are administered  
3885 professionally by the office of the Public Trustee and the beneficiaries of those assets surely have a  
responsibility to pay for those services done on behalf of them and is there, therefore, a problem  
of obliging them to settle their fees or pay what might be an annual amount and I do not know the  
content of this, but it would be helpful possibly if all Members could get more information and a  
presentation and perhaps that would accommodate our different levels of ... *[Inaudible]*

3890 **The Deputy Bailiff:** Thank you. Does anybody else wish to speak on this matter? Deputy Dyke.

**Deputy Dyke:** Thank you.

I am not sure how much you will be able to tell us, but: (1) are we able to know who the debtor  
is exactly; (2) what assets does it have; and (3) does our Public Trustee have any control over them?  
I am not sure if you can answer those questions or not.

3895 Thank you.

**The Deputy Bailiff:** Deputy Dudley-Owen.

**Deputy Dudley-Owen:** Thank you, madam.

3900 I sat for four years on Economic Development and this was an extremely contentious issue and  
has some very confidential data and details behind it, but obviously I am not the person that needs  
to answer these questions. But what I would say, I would comment on, is that there was conversation  
during last term about where this particular office rightfully sat, an addition to the liability.

3905 So certainly the P&R of the time, which was headed up by Deputy St Pier and deputised with  
Deputy Trott, there was conversation about whether it should sit with P&R rather than Economic  
Development because of the significant liability that this particular area has. It is a difficult area  
because it does not come up very often, but when it does, it could really come up and bite the  
taxpayer.

3910 So that is all I will say. I just wanted, for extra transparency, because Deputy St Pier has moved  
the motion and wanted to have the conversation, actually, this is probably something that we should  
have more visibility over, but as to visibility on the details behind, such as Deputy Dyke was asking,  
I am not sure whether that is something that is appropriate or necessarily that the Committee would  
be able to give you.

3915 **The Deputy Bailiff:** Deputy Inder.

**Deputy Inder:** Thank you for the very short debate and I will answer what I can. If I can find it. I  
am afraid it is relatively, Members, the same answers I gave last time. The OPT had to take on a  
complex and difficult case, which is a subject of legal proceedings. This remains ongoing and is not  
3920 yet resolved.

As the case is not concluded, I cannot make any further comments on the matter at the current  
time and I will not speculate, we will not present. This is a matter entirely for the Committee *for*  
Economic Development. I will answer one question, though, and that was entirely related to the  
review and there is no ability to ask me any questions and I will not give way.

3925 In my statement earlier this week, I made a commitment that we would review; a review is  
ongoing. Deputy St Pier asked me if it would be completed by the end of the term. I can assure him,  
absolutely that it will be completed by the end of the term and the funding model for the OPT will  
look very different.

Thank you.

3930

**The Deputy Bailiff:** Thank you, Deputy Inder. There is just a single Proposition, which is to take note of the report. So, Greffier, would you open the voting on that.

*There was a recorded vote.*

3935

*Carried – Pour 32, Contre 0, Ne vote pas 1, Did not vote 7, Absent 0*

| <b>Pour</b>           | <b>Contre</b> | <b>Ne vote pas</b> | <b>Did not vote</b>      | <b>Absent</b> |
|-----------------------|---------------|--------------------|--------------------------|---------------|
| Aldwell, Sue          | None          | Dyke, John         | Bury, Tina               | None          |
| Blin, Chris           |               |                    | Ferbrache, Peter         |               |
| Brouard, Al           |               |                    | Kazantseva-Miller, Sasha |               |
| Burford, Yvonne       |               |                    | Leadbeater, Marc         |               |
| Cameron, Andy         |               |                    | Matthews, Aidan          |               |
| De Lisle, David       |               |                    | Parkinson, Charles       |               |
| De Sausmarez, Lindsay |               |                    | Taylor, Andrew           |               |
| Dudley-Owen, Andrea   |               |                    |                          |               |
| Fairclough, Simon     |               |                    |                          |               |
| Falla, Steve          |               |                    |                          |               |
| Gabriel, Adrian       |               |                    |                          |               |
| Gollop, John          |               |                    |                          |               |
| Haskins, Sam          |               |                    |                          |               |
| Helyar, Mark          |               |                    |                          |               |
| Inder, Neil           |               |                    |                          |               |
| Le Tissier, Chris     |               |                    |                          |               |
| Le Tocq, Jonathan     |               |                    |                          |               |
| Mahoney, David        |               |                    |                          |               |
| McKenna, Liam         |               |                    |                          |               |
| Meerveld, Carl        |               |                    |                          |               |
| Moakes, Nick          |               |                    |                          |               |
| Murray, Bob           |               |                    |                          |               |
| Oliver, Victoria      |               |                    |                          |               |
| Prow, Robert          |               |                    |                          |               |
| Queripel, Lester      |               |                    |                          |               |
| Roberts, Steve        |               |                    |                          |               |
| Roffey, Peter         |               |                    |                          |               |
| Snowdon, Alexander    |               |                    |                          |               |
| Soulsby, Heidi        |               |                    |                          |               |
| St Pier, Gavin        |               |                    |                          |               |
| Trott, Lyndon         |               |                    |                          |               |
| Vermeulen, Simon      |               |                    |                          |               |

3940

**The Deputy Bailiff:** To note the Office of Public Trustee Annual Report, there voted Pour 32, there was 1 abstention and 7 Members were no longer in the Chamber at the time of the voting. We are now on our final piece of business. Would you formally read out the last piece of business, please, Greffier?

## POLICY & RESOURCES COMMITTEE

### 6. Schedule for Future States' Business – Proposition carried

*Article 5.*

*The States are asked to decide:-*

*Whether, after consideration of the attached Schedule for Future States' Business, which sets out items for consideration at the Ordinary States Meeting on 24th April 2024, they are of the opinion to approve the Schedule.*

**The Deputy Greffier:** Billet d'État III, Article 5, Policy & Resources Committee – Schedule for Future States' Business.

3945

**The Deputy Bailiff:** Deputy Trott.

**Deputy Trott:** Madam, you and all of the Assembly, I am sure, will be delighted to hear I have nothing to add.

3950

**The Deputy Bailiff:** Thank you. In that case, because we do need to vote, so everybody still needs their equipment out to vote on, would you kindly start the voting, please, Greffier.

*There was a recorded vote.*

3955

*Carried – Pour 34, Contre 0, Ne vote pas 0, Did not vote 6, Absent 0*

| <b>Pour</b>           | <b>Contre</b> | <b>Ne vote pas</b> | <b>Did not vote</b>      | <b>Absent</b> |
|-----------------------|---------------|--------------------|--------------------------|---------------|
| Aldwell, Sue          | None          | None               | Bury, Tina               | None          |
| Blin, Chris           |               |                    | Ferbrache, Peter         |               |
| Brouard, Al           |               |                    | Kazantseva-Miller, Sasha |               |
| Burford, Yvonne       |               |                    | Leadbeater, Marc         |               |
| Cameron, Andy         |               |                    | Parkinson, Charles       |               |
| De Lisle, David       |               |                    | Taylor, Andrew           |               |
| De Sausmarez, Lindsay |               |                    |                          |               |
| Dudley-Owen, Andrea   |               |                    |                          |               |
| Dyke, John            |               |                    |                          |               |
| Fairclough, Simon     |               |                    |                          |               |
| Falla, Steve          |               |                    |                          |               |
| Gabriel, Adrian       |               |                    |                          |               |
| Gollop, John          |               |                    |                          |               |
| Haskins, Sam          |               |                    |                          |               |
| Helyar, Mark          |               |                    |                          |               |
| Inder, Neil           |               |                    |                          |               |
| Le Tissier, Chris     |               |                    |                          |               |
| Le Tocq, Jonathan     |               |                    |                          |               |
| Mahoney, David        |               |                    |                          |               |
| Matthews, Aidan       |               |                    |                          |               |
| McKenna, Liam         |               |                    |                          |               |
| Meerveld, Carl        |               |                    |                          |               |
| Moakes, Nick          |               |                    |                          |               |
| Murray, Bob           |               |                    |                          |               |
| Oliver, Victoria      |               |                    |                          |               |
| Prow, Robert          |               |                    |                          |               |
| Queripel, Lester      |               |                    |                          |               |
| Roberts, Steve        |               |                    |                          |               |
| Roffey, Peter         |               |                    |                          |               |
| Snowdon, Alexander    |               |                    |                          |               |
| Soulsby, Heidi        |               |                    |                          |               |
| St Pier, Gavin        |               |                    |                          |               |
| Trott, Lyndon         |               |                    |                          |               |
| Vermeulen, Simon      |               |                    |                          |               |

**The Deputy Bailiff:** There were 34 in support of the Schedule for the Future States' Business and 6 Members did not vote because they were no longer in the Chamber. I therefore declare that passed. Thank you very much, everybody. That, therefore, finishes all the business for this States'

3960

Meeting and there will be no need to come back tomorrow. Greffier, will you kindly close the Meeting.

*The Assembly adjourned at 6.22 p.m.*