



OFFICIAL REPORT

OF THE

STATES OF DELIBERATION

OF THE

ISLAND OF GUERNSEY

HANSARD

Royal Court House, Guernsey, Wednesday, 24th April 2024

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Present:

Sir R. J. McMahon, Esq., Bailiff and Presiding Officer

Law Officers

M. M. E. Pullum, K.C. (H.M. Procureur)

People's Deputies

S. E. Aldwell	C. J. Le Tissier
C. P. A Blin	J. P. Le Tocq
A. H. Brouard	M. P. Leadbeater
Y. Burford	D. J. Mahoney
T. L. Bury	A. D. S. Matthews
A. Cameron	L. J. McKenna
D. de G. de Lisle	N. G. Moakes
H. L. de Sausmarez	R. C. Murray
A. C. Dudley-Owen	V. S. Oliver
J. F. Dyke	C. N. K. Parkinson
S. P. Fairclough	R. G. Prow
S. J. Falla	L. C. Queripel
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 C. P. Meerveld (*relevé à 9h 49*)

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States of Deliberation

*The States met at 9.30 a.m. in the presence of
His Excellency Lt Gen Richard Cripwell
Lieutenant-Governor and Commander-in-Chief of the Bailiwick of Guernsey*

[THE BAILIFF *in the Chair*]

PRAYERS

The Deputy Greffier

EVOCATION

CONVOCATION

The Deputy Greffier: Billets d'État V and d'État VI of April 2024. To the Members of the States of the Island of Guernsey, I hereby give notice that a Meeting of the States of Deliberation will be held at the Royal Court House on Wednesday, 24th April 2024 at 9.30 a.m. to consider the items listed in the Billet d'État which have been submitted for debate and Billet d'État VI is convened pursuant to the provisions of Rule 2(4) of the Rules of Procedure.

Statements

COMMITTEE FOR EDUCATION, SPORT & CULTURE

General update –

Statement by the President of Committee for Education, Sport & Culture

The Bailiff: Good morning, Members of the States. Without further ado, I will invite the President of the Committee for Education, Sport & Culture to deliver a Statement pursuant to Rule 10(4). Deputy Dudley-Owen, please.

Deputy Dudley-Owen: Thank you, sir.

Following the Assembly's re-approval of funding for the Transforming Education Programme, including Phase 1 of Les Ozouets Campus development and in light of the update that Deputy Brouard gave at our March Meeting on an increase in cost projections for Phase 2 of the Hospital Modernisation Programme, I want to begin by offering reassurances about the construction project my Committee is leading.

Having received the green light in January, we reviewed the programme scope, business case and budget baselines. This review revealed that despite delays, none of which were in the Committee's control, the programme remains on track to deliver within its overall cost envelope. This is because we have mitigated inflationary costs associated with the funding delay by closely monitoring, and reducing where we can, costs elsewhere in the programme. This is positive news.

Those of you who know me well will know that I am a keen defender of governance and I make no apologies for that. And nor, sir, should any of us here today. I have long made it mine and my Vice-President's business to receive weekly updates from our Programme Director and I sit on the programme board. On behalf of Policy & Resources Committee, Deputy Murray, and previously Deputy Mahoney, have also provided formal challenge and oversight as we have begun the task of putting the States' Resolutions into action. I am satisfied that TEP is a well-governed programme both in structure and approach.

As for the construction programme, following a tender process, we are close to appointing the demolition contract for the old St Peter Port School and progress is being made towards the main construction contract. We expect on-site activity to commence soon and gather momentum over the coming months. We will shortly be inviting residents in Les Ozouets vicinity to visit the site, to be reminded of our plans and underline the efforts we are making to be a good neighbour during the construction phase.

Our transformation programme, sir, is about so much more than buildings. A significant number of staff in the Secondary School Partnership have now had their future roles confirmed and this process will complete before schools break up this July. IT continues to be a major focus across all phases of education. The Guernsey Institute continues to work towards a common IT platform. We are deploying new devices for staff in schools and are part-way through a phased delivery of new devices for all classrooms to replace outdated equipment. To ensure we integrate this new technology into the curriculum so learners are prepared for the modern world of work, we are rolling out a comprehensive training and development programme for staff.

The Guernsey Institute's adult education offering continues to evolve. It has successfully piloted community-based English and maths programmes, running specialist sessions in the PEH, community centres, the Prison, and hospitality venues, supporting adults who find a formal classroom environment challenging.

We are partnering with local employers to offer additional English as a Second Language classes. All of this supports adults to access other learning and upskilling opportunities. And the next step is for the TGI to expand this type of adult community learning to include digital and ICT skills.

Sir, we continue to implement the SEND Review's recommendations. We will shortly complete the consultation period on the draft Code of Practice for children and young people with additional learning needs, ahead of its final review and formal introduction for the start of the 2024-25 academic year, supported by a suite of training for educational professionals.

There is also a renewed focus on the transition between all phases of education for those with additional learning needs. These transitions can be particularly challenging times and lead to long-term attendance and engagement difficulties if vulnerable learners are not given additional opportunities to familiarise themselves with their new learning environment, and professionals are not provided with the right information about how best to meet the needs of all learners joining their setting.

Sir, the fourth Joyous Childhood Conference is planned for 7th September. Its purpose is to inspire the Early Years workforce by sharing examples of innovative and effective practice and facilitate professional development. Collaborative opportunities such as this have been shown to harness enthusiasm and energise those working in this important sector for the benefit of our youngest Islanders.

I hope I have conveyed that it is a busy and very exciting time to be working in education in Guernsey and Alderney, with the system showing signs of stabilising at long last. We still have a long way to go, but we are moving forward.

But, sir, we have a broader mandate. We are in the final stages of our preparations for the Island's 79th Liberation Day. Commemorations and celebrations are planned. Sir, one of the many things I have learnt during my time on this Committee is that you cannot please all the people all of the time. But I sincerely hope and believe that there is something for everyone in this year's events. And it was heartening, if not possibly a little unsettling, to read in a recent editorial that *The Guernsey Press* might agree with me on this.

On the day itself, in addition to the usual parade, commemorative service and school relay race in the morning, we will have parish-led events. Although, sadly, not in all parishes this time around, but the military vehicles cavalcade, sponsored by CA Duquemin, will once again make its way around the Island and then form a static display in Town for enthusiasts of all ages to enjoy alongside live music, activities and entertainment for children.

Castle Cornet will welcome visitors free of charge and celebrations will conclude with a firework display, this year conducted from La Vallette due to the current limitations of the Castle Bridge. And I would like to thank Collas Crill, who once again, is providing hampers for distribution to over 800 Islanders.

Plans for next year's events, sir, which will mark the 80th anniversary of our Liberation have begun in earnest to ensure that the 2025 commemorations and celebrations of our 'national day' live long in the memory of Islanders.

Many of us have a soft spot for Beau Séjour Leisure Centre and it is fast approaching its 50th birthday. It might remind us of our youth or family time with our children. But sentimentality aside, we need to objectively question the priorities for this community leisure facility and to develop a sustainable strategic target operating model for the future. This is the focus of the Beau Séjour Leisure Centre Sustainability Review which commenced with high level initial consultation with key stakeholders. The 'themes' identified from this consultation inform the next phase of the review which aims to be completed during 2025.

Through you, sir, may I congratulate and thank the Guernsey Indoor Bowling Association for their significant efforts in supporting the Island to host the World Bowls Indoor Championships this week. (**A Member:** Hear, hear.) And thank you, sir, for hosting the Opening Ceremony. With 57 competitors from *30 countries*, we are once again showcasing Guernsey and our world class sporting prowess far beyond these shores. (**A Member:** Hear, hear.)

In February, Island Archives along with other stakeholders, including the Priaulx Library and the Greffe, signed a contract with FindMyPast to digitise close to 250,000 documents, including civil and parish birth, baptism, marriage, death and burial records. And along with cemetery records and Occupation ID records which have been at no direct cost to the taxpayer. These digitised documents will be available worldwide, enabling people to explore their Guernsey ancestry. And maybe some of them will visit to learn about their Guernsey heritage first hand.

Sir, now briefly returning to Education's transformation programme. I would like to thank the many Members who attended a discussion session last week, where we continued to explore the complex topic of education governance. This and the other sessions we have held over the last six months will inform refreshed proposals for a new system of education governance as part of our work to revise the proposals for a new Education Law.

For Members who are unable to attend, and for those listening in, I am pleased to report that alongside developing proposals for the future, we are not standing still when it comes to the active governance of our 20 education settings. Our interim governance boards continue to support and challenge schools and settings leaders, with over 90 governance meetings already undertaken since the inception of this work in summer 2021, to ensure we understand what is going well and what needs to improve in every setting. And we are seeing positive, meaningful change as a result.

Sir, Members would have seen in the media, last week, that both Haute Capelles and St Mary and St Michael Primary Schools have been judged to be 'good' across the board by our external inspection partner, Ofsted, bringing the total number of schools inspected to 13. The remaining seven will be inspected by summer 2025.

Sir, when I have been rightly asked questions about our inspection results by political colleagues, some seem to interpret a 'good' judgement as though good, in this context, means 'just about good enough'. That is not what it means at all. Taking primary schools as an example, in addition to His Majesty's Inspectors looking at safeguarding, each school is evaluated in five areas: Quality of Education, Behaviour & Attitudes; Personal Development & Welfare; Leadership & Management and Early Years Provision. In total, across these five areas, there are 64 descriptors of what 'good' looks like. To get 'good' judgements in all these five areas, which a number of our primary schools

have now done, they must be consistently and securely performing well across almost all of these 64 descriptors.

No matter what type of organisation is inspected, where and under what framework, Ofsted inspection reports will almost always identify weaknesses or areas for improvement. Where these weaknesses are minor, and where school leaders demonstrate an awareness of them and can evidence they are making rapid progress to address them, a good judgement can still be given. If the weaknesses are more significant or if the leadership team is less aware of them, so is not already actively addressing them, a 'good' judgement will not be given.

I cannot stress enough that our bespoke inspection framework, unique to Guernsey and Alderney, demands a lot of our education workforce. It is not easy to get a 'good' judgement in all evaluated areas. And it is entirely right that our schools and school community and the Guernsey Institute are proud of and celebrate these successes.

Of course, as important as applauding success, we must look at how to make things even better, and it is no accident or coincidence that our Education Strategy has as its strapline, 'Aspiring to excellence', which is the highest judgement our schools and settings can obtain.

Are we there yet? No. We are not consistently good across every descriptor in every setting yet. But through the governance work that I have referred to, we have built an interim framework that promotes an honest and open relationship with our senior leaders. We know the strengths and areas for improvement in all our settings and we are confident that all our leaders have clear plans to reach a consistently 'good' standard *and then* aspire to excellence.

And, sir, in striving for that excellence, we absolutely recognise that the greatest influence on outcomes for learners are the teachers or lecturers supporting them. In a very competitive labour market, the recruitment and retention of high-quality teachers and lecturers remains challenging in many subject areas including the sciences, English, maths and construction trades. This situation is not helped by our high cost of housing. However, a renewed and targeted multi-platform recruitment campaign is underway and early indications suggest this new approach is increasing the level of interest in our vacancies.

It will be some months before we can assess whether this translates into securing staff for our schools and the TGI. But this, combined with the 'Workforce Development Strategy', currently being produced for our staff, will help to promote Guernsey and Alderney as attractive places for high quality teachers and lecturers to continue their careers, and to inspire our students so that they become lifelong learners and active contributors to our economy and our community, sir.

The Bailiff: Thank you very much.
Deputy Meerveld, is it your wish to be relevéed?

Deputy Meerveld: Yes, please, sir.

The Bailiff: Well, I will mark you as present.
There is an opportunity to ask questions of the President about any matter within the mandate of that Committee.
Deputy Gollop.

Deputy Gollop: Hello. Thank you, sir.
And I know you, sir, as President of the Eisteddfod Society, there is no greater fan. And I participated in a dozen events, not particularly high marks, but I do support the Eisteddfod. And it does, for many of its sections, rely on Beau Séjour and the States. And post-COVID, has not been as financially affluent as in the past.

As part of the review of Beau Séjour that the President identified, will they be looking at and supporting arts and cultural organisations, as well as the excellent sports organisations, to ensure that a community approach is taken as well as a commercial approach?

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

Deputy Dudley-Owen: Well, thank you to Deputy Gollop for his question.

And as I mentioned in my speech, that the high-level initial consultation with key stakeholders has taken place. And those key stakeholders were a really wide range of people who were interested
185 in the centre – centre users, sports, community, arts and just general leisure users and people who go there for swimming lessons etc.

So there is a really broad church of individuals who are interested in Beau Séjour Leisure Centre. And the arts, crafts and sports communities are equally as important in those stakeholder communications and identifying the themes of the future use of Beau Séjour. But absolutely, yes,
190 of course, the Eisteddfod has a long history in Guernsey and they are amongst the key stakeholders that we have been consulting with.

The Bailiff: Deputy St Pier.

195 **Deputy St Pier:** Thank you, sir.

Does the President have any concerns that if the States do not contract relatively soon for progressing the TEP programme, there is a risk that, with the completion of other projects on the Island, some key technical skills required for the project may well be lost to the Island and will need to be rebuilt? In other words – rephrasing the question because the President is looking confused,
200 sir – is the President satisfied, or are the Committee satisfied, that the States' tendering contract process for that programme is moving at the pace that it needs to in order to deliver the programme and that we will have the skills in the Island to deliver it on target?

The Bailiff: Deputy Dudley-Owen.

205

Deputy Dudley-Owen: Thank you, sir.

Yes, the Committee, as Members would expect, is keeping a very keen eye on the procurement process and getting regular updates from the TEP programme board and, indeed, the P&R procurement team about how the contract process and the tender process is working through.

210 It is part of the tender process, and Deputy St Pier will know this from his previous role on P&R, that bidders who are coming forward need to evidence that they do have sufficient skills, sufficient supply chain, to be able to do the work, and specialist areas and management knowledge as well, contract management knowledge, so that they can deliver the project as required.

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

Deputy St Pier: I am unsure why there is such a reluctance to ask the President questions. Normally, there are people leaping up and down, sir. But I should try and fill the void (*Laughter*), given the opportunity.

220 Given that the last inspection of the Education Department by Education Scotland was in 2015, does the Committee intend that a more up-to-date inspection be undertaken in respect to the Education office? I understand the timetable in relation to the schools, but specifically in relation to the office.

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

Deputy Dudley-Owen: Thank you, sir.

And thank you to Deputy St Pier for asking the question which is helpful insofar as it allows me to explain that there has been a progression of the relationship with Ofsted in developing that
230 relationship to cover the entirety of the States-maintained education provision. So we are starting with our settings. We have a bespoke framework which is unique to Guernsey and Alderney. It is

different from the UK framework. In the fullness of time, we would expect the governing boards that sit above those schools also to be subject to be captured by the framework, as well as the Education office, so that it is a holistic inspection process.

235 And Deputy St Pier is absolutely right that the last time that the Education office itself was inspected was via Education Scotland quite some time ago. So, yes, that is an intention of the Committee in the fullness of time to extend the inspection provision.

The Bailiff: Deputy Leadbeater.

240 **Deputy Leadbeater:** Thank you, sir.

I thank the President for her update. The President said that they were going through a procurement process in respect of TEP to do their due diligence to ensure the contractors have the capacity to carry out the project.

245 Does that mean that they have not decided on a definitive contract yet and they are still going out to the market more broadly?

The Bailiff: Deputy Dudley-Owen.

250 **Deputy Dudley-Owen:** Thank you.

And I am sure that Deputy Leadbeater will understand that I do have limitations on what I am allowed to say at this stage, due to the stage of the process that we are in for procurement and for commercial sensitivities.

255 So I am not going to be able to answer his question to the extent that I would do in a few weeks' time or a few months' time when we are working through the progress and will be able to give updates then. But at this time, I am afraid I am not able to give details about that. We are still in decision-making process time.

The Bailiff: Deputy Bury.

260 **Deputy Bury:** Thank you, sir.

In student reports sent out just before the Easter holidays, for Year 10 La Mare High students, so those a year away from taking their GCSEs, the cohort average for English was reported as 34%. Now while cohorts can differ, last year's average was 62%, which is a marked difference.

265 Does the President have any understanding of why this might be? Is it an indication that La Mare is being left behind while the transition is happening, or any other reason that she may be aware of?

Thank you, sir.

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

Deputy Dudley-Owen: Thank you. And thank you to Deputy Bury for asking the question.

275 I am not able to give any definitive answer and I think that it would be a challenge for any particular answer to be given to cohort differentials in averages and what their achievement rates are, because there are so many differences. I do not know what the size of the Year 10 cohort is. I do not know what that one child percentage rate ratio is. And there are varying reasons for achievement profiles that go up and down. So I cannot give that at this time and I would suggest that that is a question that is asked more towards our education officers; I am happy to field that question.

280 But I would say, in more general terms, to the second bit of the question that was asked, *absolutely* not in terms of La Mare de Carteret being run down in terms of resources. It was a pledge that we made and we have followed through and we are absolutely committed to, that that school is bolstered through this transition time because that is when the school really, really needs it.

285 It is obvious that with a reducing number of children in school, there are reducing numbers of staff. That it could be that if you left the school on that trajectory that it starts to feel empty. It starts to feel left behind. But actually, it is so important during that transition stage that it feels part of a bigger picture in terms of the merger. The merger work is going very well and staff numbers have been bolstered at the school in order to support this student cohort that is currently there.

290 But in regard to that particular statistic that is given, I will take that away and respond to Deputy Bury accordingly.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Thank you, sir.

295 The President mentioned the community adult learning trial which was enabled through the Joint Skills sub-committee work and funding available through that. One of the most important actions, unanimously agreed by both Committees, Economic Development and Education, was to bring proposals for an independent skills body. Such proposals were developed by Economic Development and sent to ESC more than six months ago.

300 Does the President still agree with the establishment of an independent skills body? And if yes, does she think it is achievable this political term?

Thank you.

The Bailiff: Deputy Dudley-Owen.

305 **Deputy Dudley-Owen:** Thank you.

It is interesting because Deputy Kazantseva-Miller and I had a conversation about this just this morning but I expect that she would like to have this aired for the public record.

310 Of course, I am absolutely behind the skills progression. The work has taken a very long time between the Committees. It is unfortunate, for that reason. And it is very important that this type of work is done properly, especially where we are looking to give taxpayers' money to fund, possibly, external bodies. The work needs to be well-informed and very strict governance protocols applied.

315 But absolutely, skills is one of our major work streams that the Government has never fully managed to get its head around. So, yes, I really am very confident that we are going to be able to push this workstream on, as we have committed to do as two Committees.

The Bailiff: Deputy Gollop.

Deputy Gollop: Thank you, sir.

320 I was grateful to attend at the fireside chat, so called, another workshop on school corporate governance. And was interested in the progress that has been made and the need for a Guernsey solution for the next stage.

325 But will the ESC Committee continue to consult and dialogue with parishes and parish authorities about a possible way forward to retain the best of the school committees and the involvement of both the Douzaines and the parish electorate in selecting representatives as part, maybe, of an improved or reformed Government process?

The Bailiff: Deputy Dudley-Owen.

330 **Deputy Dudley-Owen:** Thank you. And thank you to Deputy Gollop.

Again, a question that was asked at the fireside chat which I suspect Deputy Gollop wants to put on record. And at that time, we did iterate that we have been in consultation with the school committees. The parish Douzaines act as a conduit to facilitate nominations and elections to put school committee members or parish members, interested parties, onto those school committees.

335 So the school committee are not in the ownership of the parish Douzaine. So I think that there
is a clear distinction to make there. But, of course, in terms of consultation, the school committees
are a very important stakeholder group and we know that there are people who have got significant
experience of our school communities and will have a desire to continue using that experience and
knowledge on our governing boards. As alongside parents and also staff members and other
340 potential governors who would want to come forward.

But, yes, indeed, the school committee community, so to speak, are an important stakeholder in
our work. And it must not be forgotten that Education, Sport & Culture Committee members are
also school committee members as well.

345 **The Bailiff:** Deputy Roffey.

Deputy Roffey: Thank you, sir.

Can I ask the President for an approximate timetable for proposals for the new Education Law
coming back to the Assembly?

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

Deputy Dudley-Owen: Yes. Thank you to Deputy Roffey for asking.

We are looking at reducing the package of ... rather than bringing it in its entirety, we are going
355 to be looking at bringing it into packages of proposals. And the first package will be on governance
and that we hope will be before the end of this year.

The Bailiff: Deputy Bury.

360 **Deputy Bury:** Thank you, sir.

Does the President know, and if she does not would she commit to reverting to the Assembly,
figures of incidents at Les Varendes High School since the start of this academic year that have
required a Police presence, and how that compares to recent previous years?

365 **The Bailiff:** Deputy Dudley-Owen, are you able to answer that?

Deputy Dudley-Owen: Thank you, sir.

No, I cannot give those figures off the top of my head. And I do not think that it would be any
surprise that I would carry that type of information in my head.

370 We know that all schools – *all schools* – across the Island, at some stage or other, have Police
presence. That includes private colleges, that includes States-maintained sector. It is not an unusual
thing. Police go to schools to assist with learning. They deliver presentations, but also there are
incidences and it is not just related to students, it is also related to other school community
members. We do have some unfortunate incidents where maybe parents are involved.

375 So, yes, I am happy to look into that and give those figures. But I do not want to be alarmist on
this, because it sounds startling but actually the Police are part of our community services and can
be at schools for various different reasons.

The Bailiff: Deputy Kazantseva-Miller.

380 **Deputy Kazantseva-Miller:** The latest iteration of commitments to funding the Sports
Commission Active 8 programme was that they would be funded for this year and that the budget
to complete the 10-year programme would be found through existing budgets.

At what point could the Committee give assurance that that long-term count for funding to
385 complete the full 10-year Active 8 programme will be available to the Sports Commission?

Thank you.

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you.

390 And thank you to Deputy Kazantseva-Miller for raising this because actually the Sports Commission are coming in to meet the Committee on 2nd May. And through the budget cycle, building our budget. And I think that all Committees will have had their budget presentation by now. And hopefully, that will be cascaded out to non-Committee members as well. We will understand that in building those Budgets, we can make provision for future years.

395 So I am very hopeful that in building the budget for 2025 that we are able then to allocate a sustainable amount for the remainder of the period for the Guernsey Sports Commission so that we do not have to be coming into this Assembly to ask for greater monies from the General Reserve. However, that may be the case when we look through our budget building process, but we should know by going through that process what funds are available and where we might have to ask for more.

400

The Bailiff: Deputy Matthews.

Deputy Matthews: Thank you, sir.

405 I was happy to attend the update that Education gave on the progress of the Education Law and what might be there. But I was somewhat disappointed that there was a little scepticism around how Guernsey could support the idea of choice in admissions to schools in the Island. If we are updating our Law, it would seem sensible to me to incorporate some of the ideas that the UK has had for a very long time, since the Education Reform Act of 1988 which introduced those ideas to the UK.

410

I understand that there might be some scepticism about how that could be achieved on the part of some of the officers, perhaps, working at Education. What is the political view of the Committee about the possibility of being able to introduce those types of choice for parents about where their children go to school?

415

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you.

420 And Deputy Matthews is nothing but tenacious (*Laughter*) And we hear exactly the same idea coming forward all the time. And I think at the base of it, it is about fairness. It is about people, about our children having a really fair crack at the whip and having access to really good quality education, no matter where they live in the Island.

425 And certainly, I think that what was explained to Deputy Matthews by educationists, individuals who have really good strong proven track record in this field. They have worked in the UK, they have worked in Guernsey, it is how they felt that this would actually lead to a significant disparity in the offering between schools. I think that that answer was pretty clear. Obviously, Deputy Matthews disagrees with the experts in this field. But that is his prerogative.

430 The Committee has not discussed this as an item to agree or disagree on. I would suspect that, given feedback that I have heard in the room when we did the Education Law workshop with Deputies last year, that colleagues of mine did not feel, did not seem to be that enamoured of that proposal. It is logistically difficult, given our size. And as I say, it causes significant inequity for our children at a time where, interestingly, Deputy Matthews has said that inequity is growing. So I do not see why we would want to take what looks like a retrograde step, especially for people who did not support selection in our system. However –

435

The Bailiff: Deputy Dudley-Owen, the time for answering is up.
Deputy Roffey.

Deputy Roffey: Thank you, sir.

I thank the President for confirming that the issue of school governance will come to the Assembly by the end of this year. Can I ask for confirmation that the other aspects under review, as far as the Education Law is concerned, will be coming to this Assembly during this political term?

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you, Deputy Roffey, for his question.

I would hope that we can get as far down the line as possible, but clearly, we have got priorities. And we have a work plan. And, obviously, in withdrawing the Law because of Deputy Roffey's amendment, which blew out the central tenant of governance which was so important. We withdrew the Law at that stage and that was a deviation from the Work Plan. Obviously, the defunding of the TEP, the Les Ozouets Campus, again, that was a deviation from the Work Plan. So best plans laid, we have got to fall back on the position. We will try our hardest to come back with the additional packages of work, but I cannot guarantee that at this stage. But obviously we will keep the Assembly informed of our progress.

The Bailiff: Deputy St Pier.

Deputy St Pier: Thank you, sir.

The President helpfully explained in her Statement the ranking of the Ofsted grades or ratings, and she also drew attention to the Education Strategy's focus on aspiring to excellence.

Is the President able to briefly articulate the challenges in moving the Ofsted ratings in some or all categories from 'good' to 'excellent'? What are the challenges that would be needed to be overcome to achieve that?

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Within the timeframe that I have got, no. I am afraid not. But what I will say is that we need to build on a foundation of 'good', of those 64 descriptors being consistently achieved across the board in order to then use that as the solid foundation to step up towards that 'excellent'. We know that some of our schools, having got those 'good results', are now demonstrating that they are 'excellent' in certain areas. Our IGBs are confirming that. They complete self-evaluation exercises with the support of our education development officers from our Education office. And we also, have the use, on occasion, of consultants that come in who are HMI inspectors who are able to do consultancy work to affirm all of that.

So obviously stabilisation of the system is really important and it is no coincidence that the primary sector is very strong on its Ofsted inspections. And we have seen areas of more significant improvement required in secondary. We hope to be turning a corner with that. But obviously, it takes time and we know that there is still work to do in our secondary phase.

So we need to get this first phase of Ofsted inspections all completed. And then we know that schools, when they come for their next round, some of them will come to 'excellent' judgements in some areas. We hope across the board in certain areas, in certain schools.

The Bailiff: Deputy Dudley-Owen, the time for answering has expired once again.

If no one else wants to ask any questions ... but if people do, then I am minded to extend the period of questioning to the President of the Committee.

Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: The Guernsey Arts Commission, called now Guernsey Arts, demonstrated that for every £1 of public funding, they unlocked £4 of volunteer or private funding, whether it is sponsorship, income or volunteer time. They came forward with a plan for Arts which

was seeking additional funding, which could unlock further economic development, tourism, art development opportunities.

Has the Committee considered that plan and the opportunity to provide additional funding to support arts?

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you.

The Committee did recently meet with the Guernsey Arts Commission and is very supportive of all their initiatives and we are very well aware of the benefits that they bring to the community. And also those which sit just outside of our purview which is in terms of Economic Development and the multiplier effect.

In terms of funding, Deputy Kazantseva-Miller, being on the Savings sub-committee, will know that Committees have been under a direction to reduce their spend overall. And, so to be giving money to various different commissions, because it is not just the Guernsey Arts Commission. We know we have Guille-Allès Library, we have the Priaulx, we have the St James. There are so many different areas. Yet the Education, Support & Culture Committee is required to grant-fund the colleges, grant fund an awful lot of organisations, yet we are still under direction to reduce our spend by up to 3%.

There is a limited amount that we can do by increasing the amount of taxpayers' money that we are funding to these different organisations, who all equally have very compelling and very real reasons to have more money from the States of Guernsey. We cannot do it all.

The Bailiff: Deputy Gabriel.

Deputy Gabriel: Thank you, sir. I thank the President for her update.

I would like to ask her about digital learning and specifically Artificial Intelligence. How it has been delivered across curriculum and in schools. And is it to be welcomed as an enabler, or is it to be warned against as a danger?

Thank you.

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you.

We are very lucky, Deputy Gabriel, to have our own artificial intelligence guru, champion, on Committee. Deputy Haskins, I do not think lets one Committee meeting go by without mentioning the impact of artificial intelligence in any area of our mandate. He is starting to work with officers and educators around this. I think Deputy Murray also is very interested in this area. It is certainly on the Committee's radar.

How it is being used in school is, and rolled out is obviously that we have got new computer systems, we have got a new platform that we are using, Artificial Intelligence is built into a lot of that. A lot of our learning platforms, for example, Seneca Learning is a wonderful Artificial Intelligence platform that is already being used to great effect in our schools. Many of these, education platforms have Artificial Intelligence built into them.

However, I think that Deputy Gabriel might be alluding to the ChatGPT, the Deputy Leadbeater assistant, I think that he alluded to. How much was it? Six pounds a month or something like that. And what impact that could have on students, for example, using their own creativity. Would it be easy to plagiarise or would it unlock potential in those students? Those are the big gnarly questions that we need to ask.

But certainly in terms of teacher workload, being able to look at reports, being able to crunch up data, being able to spit it out the other end in really intuitive and very useful formats –

The Bailiff: Deputy Dudley-Owen, the time has passed once again for the answer.
Deputy de Lisle.

Deputy de Lisle: Thank you, sir.

I note, still, that a high proportion, in the region of 25% of primary students, are not achieving the levels in English and maths at the end of Year 6 that would accommodate them to succeed on entering secondary education.

So what is being done to raise the students' levels so that they can profit and successfully achieve at the secondary level?

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Sir, thank you.

I am sorry. I am going to ask Deputy de Lisle just to reiterate the stats that he used in his question, just so that I understand those better. I did not really catch those.

The Bailiff: Can you repeat those, Deputy de Lisle.

Deputy de Lisle: Yes, the concern, sir, is low achievement of a number of pupils in entering secondary education. And that gives rise to difficulties in education at that level.

So my question is, what is being done to ensure that all students are ready and prepared for education at the secondary level?

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Thank you. And thank you to Deputy de Lisle for repeating that question just to make it clearer for me. Because actually our key performance indicators, as noted in our Education Strategy report, show that reading was significantly above the UK average. So I think in Year 6 it is showing that the output of the effort that has been put into assisting our children with their literacy and a programme of work has been going through this term with a focus on literacy and supporting children to get better literacy outcomes, better reading, writing and also spoken language.

But he is right in terms of the maths. More work needs to be done there. We are very aware of that. It has been a focus area. So education development officers and quality assurance officers have been into the school environment. They have done reports and reviews on where there needs to be areas of improvement. Support has been put into the schools and training and support has been given to our staff members to be able to support better outcomes for our children, especially in the early years, where they are coming through which is the foundational years. And also support in our secondary schools where improvement is needed for GCSEs.

The Bailiff: Deputy Oliver.

Deputy Oliver: Thank you.

And I will be asking a similar question also to the next speech as well. But with the St Martin's at School Streets, that is coming up to a year now. And I think it is particularly safe for the children to actually get to school. And while providing exercise of some form to begin their morning.

Does the President agree with me that this should be rolled out to other primary schools?

The Bailiff: Deputy Dudley-Owen.

Deputy Dudley-Owen: Yes. Thank you, sir, and Deputy Oliver, for her question because certainly we know that it has been highly successful. We know that Deputy de Sausmarez and Deputy Oliver

595 both have children at the school. So they will be able to attest to that and have been actively involved, as I understand, in the design of it. But it was led by the students themselves. And we know that other schools are interested in various ways, obviously depending on their logistics.

But absolutely, we would encourage schools and try and support them wherever we can, if the headteachers feel that that is the type of initiative that they want to put in place. And a lot of them
600 do because they really understand that having a huge amount of traffic outside the school is a safety issue and it is not helpful. And actually they spend a lot of time moving cars on so that it is safe which is not the best use of their time. And sometimes it can lead to some quite difficult conversations.

But, yes, absolutely, initiatives. But the schools do need to lead these themselves, rather than it
605 being imposed from the Education office which is an approach that we are trying to pull away from. We are there to support educationally and help improvement, but there are various initiatives that schools should and can take on themselves.

The Bailiff: Deputy Gollop.

610 **Deputy Gollop:** We all know that Education, since they drafted the Education Law and looked at ecology of Education, have had a very strong view that young people and children should attend school wherever possible and not play truant. But there is anecdotal viewpoint that, since COVID, the number of young people at some schools not attending has increased significantly.

615 What efforts are the Committee taking to ensure those children voluntarily attend school and benefit and/or have appropriate home-schooling so that they do not miss out on achieving the results that some Deputies would like them to see where perhaps there have been dips in recent times?

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

Deputy Dudley-Owen: Yeah. Thank you, sir. And thank you to Deputy Gollop for being astute and picking this item up because it was an area that we raised for concern within our Education Strategy report this year. It is an area that we are really focusing on this year to increase attendance.

625 I do not think it is just a view of, 'it is a nice to have'. We think to improve the outcomes for our young people across the board, they actually need to be learning. And if they are not in school learning and other provision is not being made for them, then they will not be learning. Therefore, their outcomes are likely to be far less good than they would otherwise be. Also it is a matter of safety. If they are not in school and we have not got alternative provision for them, they are not
630 registered for homeschooling, where are they? So that is also a concern.

But the efforts that we have made in school to increase participation, things like employment of family liaison officers which has proved to be really helpful and elicit really good results. Those family liaison officers, those FLOs that we call them, working with families directly, speaking to them, asking about the issues with their young person, trying to encourage and to support the young
635 person back into school or into an alternative provision where it is felt that, at that time, they are not going to be able to manage the school environment. And that is a real thing for some of our young people.

But numbers are increasing and so it is looking better than the UK. A lot better. And, obviously, we cannot always compare ourselves to UK. And I think that we are starting to get ahead of this
640 problem. But it still remains to be a problem and we are to support all of our youngsters back into the school environment in the appropriate way, working with their family and what is right for them.

The Bailiff: Well, I think that is probably enough, isn't it, Deputy Dudley-Owen?

COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

**General update –
Statement by the President of Committee for the Environment & Infrastructure**

645 **The Bailiff:** So we will move on to the next Statement, which is on behalf of the Committee for the Environment & Infrastructure.

I invite Deputy de Sausmarez as the President to give that then, please.

Deputy de Sausmarez: Thank you, sir.

650 At the risk of sounding like the 'I&I' Committee, I am pleased to focus first on the significant amount of infrastructure work that we are progressing, supporting, and enabling. Implementation of the Electricity Strategy is materialising in many ways, one of which is work to upgrade our distribution network infrastructure to power our homes and businesses.

655 In the last year, over 10 km of high and low voltage cable, plus an additional 5 km of ducting has been installed across the Island. This work helps to improve resilience on the network and to meet the increasing demands for electricity by Islanders, including in the further electrification of heating and transport.

660 During 2023, the new fibre optic broadband infrastructure passed 8,286 properties and a vast 137.4 km of cables have been installed across the Island. By the end of this year, a further 8,400 properties are anticipated to benefit from fibre connectivity. Infrastructure improvements like these enhance the Island's resilience. However, the work itself does have some negative effects. There has been a significant increase recently in the demand for roadworks and the like, which in an island with an already constrained road network, high traffic volumes and few diversion routes, it is stretching our hardworking team and having a notable impact on the travelling public.

665 In 2023, Traffic & Highways Services handled around 4,500 enquiries and applications for work requiring temporary traffic management which, through a lot of co-ordination, they condensed into 2,889 permits. Notwithstanding those efficiencies, last year was a 20%-25% increase on the preceding two years and one in 10 were unplanned emergency works, more than double the average of the preceding two years. And, itself, a telling indicator of just how necessary it is to invest in and upgrade our critical utilities infrastructure now.

670 Utility excavations and wet weather accelerate the deterioration of our road infrastructure, but the investment in our resurfacing programme significantly reduces the number of short-term repairs that are required and, therefore, delivers much better value for taxpayers' money overall. This rolling maintenance programme is based on survey evidence of road surface quality and we resurfaced an impressive 13,000 m of road length last year.

675 As part of this resurfacing work, we have upgraded footpaths to support people with disabilities at Ruettes Brayes, Long Store and St George's Esplanade, with further accessibility improvements to our infrastructure due to be installed in main and local centres this year.

680 We will soon be publishing the Better Transport Plan for the north of the Island – a key enabler for the significant volume of new homes expected to be developed in an area around the Bridge. We all know how urgently those homes are needed, but more homes mean even more pressure on our roads, unless we do transport differently. Put simply, our current transport system cannot just scale up to that extent. Space is too limited and our infrastructure too inherently constrained to add that much traffic into a road network that already struggles to cope with current levels of vehicle use.

685 We need to give people more viable options around how they travel so that those that want to make some or more of their journeys by bus or foot or bike can do so. The Better Transport Plan develops a more comprehensive, convenient and safer network of footpaths and bike paths, including an extension to the existing one-way system with contra flows, more bus shelters, better bus routes and schedules. Targeted road-widening and junction improvements, the introduction of

Ruettes des Habitants which enable access to properties but remove through traffic from streets where that causes a particular problem, better signage, a travel app and support for car clubs.

More choice means more people can choose different ways of getting around more often, creating more space on the road, including for those who still want or need to drive and creating a more interactive environment for people to work and live in.

With our support, the Guernsey Development Agency is also looking at developing a mobility hub for the area which could provide parking, EV charging, car clubs, secure bike storage, a bus interchange, and the possibility of a wider range of services, such as a concierge desk for nearby residents expecting deliveries when they are out, a cafe, retail space or other amenities.

I am pleased to confirm that funding for the 2024-26 Coastal Defence Maintenance Programme has just been approved, keeping that critical infrastructure fit-for-purpose for decades to come. Repointing works from Route to Port and the Imperial Slipway haunch have been recently completed and work is now underway on several other seawalls. The repair and repointing works to Salerie Piers and Route de la Lague will also begin in the near future. And I can report that repairs following Storm Ciarán in November 2023 are now mostly complete.

The dive team for the Alderney Breakwater has mobilised for the summer season. The States agreed, last year, as part of the Funding & Investment Plan, that the scope of the works at Fermain should be reduced to focus just on redirecting the coastal path which is necessary to continue to allow safe access by the public. Officers are liaising with landowners to determine the next course of action. Works are almost complete on the children's and ladies' bathing pools. The children's pool has a section of damaged railing to repair and there will be a small amount of 'leak plugging'. I am also very pleased to confirm that work to secure the rock faces in an extended area below Clarence Battery, following the landslip, are progressing well and are on schedule. Once the major work to secure the cliff has been carried out, a new set of steps will be installed.

As Members will be aware, the Committee is also delivering the St Sampson's Harbour Flood Defence Project. This will provide sufficient protection from the risk of sea inundation at the Bridge until a more comprehensive solution is developed in line with the forthcoming local planning briefs for Harbour Action Areas. We have begun developing the detailed designs which will include consultation with key stakeholders with expected delivery by June 2025. This flood defence will support the development of strategically important housing developments as well as protecting existing homes, businesses and critical infrastructure. I will provide more detail later in this update on the work we are doing to address the housing crisis.

Work continues to determine the optimal future strategic use of Les Vardes Quarry. Our aim is to establish the best long-term solution for both our future water storage requirements and inert waste disposal. We have been looking at a wide range of potential options which include the future use of other quarries such as Longue Hougue. The technical and high-level engineering assessments have been completed as have strategic environmental assessments. The findings of this work have been used to determine what options are technically feasible and taken forward into the options appraisal. Ten options are now being analysed and assessed in-depth, before the Committee recommends a way forward through a policy letter later this year. We would like to thank Guernsey Waste and Guernsey Water for their continued technical input and support with this work and we will continue to keep the STSB informed to progress and the findings as they evolve.

While the specifications of periodic vehicle inspections have been agreed by the States, the Committee is keen to ensure that their implementation is measured and appropriate for Guernsey, while meeting our international obligations under the Vienna Convention. Feedback from industry has been instrumental in developing how the scheme will operate and who it will be operated by. We are in the process of sense checking timelines and operational details with local garages and other stakeholders.

We are also in the implementation phase of the Electricity Strategy, working with local energy providers and through the cross-committee Electricity Strategy Steering Group. The standby charge has been removed to support delivery against our solar targets and renewables more generally.

And the review of the merit order, currently underway, will be another key step in supporting the State's strategic objectives.

745 E&I, P&R, Economic Development and the DPA are all represented on the offshore wind sub-committee. The group has been very active since the start of the year with an initial focus on assessing the extent of Guernsey's potential opportunity for an offshore wind farm, exploring the various leasing options and examining the feasibility costs and benefits of different types of models of the project to inform a States' decision before the end of this political term.

750 E&I is currently drafting a policy letter on the establishment of a Renewable Energy Commission which we intend to publish in the coming months. We have also been following with interest the work in Jersey and the decision last week to continue to pursue the development of offshore wind is welcome, their decision.

755 We will continue to explore the ways that we can work collaboratively to meet our respective aims. One of the Government Work Plan priority actions is to develop a pathway way to net zero which looks at the various options to meet our internationally aligned targets. That work is being led by Siemens PTI in partnership with Aether who already carry out our greenhouse gas inventory. The baseline projections are encouraging, indicating a two thirds reduction on current emission levels by 2050, without any additional measures. So the next stage of the work is looking at what initiatives are likely to be the most effective in abating the remainder.

760 There has been, yet again, fantastic engagement from our Energy Partnership who are, over the next couple of weeks, taking part in workshops, exploring the technical, practical and commercial feasibility of potential solutions.

765 Twenty twenty-three was a challenging year for our Asian Hornet team, with more nests being destroyed than in any previous year. To add to the challenge, the nests were found in extremely difficult locations such as cliffs, tall trees and other perilous spots. In anticipation of similar challenges that are likely to be faced this year, the team have invested in new kit and are very grateful to the contribution from the Beekeepers' Association.

770 Storm Ciarán was a real test of our small, but dedicated Agriculture, Countryside & Land Management Services team. As they manage over 80% of the publicly accessible land in the Island, I am grateful for the work that they did to rapidly assess the risks and swiftly deal with the many damaged trees, so that Islanders could use areas such as Le Guet or our parks with confidence.

775 A Storm Ciarán recovery grant, partially funded by the States, to help in woodland recovery is being administered by the Nature Commission which is making good headway now that its new CEO and board is fully in place. One of the things that it will deliver this year is the Island's first State of Nature report which will give us data on and valuable insights into the state of Guernsey's natural environment and biodiversity. This first comprehensive report will act as a baseline so that we can monitor changes in years and decades to come.

780 A policy letter addressing the sustainability of the dairy sector is in development. Following the market shocks that necessitated emergency funding in 2022, we commissioned an evidence review which showed that changes to the existing Dairy Farm Management Agreement will be required to ensure the longer-term sustainability of the industry, and therefore the iconic Guernsey breed and good management of the Island's countryside. This will also require a change to the level of Government support which is currently very much lower in Guernsey than it is in other jurisdictions, including Jersey, the UK and across Europe.

785 The publication of the Guernsey Housing Plan in July 2023 set out the work the Committee is doing to address the Island's housing pressures, in partnership with P&R and ESS in particular. This is our top priority and we have increased its dedicated resource accordingly.

790 I need to emphasise again that there are no quick fix solutions that can instantly solve the range of housing pressures felt acutely by Islanders which span affordability, accessibility, suitability, quality, choice and security of tenure. The reports we published last year showed that our housing market is in systemic failure, so effective intervention and support is essential. But because changes in any one part of the dynamic system affect other parts of the system, intervention must be carefully judged and balanced, so as to address problems as swiftly as possible without

inadvertently creating others. This is what we are doing through the 28 work streams in the Guernsey Housing Plan.

While I do not have any time today to provide an update on all 28 work streams, I will provide some further detail on this extensive programme of work. One of the most important is understanding what Government can and should do to stimulate private market housing development. We know that the private sector is not delivering nearly enough new homes to meet the Island's housing need, despite a glut of live planning permissions. The Committee has launched a review into the fact it is hindering adequate conversion rates, thought at this stage to include the cost of materials, the cost of labour and the cost of finance. We will return to the States with our findings and recommendations at the earliest opportunity this year.

Meanwhile, work has commenced on the annual rerun of the housing needs modelling, taking into account the latest population numbers and projections. This will be completed and published within the next few months and returned to the States if the modelling suggests that a new indicator is needed.

Policy proposals are progressing well to help strengthen the rights and responsibilities of private rental sector landlords and tenants, so that this sector is a reputable tenure of choice. Stakeholder engagement in developing these proposals and delivery plans is critical to the success. So extensive consultation is planned over the coming months.

The drafting of housing standards legislation, including the introduction of minimum standards for rented properties and registration of landlords and properties, is also progressing well. A public consultation will launch shortly. And once the views of Islanders have been considered and any revisions made as appropriate, the legislation will be laid before the States. That will be a significant step forward, as it will modernise local housing legislation that has been little changed in nearly 90 years. Having modern standards and enforcement tools within legislation is an essential part of ensuring that housing provision on Island is fit-for-purpose and that the health and wellbeing of occupants can be protected.

I hope that has given Members a flavour of the work that E&I has done since the last update, and I look forward to taking questions on any area of our mandate.

Thank you.

The Bailiff: Deputy Inder.

Deputy Inder: Thank you for the updates, Deputy de Sausmarez.

In her role as President, she is also a member of the Offshore Wind Group and one of the members is Deputy Meerveld, in fact. Last week, in an interview on the BBC, I think it was, he said that hundreds of millions will be or could be generated from a large-scale offshore wind farm. And then he connected it directly to a tax strategy.

So it is a direct question to Deputy de Sausmarez, as a member of that group and a senior Committee member in her role as President: can the President confirm whether there has been an assessment of the monetary benefit to the Island, should a large-scale wind farm ever be deployed off the Island? What are the timelines for it? And if there has been an analysis, which I doubt, would she agree that the analysis should be shared formally with Members?

The Bailiff: Deputy Inder, the time for asking the question has expired.
Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

I appreciate I galloped through my update at supersonic speed, because I was worried I was going to run out of time. And, actually, I had 45 seconds to spare in the end.

I did try to address this issue in that update. And I indicated that the work that the Offshore Wind sub-committee, which he is right, I do represent E&I on, has been very busy, especially of late. And we are currently assessing that potential opportunity and exploring the various, not only leasing

options, but the feasibility costs and benefits. So that is work that we are currently undertaking. And I did explain in my update that we are going to be pulling all that information together and bringing it to the States for a decision before the end of this term.

I think it is important to say that we are going into that process with an open mind, without any ideological predetermination about what the best outcome might be. And we are looking forward to seeing the results of that analysis.

Thank you. (*Interjection and laughter*)

The Bailiff: Deputy de Lisle.

Deputy de Lisle: Thank you, sir.

On roadworks, sir, there are serious concerns from businesses in the Arcade and the High Street with respect to works ongoing by Guernsey Electricity.

What considerations led the Department to permit those works at this time of year when the Town is supposed to be free of obstruction and disruption to pedestrian flow and access to provide the very best impression and offering to visitors to the Island?

Thank you.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

There is really no good time to dig up any roads. There are some times that are better than others, but we could not do it, obviously ... By the way, Douzaines etc. are invited and actually encouraged to comment ahead of time on all roadworks. Some choose to, some choose not to. But we have got, I had indicated in my update, the incredible volume of work that needs to be done. This is a side effect of investment in infrastructure. So I do sometimes get the impression, looking at social media, that people think that we just go digging up roads for fun. Nothing could be further from the truth. There is a huge amount of co-ordination to reduce the number of times that any road is dug up and to make that as short as possible.

But there is no good time for retailers. We have got to remember this work is being done to support all businesses, including retailers, in terms of the electricity capacity and resilience. But also, if we were to only do all roadworks at a tiny amount, at a small portion a month or two in the shoulder season, either end, we would not have enough people to go out and do that work. And the Island would grind to a halt.

So I appreciate it is inconvenient. Is it inconvenient for me? Yes, personally. Of course, it is, like everyone else. But it is just a no-win situation. If we want to have a good, resilient, functional electricity grid –

The Bailiff: Deputy de Sausmarez, the time for your answer has expired.
Alderney Representative Snowdon.

Alderney Representative Snowdon: Thank you, sir.

Just regarding the Offshore Wind sub-committee, an important first stage, is there any updates about getting the seabed lease from the cap ground for Guernsey, Alderney and Sark, which I believe has been applied for?

Thank you.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: I am not aware of ... That is actually a question that would have to be directed to P&R because they are responsible for the seabed. So I do not feel as though I am in a

position to answer that question, I am afraid. But I am sure my colleagues on P&R would be happy to.

900 **The Bailiff:** Deputy Falla.

Deputy Falla: Thank you, sir. And I thank the President for the update.

It was announced earlier this month that the Guernsey Rally will go ahead in February 2025.
(Interjections)

905 Is E&I comfortable with this arrangement in terms of the residential road closures required and the public funding involved?

The Bailiff: Deputy de Sausmarez.

910 **Deputy de Sausmarez:** Sorry, can Deputy Falla please clarify what he means by 'public funding involved'?

Deputy Falla: The cost of any policing and road closures and other associated costs with the event.

915

The Bailiff: But the difficulty with that, Deputy Falla, is that that does not fall within the mandate of this particular Committee. So concentrate on the bits that fall within your mandate, please, Deputy de Sausmarez.

920 **Deputy de Sausmarez:** Thank you.

The Committee has streamlined and clarified the policy and process in order to accept an application. We cannot predetermine the outcome of that application, but we have certainly been working with the Guernsey Rally Club to make sure that an application is possible and will be considered.

925 It is a very tricky one, because for a start, it is a very polarising issue. There are people who are very passionately supportive of it and there are people who are very passionately opposed to it. So our unenviable job is to try and find a balance between those things. But we have to try and make it as workable as possible.

930 The reason we had to not accept an application for this year was because the previous year was so incredibly intensive in terms of the staff resource that it took. So we think that some of the changes that the Committee has made will reduce that impact on our internal processes. The Bailiff is quite right, we are not accountable for all the public services that are affected, but certainly in terms of the administrative processes that we are responsible for, we think that the changes that we have made should reduce, although not eliminate, the amount of work involved.

935 It is a complex event because it spans a huge geographical area. It impacts an awful lot of people and it is different every time. And now I think that is what the attraction of the event is, but it also makes it administratively very complex.

940 **The Bailiff:** Deputy de Sausmarez, time is up.
Deputy Queripel.

Deputy Queripel: Thank you, sir.

Pedestrians take a huge gamble when they walk along the Coutanchez. I think I am right in saying E&I included the Coutanchez in their recent road safety survey.

945 If that is the case, can the President please tell me if her Department have considered installing speed humps on that length of road in an attempt to make it safer for pedestrians?

The Bailiff: Deputy de Sausmarez.

950 **Deputy de Sausmarez:** Sir, I share Deputy Queripel's concerns about the Coutanchez. It is a stretch that I am not comfortable walking down myself. And it is one that we are aware many people have also complained about. But, sadly, it joins a very large club in that respect. The list of roads that we would like to make safety improvements to is a very long one, so we have to prioritise the work that we do. And the main areas of priority are the area that I referred to in my update Statement relating to the Better Transport Plan. So where we are expecting even more housing development to come forward and the main local centres and particularly around schools. So he is quite right. It is on our list, but I cannot give him any assurance that it is top of that priority list, because we have so many competing priorities.

955 When it comes to the issue of speed bumps, they tend to be not at all supported by the blue light services. So we have to consider a range of different calming measures and different design approaches, I suppose, depending on the context. But, just installing speed bumps is not an easy thing to do, for a variety of reasons. Not least that the blue light services really are not fans of that approach. Even though, arguably, calming traffic does reduce the amount of work that they would have to do.

965 **The Bailiff:** Deputy Mahoney.

Deputy Mahoney: Thank you, sir.

970 Could the President update the Assembly on where E&I are with the proposals for the introduction of an MOT or whatever it is going to be called locally? I think that has been kicking around in the long grass for over two years now and we have not seen anything.

So is that still a live work case workload? Is it still in the pipeline? Or has it been quietly dropped? If it is still a live work item, when are we likely to see that back in the Assembly?

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

Deputy de Sausmarez: Thank you, sir.

980 I did actually address this in my update Statement. We are on track with the ... well, we are progressing the periodic vehicle inspections. And as I mentioned in my update, we are checking timelines at the moment. We have had a big process of consultation with potential product providers on Island and we are currently in the process of sense checking the timelines and the feasibility in some of the operational detail with them. So I expect to be able to update Members in the general public before too long on the specifics.

985 But because we have not gone through that sense checking on the timelines, I cannot give Deputy Mahoney an answer more specific than, yes, it is very much a live piece of work. And he will hear more about it soon.

The Bailiff: Deputy Dudley-Owen.

990 **Deputy Dudley-Owen:** Thank you. And thank you to the President for her update. It was very informative.

Again, this is an area that she noted in her update Statement about the General Housing Law. Obviously, the previous States approved that in 2020 before the election. It has taken some time to come through. We have had a parishioner drawing our attention to it again this week, and how that is going to ...

995 I would like to know when it is going to be coming to the States and when tenants and landlords will feel the effects of (**A Member:** Hear, hear.) the legislation, please.

The Bailiff: Deputy de Sausmarez.

1000 **Deputy de Sausmarez:** Yes. As I said in my update Statement, we are consulting on ... there are a couple of twin aspects of that. But I think the aspect that Deputy Dudley-Owen is referring to, we are consulting very soon. So that consultation will be carried out, I think – I might get in trouble if I give a specific month but – shortly.

1005 So it is really important that we understand that we do consult very widely, because it is something that, of course, yes. As I said in my update, it will be coming back to the States as soon as ... So we drafted the legislation. That is what is going to be going out for consultation. And as I said in my update, we are going to take into consideration any of the feedback that comes back from that consultation, make any amendments if and as relevant, and then it will come back to the States. So I think that process of consultation will be over a few months. And we will bring the legislation to the States as soon as we can after that.

The Bailiff: Deputy Le Tissier.

1015 **Deputy Le Tissier:** Thank you, sir. I would like to thank the President for her update. I would like to go back to one statement she made that was about flood defences on the Bridge. Now, I think she said that it is progressing. Fine, I approve of that. But I put to her that, in the recent high tides that we had, there was none or very minimal flooding on the Bridge. And yet, there was serious flooding along the seafront in Town. (**A Member:** Hear, hear.)

1020 So my question is, what is the Committee doing about protecting the Town seafront from regular periods where it is flooded?

Thank you.

The Bailiff: Deputy de Sausmarez.

1025 **Deputy de Sausmarez:** Thank you, sir.

There is a very simple answer and it is around topography. So if one thinks about the topography of the Bridge, or if one thinks about the topography of the Town, there is the seafront and then there is a large hill. If we think about the topography of the Bridge, there is the seafront and then there is a large dip. And so that is the fundamental factor which changes the risk profile of the two.

1030 And so Deputy Le Tissier can rest assured that, of course, the flood defences for the Town, for St Peter Port are an important feature, but they are being addressed primarily through the Harbour Action Areas work, the local planning briefs. It is just that we have to progress some flood defences for St Sampson's sooner than that because there is so much housing that we want to enable in that particular area. So that is why we are bringing forward a flood defence in St Sampson's. The flood issue, the flood defence in St Peter Port is something that will be actioned in due course, but influenced by the local planning briefs that are ongoing at the moment.

The Bailiff: Deputy Oliver.

1040 **Deputy Oliver:** Thank you, sir.

I have been in the States two terms now. And I think every E&I statement I have asked about the Fermain wall. And I have always been told that it is progressing, it is progressing, it is progressing. And now I hear it is not going to be progressing.

Can I just confirm that you are not going to be rebuilding that wall at Fermain?

1045

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Yes, Deputy Oliver took part in a debate about this. It was called the Funding & Investment Plan and it was made quite clear in that policy letter that that is what the States are being asked to agree, and that is what the States agreed.

1050

So it was in the rescoping. It was a project that could not be justified, because of course, as much as I am a massive fan of Fermain – and I have to declare an interest; I live very nearby and I am down there a lot, so it is a bay that is very dear to my heart – as much as I personally would absolutely love to restore that wall, it is not a sea defence. It is a Napoleonic military defence. And, therefore, when we were all given the task of reprioritising, cutting our cloth according to our means, that is one of the projects that the States agreed through the Funding & Investment Plan to rescope and just focus on the cliff path.

So it is there in the Funding & Investment Plan and that is what the States agreed and that is, therefore, what we are carrying out. It is something I would absolutely love to progress, personally. If anyone wants to bring a requête, I might sign it, but unfortunately, that is where we are at the moment.

The Bailiff: Deputy Haskins.

Deputy Haskins: Thank you, sir.

I believe that the replacement rate of low voltage cable was 8 km previously; this year, the President has said that was 10 km. But there is over 800 km of low voltage cable with a lifespan of between 50 and 70 years. At the current replacement rate, that is an 80-year cycle. So there is a deficit of around 3 km to 4 km per year.

My question to the President, sir, would be, is there capacity to increase that? What extra cost will it be? And given that there is an inordinate amount of roadworks, currently, how does the President envisage this working and have they considered the effect on our economy?

Thank you.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Sir, the operational detail is not something that sits in E&I, but Deputy Haskins is absolutely right that the policy objectives around that really are. And I completely agree with him, and I know the Committee does as well, that we need to accelerate that transition. And it is also true to say that the number of roadworks, as everyone is – I think as the front page of *The Guernsey Press*, actually is – aptly illustrating today, the number of roadworks that can take place at any one time in this Island is a real life constraint and it is very difficult to get around that. We keep a lot of our critical infrastructure under the ground which on the plus side keeps it really safe compared with other methods like overhead lines, but it does have the negative effect, I suppose, of meaning that there is more disruption when anyone needs to get to it.

So we work with STSB; I think that question is probably better answered by the STSB or by Guernsey Electricity themselves. But certainly in terms of the policy objectives, the Committee completely agrees that we want to accelerate and we discuss that at every opportunity. And Deputy Haskins is also correct, that one of the constraints that is most difficult to navigate, if you will pardon the pun, is indeed the finite number of roads that can be dug up at any one time without the Island grinding to a halt.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Following on from Deputy Haskins' question, my personal experience and informal discussions with plumbers and electricians indicate that there may be a bigger problem than there is currently profiled about how many people, how many households undertaking renovations, building new houses, are able to get permissions in electrifying their households. Which means today, my most practical and allowed option is to continue with an oil boiler. It seems that GEL, today, cannot meet the demand for electrification for those who are willing and able to pay for it.

Is the Committee aware of the restraints; are those rejections and restrictions monitored by the Committee; could this data be published; and does this affect Guernsey's path to net zero?

1105 **The Bailiff:** Deputy de Sausmarez.

Deputy de Sausmarez: Thank you.

I think most of those questions are operational detail that does not sit with E&I, again; we look at the higher level issue. But Deputy Kazantseva-Miller is absolutely right. She has very well illustrated *exactly* the problem that we are trying to address.

1110 So first of all, my understanding is that it is very non-uniform. It is not a problem that all people experience if they are renovating, but it does affect certain geographical areas. And some people are or some households are going to be more affected than others. But this is exactly why there is such a focus on upgrading our infrastructure so that we can provide households and, indeed, businesses with the kind of electrical network, the capacity, the resilience that they need and expect. But the only way we can do that is by getting to the infrastructure and fixing what is there, upgrading where we can. And we do try to ensure that that is as co-ordinated as possible.

1115 But Deputy Kazantseva-Miller makes a very good argument for why this work is so essential. And I think it is actually important to remember that when we are all, and I do it too, grumbling about stumbling across a road that you cannot get through.

1120 She also asked a question in relation to whether it would affect the path to net zero. That is work that is underway at the moment. And so it is something that we should have an answer to in the next few months and I look forward to updating her on that then.

1125 **The Bailiff:** Well, I am going to extend the period of questions to the President for a short time. And I will call Deputy Vermeulen next.

Deputy Vermeulen: Thank you, sir.

Thank you for your update, Deputy de Sausmarez. I found it very useful.

1130 You talked about stabilising the cliff works at the Aquarium but can I ask for an updated completion date for the steps to the Clarence Battery? I have been somewhat badgering you for the last three years. And I am looking forward to when I can bound up those steps three at a time. So could you perhaps tell me when they are likely to be completed?

Thank you.

1135

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Sir, I do not think the timeline has changed since my last update and there has been quite a lot of media on it. But we are on schedule and the completion date is the end of August.

1140 Thanks.

The Bailiff: Deputy Gollop.

1145 **Deputy Gollop:** Thank you.

We have already heard answers to road closures – Deputy de Lisle and others asked about the Arcade and the activities of utilities like Guernsey Electricity which are essential for infrastructure – but I have heard that Doyle Road, for example, may be closed for five months. If that is the case, my question is two-fold: can the Committee look again at policy and maybe compensation? And my second point is, ways of working around the clock so that businesses and residences and school routes and leisure routes are not disrupted for that length of time. So essential though the work is, the programme could be shortened to, say, two months.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you.

I think this question has been answered at length. However, Deputy Gollop has raised a little red flag in front of me and I am just going to take the bait, because one of our absolute bugbears at E&I is the lack of a mechanism to charge for road closures, except in a very limited way. And the Committee has been asking and asking and asking for a really quite simple, in the grand scheme of things, e-commerce function that would enable us to do that and we think would make the whole process an awful lot more efficient. However, we are physically and, I think, legally, at the moment, not able to do that, because we have not got the IT functionality in place.

So if Members feel strongly about this, please do join E&I in *begging* P&R to please prioritise this functionality so that we can do that. And I think it is a piece of IT infrastructure, organisational infrastructure, that would actually help a range of different Committees.

So, yes, if there is any way of prioritising that work, we do think it will have practical benefits on the ground and make a lot of people's lives slightly less difficult.

Thank you.

The Bailiff: Deputy Dyke.

Deputy Dyke: Thank you, sir. And I thank Deputy de Sausmarez for her fulsome report.

A couple of questions about tarmac. One, is there any chance of getting the west coast car parks properly tarmacked as opposed to the gravel refills we do every couple of months which then dig themselves out? And more interestingly and probably more interestingly to Deputy de Sausmarez, has she considered whether there is scope for running down the west coast and around the south coast a dedicated cycle path separate from the main road in most places, separate from pedestrians in most places, which will be something of great use to the people of the Island who like to cycle and those who might come in from abroad? It might be an attraction. It seems to me that it is feasible to do something like that.

Thank you.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you, sir.

Tarmacking of car parks is quite simply a budget consideration. It is an awful lot more expensive, but we have actually ... It used to be that those car parks were managed by Agriculture, Countryside & Land Management. We have recently transferred them over to Traffic & Highways. And so I think Traffic & Highways are looking to, as budget allows, consider which would benefit from a more permanent surface. So that is something that is currently being looked at.

Interestingly, when it comes to cycle paths, I have to say, this was not a question I was expecting to come from Deputy Dyke, but I welcome it. There is actually already a really lovely off-road path that stretches down much of the west coast and is very well used, especially by families and visitors in the summer. But interestingly, the concept of an off-road cycle path is something that the Committee has been pursuing. It is something that actually was featured in the policy letter in 2020. The idea was floated publicly then. It is quite complex, because of the nature of land ownership in Guernsey, so it is something that we are still trying to understand the feasibility of, even if it is just in part.

So the original concept, for Deputy Dyke's benefit, was really to see if we could get people from the west coast to Town largely off-road. And so that is the overall concept. And it may well be that if we can find a very cost-effective way of doing it – we know that there is a non-cost effective way of doing it, but if we can find a cost-effective way of doing it – then we may be able to do at least part of that at some point. It is something that I agree with him would be of benefit.

The Bailiff: Deputy Blin.

Deputy Blin: Thank you, sir.

1210 I was leaving this question towards the end, because it is going to be a subject I am sure Deputy de Sausmarez is half expecting. But it is to ask on the update of what progress there is, if there is any timeline on looking into and how we can resolve the noisy vehicles and the bikes in conjunction with the work they are doing with Home Affairs.

The Bailiff: Deputy de Sausmarez.

1215

Deputy de Sausmarez: I was expecting this one.

1220 Deputy Blin will be, hopefully, encouraged to hear that there is, it is not the first workshop, but there is a final workshop on this issue at officer level tomorrow. And we are expecting a report to come forward to political Committees, I would imagine within maybe four to six weeks after that, and then it will be a matter for the Committees to progress from there. So I cannot give him a particularly specific timeline in terms of what happens in the political process. As ever when you are co-ordinating two Committees, timelines sometimes have to expand. But it is something that is nearing in terms of the actual work, the technical work and the evidence review, that is a process that is nearing its conclusion.

1225

The Bailiff: Deputy Falla.

1230 **Deputy Falla:** Sir, we are seeing ongoing trialling of electric buses. And I would like to ask the President, what is the likelihood and affordability of the bus fleet ever being replaced with electric buses? And also what is the lifespan of the current bus fleet?

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: I will answer the last bit of the question first.

1235

The answer is next, because we have got the Bus Fleet Replacement Programme was actually in two phases; two of which are complete, one of which is outstanding. And again, that third phase of the Bus Fleet Replacement Programme was something that was a victim of the pipelining process in the Funding & Investment Plan debate. So that one has been pipelined. But that is not to say that we cannot make any changes. And in fact, the Committee is looking to see how it can progress it, because we are running on a false economy.

1240

It is only a small number of buses. I want to say about six or ... Oh, I am sorry. So the third part of the Bus Fleet Replacement Programme affects, I think, in the region of six or eight buses and they are the oldest ones, and they are increasingly uneconomical to run. So I think there is a business case that would probably stand on its own in terms of replacing those, because I think it is a false economy to delay that process. So that is something we are looking at at the moment.

1245

In answer to Deputy Falla's first question, the answer is of course it will be at some point. But it is important to look at the overall cost, so not just the capital outlay but also the maintenance and running costs. And one of the benefits of electric vehicles, although they tend to be more expensive in terms of initial capital outlay, they do make so much more economical sense when you factor in the maintenance and servicing, because there is so much less of a requirement than with the combustion engine equivalents.

1250

The Bailiff: Deputy Queripel.

1255

Deputy Queripel: Sir, E&I are doing an amazing job installing what is commonly known as 'cat's eyes' in the road on some of our most dangerous corners.

Can the President tell me, please, do the Department have sufficient funds in their budget to enable them to continue installing cat's eyes on dangerous corners? And I am thinking primarily of such areas as Val des Terres, Mont Saint, also where La Rochelle Road adjoins La Moye in the Vale and where Rue de Pulias adjoins La Route de Picquerel in St Sampson's.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Deputy Queripel was kind enough to give me advance notice of this. So I have had a chat with the relevant officers about it and they do tell me that they have had very positive feedback on the cat's eyes. I can assure him that we do have sufficient funding within our budget. It is one of the things that comes out of the Road Safety pot. And so they have no concerns in that respect. And they would encourage Deputy Queripel and, indeed, anyone else to get in touch with them if anyone has any specific suggestions in terms of particular locations.

Thank you.

The Bailiff: Deputy Mahoney.

Deputy Mahoney: Thank you, sir.

That follows on, really, from Deputy Falla's question who has just left the Assembly, re. the buses. Deputy de Sausmarez noted that whilst there was a higher initial cost for electric buses, the running costs would then be lower, as you would expect.

So does that mean that, should E&I go ahead with any of these purchase of buses, that we can expect to see a reduction in the £4 million-plus subsidy that is paid annually to the bus company, given that their costs will be lower? And therefore, presumably, our £4 million that taxpayers subsidise every year should also be reduced?

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you.

Deputy Mahoney may or may not be aware that we have actually got a tender out for the next bus contract and that is exactly the kind of thing that we are currently exploring.

The Bailiff: Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: Sir, housing featured as the last point of the President's update among the many of the Committee's huge and varied mandate. I do not have to remind Members that housing remains the number one priority. And as far as I know, States or GHA is yet to complete one affordable house build this political term. All for the States, except for a DPA legislation, to pass any legislation that would actually make a difference to the housing situation. Maybe this will change this week.

Would the President agree that despite all the rhetoric on housing, it is not enough to have housing hidden among the many mandate items of a Committee like E&I and that housing should be split to be a separate Committee of the States of Deliberation? (**Several Members:** Hear, hear.)

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Sir, I am struggling to see how that actually falls on E&I's mandate. Obviously, there is a question about the Machinery of Government and before that, it was about affordable housing, which I am happy to answer as a Member of ESS, but I do not think that the Bailiff (**The Bailiff:** No.) might smile upon that. So although I think they are very interesting questions, I am not sure I have got the mandate to answer them.

The Bailiff: Last question, Deputy Gollop.

1310

Deputy Gollop: Sorry, sir, this might be another mandate busting question.

But it is recently, the BBC carried a report about fishing and the alleged decline of Guernsey Pollock and other things, and there were indications that the fishing report was due but have not been published. I am aware, obviously, Economic Development has a key role here, but how far has Environment & Infrastructure been able to monitor fish stocks to ensure that they are plentiful and they work for Guernsey leisure and nature and industry alike?

1315

The Bailiff: A policy question, then, Deputy de Sausmarez, because maritime affairs is within the mandate.

1320

Deputy de Sausmarez: Maritime affairs is, yes, and although Economic Development does have the mandate for Fisheries, at officer level in particular, I know there is very close working between that section of the organisation and our Director of Natural Environment, for example.

And we are aware that, historically, as in many areas, Guernsey is not blessed with loads of data. We would love to have more, but I believe that is something that is improving. And, of course, it is a really important part of the blue economy support plan work that we are progressing and it touches on things like marine spatial planning. So that is an area of increased focus.

1325

I do not have any specific details at my fingertips in terms of pollock stock numbers or anything, but I can say that the data is important. I think it is improving. Certainly, the organisational aspects are much more joined up than they once were. And it is an area of increasing focus, because of the wider blue economy work that we need to do.

1330

The Bailiff: Well, Members of the States, we will now move into Question Time proper.

And Deputy Taylor has a single question to ask to the President of the Policy & Resources Committee.

1335

So Deputy Taylor, please.

Questions for Oral Answer

POLICY & RESOURCES COMMITTEE

Omnibus and Leale's Yard – Code of Conduct comments

Deputy Taylor: Thank you, sir.

By way of amendment to the Finance & Investment Plan in October last year, the States resolved to seek assurances of due diligence checks as may be necessary into any company, its directors and its financial status, including assets and liabilities ahead of any investment in Bridge regeneration.

1340

Then on 1st January 2024, Charles McHugh and Omnibus Investment Holdings stated, within a Code of Conduct complaint that, 'The States' officers concerned in the ongoing due diligence process of Omnibus and Leale's Yard have since told Charles McHugh that there was no requirement to call for any extra due diligence into the directors of Omnibus'.

1345

Were P&R aware of any officers making such a declaration to a potential subject of the said due diligence checks?

The Bailiff: I invite Deputy Trott, as the President of the Committee, to answer.

1350 **Deputy Trott:** Thank you, sir.
No.

The Bailiff: Is this a supplementary question? Alright?
Deputy Vermeulen.

1355 **Deputy Vermeulen:** Thank you, sir.
Good governance is of utmost importance. However, would the Chief Minister agree, as elected representatives, we need to leave personalities and legacy issues out of our decision-making for the greater good of the Island?

1360 **The Bailiff:** Deputy Trott, you do not need to answer that question on the basis that it does not arise out of the answer given.

Anyone else?
Deputy Taylor, supplementary.

1365 **Deputy Taylor:** Thank you, sir.
Noting the answer is simply, no. The obvious question that arises out of that answer is, why not?

The Bailiff: Deputy Trott, you can answer that one.

1370 **Deputy Trott:** Well, for a start, sir, I have not seen the Code of Conduct complaint that Deputy Taylor refers to. If I had, it might be easier to give a more explicit answer. But the answer 'no' remains the answer 'no'. I do not know what else I can say, sir.

1375 **The Bailiff:** Deputy Mahoney.

Deputy Mahoney: Thank you, sir.
Given a slightly more expansive answer, I hope this might succeed.
Does the President agree with me on two matters?

1380 Firstly, that this line of questioning seems to have more to do with a Code of Conduct which none of us have seen. Well, certainly, I have not. Sorry, I cannot speak for everybody. And I am not sure when we started name-checking individual Members in States' Question Time.

And secondly, that the most important issue for this Assembly is the building of more houses, of which Leale's Yard could, potentially, provide a massive hit for us?

1385 **A Member:** Hear, hear.

The Bailiff: And once again, Deputy Trott, you are not going to answer that question, because it does not arise out of the answer 'no'.

1390 Second supplementary, Deputy Taylor.

Deputy Taylor: Thank you, sir.
In the last States' Meeting, we heard a great deal about the failings within HSC which were, apparently, as a result of a civil servant, my words, going rogue.

1395 Now in that context, the second obvious question that arises out of the answer 'no' is that, does it concern the Committee that they have a lack of knowledge about comments their officers are apparently making?

1400 **The Bailiff:** I will allow that, Deputy Trott. So can you try and answer that? And if you cannot, then ...

Deputy Trott: Well, the operative word there is 'apparently' sir. I do not know whether those assertions are accurate or not. But what I can say, sir, is I do not like to be negative. And whilst I entirely respect your ruling that the questions from Deputy Vermeulen and from Deputy Mahoney were inappropriate, had I been able to answer them, I could have answered 'yes', 'yes' and 'yes'.

The Bailiff: Deputy Inder, supplementary.

Deputy Inder: Would Deputy Trott agree with me that, if we are going to condemn people, it is better to do it based on evidence in front of us rather than hearsay?

The Bailiff: And, again, you do not have to answer that question, Deputy Trott, because it does not arise out of the answer 'no'.

Frankly, there are two questions that have been asked by Deputy Taylor and they are the only ones that are going to be permitted as supplementaries out of the answer 'no'.

STATES' TRADING SUPERVISORY BOARD

Guernsey Airport – Contaminated soil

The Bailiff: Next questions will be to the President of the States' Trading Supervisory Board, asked by Deputy de Lisle.

First question, please, Deputy de Lisle.

Deputy de Lisle: Thank you, sir.

The questions concern PFOS contamination soils contained in a bond at Guernsey Airport since 2012.

Sir, Guernsey Ports have been considering options for the disposal of the contaminated soil and several treatments have been tested since 2020. Now there are ongoing environmental and health concerns of nearby residents with contaminated soil stored so near to their homes for over a decade. And they would like some answers.

And my first question, sir, being what option has been decided on since the laboratory test took place four years ago?

The Bailiff: And the President, Deputy Roffey, to reply, please.

Deputy Roffey: Thank you, sir.

The initial remediation options were identified by the board's technical advisers back in September 2019. Subsequent discussions with the Office of Environmental Health & Pollution Regulation, the OEHPR, identified two specific options that were both considered to be acceptable from a regulatory perspective. Both involved off-Island treatment and then containment of soils. Further testing and discussions with suitable experienced contractors led by our technical advisers, have identified a single preferred solution which is supported by the OEHPR. This will involve off-Island soil washing and then subsequent containment in an off-Island hazardous waste landfill site.

The Bailiff: Supplementary, Deputy de Lisle.

Deputy de Lisle: Sir, I have one supplementary.

Just to clarify, as I understand it, funds were placed in reserve for the remediation process some years ago. But I am not absolutely sure what the situation is now.

So I ask, does Guernsey Ports have the resources in reserve to commit to off-Island soil washing and subsequent containment in an off-Island hazardous waste landfill site for 14,000 tons of contaminated soil in the main cell plus 2,500 tons stored in a cell to the west of the main bond?

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The Bailiff: Deputy Roffey.

Deputy Roffey: Sir, I understand it was about 12,000 tons of soil.

1455

The answer is slightly complex in the sense that there was money left over in the capital vote for the relaying of the Airport runway which was meant to be used for exactly this. After a period of time, my understanding, I was not around at the time, is that that money was transferred to the central funds, but with an undertaking that when it was needed it would be able to be used for this purpose. So my understanding is, yes, the funds will be available.

1460

The Bailiff: Second supplementary, Deputy de Lisle.

Deputy de Lisle: No supplementary further, sir.

1465

The Bailiff: Okay. We will just pause briefly and just see if anyone else wants to ask a supplementary.

Deputy Le Tissier.

Deputy Le Tissier: Thank you, sir.

1470

I am not sure if my question should be this supplementary according to this first question or the second, so I will pose it anyway.

I see there was a report in the media in January 2023, that Guernsey Ports had gone out to get expressions of interest. And the deadline was 17th February. Now it also went on to say, Guernsey Ports spokesman, that they expected to award a contract by the end of March 2023. It all seems to have gone quiet after that. Could the President update me?

1475

The Bailiff: Well, I think that might be better asked again in relation to the next answer, Deputy Le Tissier, because it does not really arise out of what was just said as the answer to the first question.

Deputy Le Tissier: Thank you, sir.

1480

The Bailiff: If there are no more supplementaries I will invite Deputy de Lisle to pose his second question to the President, please.

Deputy de Lisle: Thank you, sir.

1485

The question, when will the contaminated soil bonds outside the entrance of the Airport be removed?

The Bailiff: Deputy Roffey to reply, please.

1490

Deputy Roffey: Quite soon now.

The initial procurement processes for the removal of the bonds commenced in November 2022, with a number of suitable contractors shortlisted for invitation for tenders. The process had to be halted, I am afraid, in 2023, as part of the review of the capital portfolio, undertaken by the Policy & Resources Committee.

1495

A subsequent requirement of this Assembly to review the scope of the project has just been completed and proposals to restart the tender process will be coming forward to my Committee in the next few weeks. At that stage, tender documentation will be achieved and a timeline for

commencement of the works will be established with the successful tenderer. In the meantime, the bond site continues to be licensed by the OEHPR.

1500

The Bailiff: Supplementary, Deputy de Lisle.

Deputy de Lisle: Can I ask two supplementaries, sir.

1505 The first one is further clarification of when will the contaminated soil bonds outside the entrance of the Airport be removed, because I am not quite sure as a result of the answers given. Given the restart of the tender process in the next few weeks, when would you see, Deputy Roffey, the earliest time for the removal of the bonds? Is it going to be this term, for example?

The Bailiff: Deputy Roffey to reply, please.

1510

Deputy Roffey: I certainly believe it is going to commence in this term. We should, once we have the tender process completed, it will be a fairly specialist job with a great deal of safety precautions that will need to be implemented, specialist containers used to make sure that no dust escapes, etc. So I think we will talk with a specialist contractor about whether or not they would want to start this autumn or whether they would feel that the rain over the winter, they might feel it will help with dust. They might feel it will really hinder with leaching out of PFOS. So we will be guided by them, whether it should start later this year or whether it will be the spring of next year. But we want it done as soon as possible.

1515

1520 **The Bailiff:** Second supplementary, Deputy de Lisle.

Deputy de Lisle: Thank you, sir.

The licensing for the sealed bond site has been renewed several times since 2012, sir, in five-year tranches, as I understand it. And given that there must be a limited effective lifespan of the bond material holding the contaminated soil, has the area been tested for leakage of PFOS contaminants into the surrounding soils and the water table at any time?

1525

The Bailiff: Deputy Roffey.

Deputy Roffey: My understanding, and I am reluctant to ever put something on the record unless I go back and double check. So this is purely my understanding and I will double check, is that both Guernsey Ports and Guernsey Water do, periodically, do some tests in this respect.

1530

The Bailiff: Any other supplementary questions?
Deputy Inder.

1535

Deputy Inder: Just briefly, just to help Deputy de Lisle and possibly help Deputy Roffey. Would it be reasonable for Deputy Roffey to ask officers that specific question and respond to Deputy de Lisle on the testing regime for the fabric that lives under the bond itself?

1540

Thank you.

The Bailiff: Deputy Roffey.

Deputy Roffey: Yes. I will ask officers both at Ports and Guernsey Water to combine their efforts in bringing a reply to Deputy de Lisle. And in case other Members are interested, I will ask them to copy it in on an all-Deputies circulation.

1545

The Bailiff: Any other supplementaries?

1550 **Deputy de Lisle:** Thank you for that.

The Bailiff: In that case, that concludes Question Time.

Billet d'État V

ELECTIONS AND APPOINTMENTS

COMMITTEE FOR HEALTH & SOCIAL CARE

1. Election of a Member of the Committee for Health & Social Care – Debate commenced

Article 1.

The States are asked:

To elect a sitting Member of the States as a member of the Committee for Health & Social Care to complete the unexpired term of office, that is to the 30th June 2025, of Deputy T Bury, and whose notice of resignation is appended hereto, in accordance with Rule 16 of The Rules of Procedure of the States of Deliberation, as set out in Section 1 of The Rules of Procedure of the States of Deliberation and their Committees.

1555 **The Deputy Greffier:** Billet d'État V, Article 1, Election of a Member of the Committee for Health & Social Care.

The Bailiff: Deputy Brouard, have you got a candidate?

1560 **Deputy Brouard:** Yes, sir. I wish to nominate Deputy Helyar for the vacancy on HSC.

The Bailiff: Thank you very much. Is that nomination seconded?

Alderney Representative Snowdon: Happy to second, sir.

1565 **The Bailiff:** Thank you very much. Any other candidates for this vacancy?
Deputy Vermeulen.

1570 **Deputy Vermeulen:** Sir, thank you.
I would like to nominate Deputy Gavin St Pier.

The Bailiff: Thank you very much. Is Deputy St Pier's nomination seconded?

Deputy Queripel: Yes, sir.

1575 **The Bailiff:** Thank you very much, Deputy Queripel.
Anyone else? No. Well, in that case, I will invite the proposer of Deputy Helyar, Deputy Brouard, to speak for no more than three minutes in respect of the candidature of Deputy Helyar. And then I will invite Deputy Helyar to speak.

1580 **Deputy Brouard:** Thank you, sir.

Two things in my three minutes. Firstly, I would like to thank Deputy Bury on behalf of the Committee for her support and engagement over the last three years. It is appreciated. So thank you.

1585 Secondly, rather than twisting arms this time, we have two very good candidates wishing to join the team. We struggle to separate them. No offence. They are both with legal background, both quick on the uptake, etc. And I am sure we can and will work with either of them. I am very pleased to nominate Deputy Helyar. He will give his personal reasons for wanting to stand and to contribute to the work of the Committee, but I will set out the reasons why he has my support.

1590 First of all, Deputy Helyar has significant skills and also recent experience from his role in P&R which can be particularly helpful in unwrapping and hopefully resolving the issues around the cost of our proposed Hospital development. And, of course, we must be absolutely confident that any further decisions we make on the Hospital funding are based on accurate costings and assumptions. He will also be very helpful in examining and helping us to explain to the public the pressures on health costs and, of course, in our case, frequent liaison with the Treasury team as their largest customer.

1595 Whatever Members' personal views of GST and the Tax Reform there may be, there can be no doubt that those proposals were well developed by Deputy Helyar and the team. And fairly presented with significant skill and a very sound grasp of the numbers. With the complex issues involved whilst also working closely in collaboration with other politicians such as Deputy Roffey, whose politics are probably quite different to those of Deputy Helyar.

1600 Those collaborative skills and experience together and showing no fear in presenting issues and solutions which might be unpopular or contentious, are very important to Guernsey's Government and particular to HSC at this time.

1605 He has also a direct interest in Health, where behind the scenes, whilst a Member of P&R, he was instrumental in developing Health policy in Alderney as Chair of the Alderney Care Board, leading the development of an integrated health system which we hope can become a paradigm for how we develop and integrate Guernsey systems further along the lines, originally envisaged in the Partnership of Purpose which is still alive and well.

1610 Deputy Helyar has told us as a Committee that he, sadly, is unlikely to stand for re-election next year and wishes to serve as best as he can on a busy Committee for the next 14 months. I can certainly tell him it will be a busy Committee.

I need not say more. We have all seen him in action. I believe he will be a valuable asset to the work of the Committee and collegiately be able to work with our team. I would ask colleagues to elect Deputy Helyar to the HSC Committee.

1615 Thank you, sir.

The Bailiff: Now I will invite Deputy Helyar to speak to his candidature, please.

1620 **Deputy Helyar:** Thank you, sir. And thank you to Deputy Brouard for his kind words and to my seconder as well.

1625 Why do this? My blood pressure has come down very significantly since December (*Laughter*) My golf handicap is showing signs of stubbornly starting to come down after several years of relative inaction because P&R is such a busy Committee on which to serve. The real reason is, and you have heard that I do not currently have any intention to stand in the next election. I wish to serve the community. I have been elected as a States' Deputy. I have skills which are relevant to the role and I think I can contribute.

I do not have any axes to grind and I do not wish to use a role on a particular Committee as an election platform for that purpose. And that is not to detract from the other candidate who is standing. That is just to set out my own stall.

1630 We do need reliable numbers, particularly on the Hospital programme. We went through and, unfortunately, wasted dozens of hours of debate using the wrong information, last year. And I would like the opportunity to put that right and I think I am capable of doing that as well as working with

the team to help it to explain to the public. Because I think there is a lot of misunderstanding in Health, just how good the services people are getting. We do not have people waiting in ambulances outside A&E. People can see a GP very easily. Our services are of a very high standard. But we need to help the public to understand that that comes at a cost. And we are going to need to find a way to pay for it in the future, because people over 70 use five times more GP and medical visits than younger people.

I wanted just to set out two particular issues that are related to HSC, because people have asked me to. The first one is cannabis. Now I have seen first-hand the medical benefits of cannabis, because my father who died, unfortunately, 20-odd years ago, was one of the first people when he had MS to go on the testing for medical cannabis. So I saw the beneficial effects of that at first-hand. I am not in favour of decriminalisation. I do think it needs be regulated and I am quite concerned about the high levels of THC of prescribed cannabis at present. And I do think that we need a carefully considered approach to that.

The other important issue which I think is likely to be debated before the end of this term, is assisted dying. And just because of the issues which I just explained about personal family circumstances, I have been through several difficult passings and I can completely see the point of discussing it. My issue with it is I do not think we should be a leader in that area. I think we should be following other jurisdictions which have more resource, particularly have more resource in order to develop those things.

I think I can contribute. I could just sit here on the backbenches, and as I say and play golf and just contribute with the odd speech, but I think I have the skills to contribute. I am not an activist. I am a pragmatist.

The Bailiff: Deputy Helyar, your three minutes are up.

Deputy Helyar: I would ask for your support.
Thank you.

The Bailiff: And I will now invite Deputy Vermeulen to propose Deputy St Pier's candidature.

Deputy Vermeulen: Thank you.

Sir, love him or loathe him, Deputy St Pier has demonstrated a real and fearless tenacity for scrutiny. With his many questions and motions, he has sought to ensure accountability across a range of issues and all Committees, including my own. If we do not like it, we only have ourselves to blame really. We chose not to give him a role at the beginning of this term. But now is the time to deploy those self same skills within a Committee.

HSC is our largest general revenue-spending Committee and it has the largest project in our capital programme. With unrelenting demand on HSC services always increasing, costs have been running away this term and will continue to do so if left unchecked without serious challenge. That challenge can and should come from all of us. But in the first instance, it should, of course, come from within the Committee.

Deputy St Pier is best placed to provide that challenge. He has proven his interest in HSC's work with a number of Rule 11 and Rule 14 questions across a range of issues. The recent shock news about the potential cost increase in Phase 2 of the Hospital project must be a wakeup call. We must have more effective political oversight which Deputy St Pier, I believe, can provide.

The Committee, this Assembly, and the States would all benefit if HSC had better communication. It needs to be more open and timely. Deputy St Pier's long track record in the States, but particularly, of course, during COVID, demonstrates his open and effective communication skills.

Sir, I did not know Deputy St Pier particularly well before I was elected. There is much we have disagreed on, but we have worked very well together on a number of things now. I found he holds no personal grudges, sir. He concentrates on the issues instead and that is what we need right now

1685 in HSC. That is why I was pleased to be asked to propose him and that is why I urge Members to vote for him.

Thank you, sir.

The Bailiff: Now I will invite Deputy St Pier to speak to his candidature.

1690 **Deputy St Pier:** An obvious question could be, if you are interested now, why did you not put yourself forward when the Committee was being formed? Frankly, having been knocked back for P&R and the STSB, I was exhausted. That did not make me the best candidate at the time to be an effective Committee Member. Had I joined then, I am certain that I would not have been approached by those constituents who had concerns following their interactions with Health and Care services. That insight has been invaluable and now makes me a better and more informed candidate.

1695 We should not be afraid to accept and articulate that the public service has clear systemic cultural problems in responding defensively to questions, complaint or criticism. That problem is not unique to HSC and it is not unique to Guernsey. But that does not mean it should be accepted and does not mean that it should not be challenged while staying focused, relentlessly, on outcomes and service quality.

1700 If elected, I would want and need to learn more about the Cinderella of HSC, Social Care, particularly for our vulnerable adults and children. During my period as Treasury lead for eight years, I sat on the project board for the Oberlands, a project that was delivered on time and within budget. At one stage, to keep on top of events and review financial performance, I held monthly meetings with the political lead for Health. This could be painful, but in that period, Health lived within its budgets and even managed to return unallocated budget in 2018.

1705 When I met with the Committee, I asked what kind of Member was wanted to fill the vacancy. The President said it needed to be understood that funding requirements were being driven by the inexorable increase in demand from the change in demographics. The impact of demand on our Hospital resources, domiciliary care, the use of agency staff and key worker accommodation require a whole-of-Government response, but particularly working with ESS and P&R. But we also need to build a new model of care, with the community's understanding and support that can, for example, respond effectively to both the exponential increase in ADHD diagnoses, whilst also ramping up preventative care.

1715 The trajectory of demand is upward, but we cannot keep firefighting and must accept our Health Care model is unsustainable and that requires fundamental change. We have had multiple reports commissioned from experts over the years, including KPMG, BDO, reviews of the ambulance service and so on. All brimming with ideas and action plans for transformation, and yet we do not transform, we just add.

1720 I have the time, the energy and interest to fill this vacancy. I am not looking for an easy ride. If elected, I will continue to challenge from within the Committee. In particular, in the remainder of this term, I will push for more robust political oversight of the Committee's capital programme and the development of a clear Transformation Plan, consistent with the Partnership of Purpose.

1725 **The Bailiff:** Well, Members of the States, there are two candidates for the vacancy on the Committee for Health & Social Care. The first is Deputy Helyar, proposed by Deputy Brouard and seconded by Alderney Representative Snowdon. And the second is Deputy St Pier, proposed by Deputy Vermeulen and seconded by Deputy Queripel. And I would just simply ask you to write the name of your candidate that you want to vote for on a slip so that that can be collected, please.

1730 *There was a ballot.*

The Bailiff: Has every Member who wishes to do so handed their voting slip in? Very good. Well whilst those are being counted we will move on to the next item, please.

SCRUTINY MANAGEMENT COMMITTEE

**2. Election of a Member of the Scrutiny Management Committee –
Debate commenced**

Article 2.

The States are asked:

To elect a voting member of the Scrutiny Management Committee who shall not be a member of the States, to complete the unexpired term of office, that is to the 30th June 2025, of Mr John Whittle, and whose notice of resignation is appended hereto, in accordance with Rule 16 of the Rules of Procedure of the States of Deliberation, as set out in Section 1 of The Rules of Procedure of the States of Deliberation and their Committees.

The Deputy Greffier: Billet d'État V, Article 2, Election of a Member of the Scrutiny Management Committee.

1740 **The Bailiff:** And I will invite the President, Deputy Burford, as to whether she has got a candidate.

Deputy Burford: Yes, sir. I would like to nominate Miss Christa Felton.

1745 **The Bailiff:** Is Miss Felton's candidature seconded? Deputy Fairclough.

Are there any other candidates at all? Jolly good.

Well, there is no need for speeches in those circumstances. And, therefore, I will simply ask you to now vote for the vacancy for a non-States' Member on the Scrutiny Management Committee. It is Christa Felton who is the candidate. And she was proposed by Deputy Burford, seconded by Deputy Fairclough.

1750 It is a secret ballot, yes. So can you take your voting slips? And if you want to vote for Miss Felton, please do so.

There was a ballot.

1755 **The Bailiff:** Next item, please. We will move swiftly on.

COMMITTEE FOR ECONOMIC DEVELOPMENT

**3. Appointment of a new Public Trustee –
Mr Brian Williams appointed**

Article 3.

The States are asked to decide:

Whether, after consideration the policy letter entitled 'Appointment of a new Public Trustee' dated 1st March 2024, they are of the opinion:- 1. In accordance with paragraph 1(2) of the Public Trustee (Bailiwick of Guernsey) Law, 2002, to agree to appoint Mr Brian Williams as Public Trustee for a period of eighteen months, commencing 1st May 2024 and ending on 31st October 2025.

The Deputy Greffier: Billet d'État V, Article 3, Committee for Economic Development – Appointment of a new Public Trustee.

1760 **The Bailiff:** And I will invite the President, Deputy Inder, to open the debate, please.

Deputy Inder: Only briefly, sir.

I think first off as I mentioned in my statement of last month I would publicly like to, again, thank Mr Luis Gonzalez. (**Several Members:** Hear, hear.) He has done an exceptional amount of work on a very extremely difficult case that the Public Trustee has had. He stayed a year longer than he wanted to and he has now really decided he is retiring this time. And I think this whole Assembly would wish him all the best in that retirement.

Now the replacement is Mr Brian Williams. That was agreed by the Committee. Mr Williams joined the OPT in June 2019. So he is already aware of the significant case that is on the books and has acted as Deputy in Mr Gonzalez's absence from September that year. And he was appointed, formally, as Deputy Public Trustee by Mr Gonzales in January 2020.

Just for a bit of detail, Members, Mr Williams is a chartered accountant, has spent over 20 years working in senior leadership roles within regulated business, Managing Director of Investec Trust, Guernsey Limited and Head of Finance Operations for Investec Trust Group. And he also has 10 years of direct experience working in complex trust litigation.

Mr Williams has agreed to the appointment. He will be there for at least 18 months. Our Committee, indeed, has agreed and welcomed that appointment and I would ask the Assembly to ratify it.

Thank you, Members.

The Bailiff: I do not see anyone rising to make any comment on what Deputy Inder has said. And therefore, I will simply invite the Greffier to open the vote in respect of this appointment, please.

There was a recorded vote.

Carried – Pour 39, Contre 0, Ne vote pas 0, Did not vote 0, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	None	None	Parkinson, Charles
Blin, Chris				
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				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Le Tocq, Jonathan				
Leadbeater, Marc				
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
Taylor, Andrew

1790 **The Bailiff:** In respect of the Proposition to appoint Mr Brian Williams as the Public Trustee, there voted in favour 39 Members; no Member voted against; no Member abstained; but there is the 1 Member absent at the moment. And therefore I would declare the Proposition duly carried.

**Appointment of Member for the Committee *for* Health & Social Care –
Deputy St Pier elected**

The Bailiff: Going back to the results of the election for the vacancy on the Committee *for* Health & Social Care.

1795 Deputy Helyar, proposed by Deputy Brouard and seconded by Alderney Representative Snowdon, received 17 votes. Deputy St Pier, proposed by Deputy Vermeulen and seconded by Deputy Queripel, received 21 votes. There was 1 spoilt paper. And therefore I declare Deputy St Pier duly elected to that vacancy. *[Applause]*

**Appointment of Member for Scrutiny Management Committee –
Christa Felton elected**

1800 **The Bailiff:** And just in the nick of time, as well, I have been handed the result of the vote for the vacancy on the Scrutiny Management Committee. Christa Felton, who was proposed by Deputy Burford, seconded by Deputy Fairclough, received 35 votes; there were 3 blank papers; and 1 person did not bother putting a paper in at all. But I would declare Miss Felton duly elected.

LEGISLATION LAID BEFORE THE STATES

**Transfer of Funds (Guernsey) (Amendment) Ordinance, 2024;
The Motor Vehicles, Licensing, Tests and Traffic (Fees) (Guernsey) Regulations, 2023;
The Foundations (Annual Renewal) (Amendment) Regulations, 2024;
The Limited Partnerships (Annual Validations) (Amendment) Regulations, 2024;
The Limited Liability Partnerships (Guernsey) Law, 2023 (Amendment) Regulations, 2024;
The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey)
(Amendment) Regulations, 2024;
The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey)
(Amendment of Schedule) (No. 3) Regulations, 2024;
The Terrorist Asset Freezing (Bailiwick of Guernsey) Law, 2011
(Amendment) (No. 2) Regulations, 2024**

1805 **The Bailiff:** Can we lay the legislation, please, at this Meeting, Greffier?
Quiet, please, Members.

The Deputy Greffier: Transfer of Funds (Guernsey) (Amendment) Ordinance, 2024; The Motor
Vehicles, Licensing, Tests and Traffic (Fees) (Guernsey) Regulations, 2023; The Foundations (Annual
1810 Renewal) (Amendment) Regulations, 2024; The Limited Partnerships (Annual Validations)
(Amendment) Regulations, 2024; The Limited Liability Partnerships (Guernsey) Law, 2023
(Amendment) Regulations, 2024; The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey)
(Amendment) Regulations, 2024; The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey)
(Amendment of Schedule 3) (No. 3) Regulations, 2024; The Terrorist Asset Freezing (Bailiwick of
1815 Guernsey) Law, 2011 (Amendment) (No. 2) Regulations, 2024.

The Bailiff: Well, Members of the States, what we will do is we will note that all of those measures
have been laid before this Meeting of the States. As you are aware, some of them appeared on a
comparatively late Billet, but no motions to annul have been received for this Meeting.
1820 Next item, please.

POLICY & RESOURCES COMMITTEE

**4. The Criminal Justice (Proceeds of Crime - Seized Assets Fund)
(Bailiwick of Guernsey) (Amendment) Ordinance, 2024 – Approved**

Article 4.

The States are asked to decide:

*Whether they are of the opinion to approve the draft Ordinance entitled "The Criminal Justice
(Proceeds of Crime – Seized Assets Fund) (Bailiwick of Guernsey) (Amendment) Ordinance, 2024"
and to direct that the same shall have effect as an Ordinance of the States.*

The Deputy Greffier: Billet d'État V, Article 4, Policy & Resources Committee and Committee
for Home Affairs – the Criminal Justice, Proceeds of Crime, Seized Asset Funds, Bailiwick of Guernsey
Amendment Ordinance.
1825

The Bailiff: I am going to invite the President of the Committee for Home Affairs, Deputy Prow,
to open the debate in respect of this matter, please.

Deputy Prow: Thank you, sir.

1830 I am very pleased to introduce this Ordinance which follows the States' approval of a joint policy
letter from the Policy & Resources Committee and from the Committee *for* Home Affairs. This is
regarding the future governance and operation of the Seized Assets Fund. As the Assembly will
recall, following a review of the existing Seized Assets Fund Arrangements, the policy letter sought
1835 to address fundamental issues. The absence of a political representation in the fund structure,
limited fund reporting and the organisational limits on accessing the fund.

The Seized Assets Distribution Model proposed in the policy letter and approved by the States
addresses these limits and, importantly, reflects international obligations and good practice. This
Ordinance sets out those Government's arrangements specifically by amending the Criminal Justice
Proceeds of Crime Seized Assets Fund, Bailiwick of Guernsey Law 1999.

1840 The Ordinance specifies what is to be paid into the Seized Asset Fund as well as setting out how
the monies in the funds are to be divided between the internal fund, which is an account held by
the States, and the Social Investment Fund and the purposes for which the monies are to be used.

Sir, I urge the Assembly to support this Ordinance.

Thank you, sir.

1845 **The Bailiff:** I do not see any Member rising to speak in respect of this matter. There is a single
Proposition whether you are minded to approve the draft ordinance. And I will ask the Greffier to
open the voting, please.

1850 *There was a recorded vote.*

Carried – Pour 37, Contre 0, Ne vote pas 0, Did not vote 3, Absent 1

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	None	Inder, Neil	Parkinson, Charles
Blin, Chris			Matthews, Aidan	
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				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Le Tocq, Jonathan				
Leadbeater, Marc				
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				

Taylor, Andrew
Trott, Lyndon
Vermeulen, Simon

1855 **The Bailiff:** In respect of this single Proposition, there voted in favour 37 Members; No Member voted against; no Member abstained; 3 Members did not participate in the vote. And, therefore, I will declare the Proposition duly carried.

The Bailiff: Next item, please.

COMMITTEE FOR HOME AFFAIRS

5. Prevention of Corruption (Bailiwick of Guernsey) (Amendment) Law, 2023 (Commencement) Ordinance, 2024 – Approved

Article 5.

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Prevention of Corruption (Bailiwick of Guernsey) (Amendment) Law, 2023 (Commencement) Ordinance, 2024" and to direct that the same shall have effect as an Ordinance of the States.

1860 **The Deputy Greffier:** Billet d'État V, Article 5, Committee for Home Affairs – Prevention of Corruption, (Bailiwick of Guernsey), (Amendment) Law 2023, (Commencement) Ordinance 2024.

The Bailiff: And I will invite the President, Deputy Prow, to open the debate, if he wishes to do so.

1865

Deputy Prow: Thank you, sir.

1870 This Commencement Ordinance brings the Prevention of Corruption (Bailiwick of Guernsey) (Amendment) Law, 2023 into force, which was approved by the States on 5th July 2023. The amendment law amended the Prevention of Corruption Law to create new offences of failure by corporate entities to prevent bribery and facilitation of tax evasion modelled on existing offences in the UK and the enactment of offences of failure to prevent money laundering and terrorist financing modelled on the recently approved offences in Jersey.

I ask the Assembly to support this Commencement Ordinance.

Thank you, sir.

1875

The Bailiff: Once again, I do not see any Member leaping to their feet to debate this weighty matter. And therefore, I will invite the Greffier to open the voting on the Proposition, please.

There was a recorded vote.

1880

Carried – Pour 37, Contre 0, Ne vote pas 0, Did not vote 3, Absent 0

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	None	Inder, Neil	Parkinson, Charles
Blin, Chris			Matthews, Aidan	
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
Kazantseva-Miller, Sasha
Le Tissier, Chris
Le Tocq, Jonathan
Leadbeater, Marc
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
Taylor, Andrew
Trott, Lyndon
Vermeulen, Simon

The Bailiff: In respect of the single Proposition to approve the draft ordinance, there voted in favour 37 Members; no Member voted against; no Member abstained; the same 3 Members did not participate in the vote. And, therefore, I would declare the Proposition duly carried.

1885

POLICY & RESOURCES COMMITTEE

6. Revision to the Supervisory Framework for Prescribed Businesses – Propositions carried

Article 6.

The States are asked to decide:-

Whether, after consideration of the Policy Letter entitled "Revisions to the Supervisory Framework for Prescribed Businesses", dated 29th February 2024, they are of the opinion:-

1. To agree to empower the Guernsey Financial Services Commission to:-

(i) Require provision of information on the identity of directors, partners and beneficial owners of Prescribed Businesses providing legal, accountancy and real estate services as part of the application for registration, and on an ongoing basis when changes to those persons occur within a Prescribed Business (as set out in paragraph 3 of the Policy Letter);

(ii) Refuse an application to register as a Prescribed Business, or revoke a registration, should any director, partner or beneficial owner of an applicant Prescribed Business or registered Prescribed Business fail to satisfactorily complete any of the checks undertaken by the Registrar of Companies (in the Registrar's capacity as the Administrator of Estate Agents, the Administrator of Accountants and the Administrator of non-locally qualified legal professionals), or HM Greffier (as set out in paragraph 3 of the Policy Letter);

(iii) Impose administrative financial penalties upon Prescribed Businesses for the late payment of annual registration fees (as set out in paragraph 4 of the Policy Letter);

(iv) Make rules requiring certain information be submitted annually to the Commission and prescribing administrative penalties for late and inaccurate filings (as set out in paragraph 5 of the Policy Letter);

(v) Impose higher financial penalties for non-compliance (as set out in paragraph 6 of the Policy Letter);

2. To agree to amend Schedule 9 to the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999 in order to make explicit that beneficial owners of firms of Advocates are required to make notifications to HM Greffier (as set out in paragraph 7 of the Policy Letter);

3. To approve the draft *Projet de Loi* entitled "The Prescribed Businesses (Bailiwick of Guernsey) (Amendment) Law, 2024", as set out in Appendix 1 to the Policy Letter, and to authorise the Bailiff to present a most humble petition to His Majesty praying for His Royal Sanction thereto; and

4. To approve the draft Ordinance entitled "The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) Ordinance, 2024" as set out in Appendix 2 to the Policy Letter, and to direct that the same shall have effect as an Ordinance of the States.

The Deputy Greffier: Billet d'État V, Article 6, Policy & Resources Committee – Revision to the Supervisory Framework for Prescribed Businesses.

1890

The Bailiff: I will invite the President of the Committee, Deputy Trott, to open the debate, please.

Deputy Trott: Thank you, sir.

The policy letter proposes enhancements to the supervisory framework surrounding businesses and individuals registered under the Prescribed Businesses (Bailiwick of Guernsey) Law 2008 and Schedule 5 to the Criminal Justice (Proceeds of Crime), (Bailiwick of Guernsey) Law 1999, by expanding the scope of the Guernsey Financial Services Commission's supervisory powers and enhancing the sanctions available to it.

With your permission, sir, the draft *projet de loi* and the draft ordinance is being laid in conjunction with the Propositions and accompanying policy letter. This was necessary as the changes constitute part of the preparations for Moneyval.

The Bailiff: Does any Member wish to debate any of these aspects?

What I am minded to do is enquire as to whether any Member wishes to vote differently in respect of Propositions 1 and 2 and then the draft legislation in Propositions 3 and 4, because if you do we will take separate votes. Otherwise, we will simply put all four of them together, because that will make it quicker and easier.

And, therefore, I would invite the Greffier to open the voting, please.

There was a recorded vote.

Carried – Pour 37, Contre 0, Ne vote pas 0, Did not vote 3, Absent 0

Pour	Contre	Ne vote pas	Did not vote	Absent
Aldwell, Sue	None	None	Inder, Neil	Parkinson, Charles
Blin, Chris			Matthews, Aidan	
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
Kazantseva-Miller, Sasha
Le Tissier, Chris
Le Tocq, Jonathan
Leadbeater, Marc
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
Taylor, Andrew
Trott, Lyndon
Vermeulen, Simon

1915 **The Bailiff:** In respect of all four Propositions, there voted in favour 37 Members; no Member voted against; no Member abstained; same three Members not participating in the vote.
Therefore, I declare all 4 Propositions duly carried.

The Bailiff: Next item, please.

REQUÊTE

7. Affordable Housing – GP11 – Debate commenced

Article 7.

Requête

The States are asked to decide:-

Whether, after consideration of the Requête entitled "Affordable Housing - GP11" dated the 5th February, 2024 they are of the opinion:

1. To agree that the absence of the availability, and reasonably foreseeable availability, of affordable housing to purchase constitutes an immediate and critical threat to Guernsey's economic and social well-being and that the preparation and adoption of policies and legislative measures to create the availability of such housing, as soon as possible, shall be prioritised above all other business of the States.

2. To note in particular that the requirement under Guernsey's planning legislation to have regard to the provisions of Policy GP11 (Affordable Housing) of the Island Development Plan is discouraging developers from developing larger sites with units of private housing with a resultant diminution of supply and to note that no site to which Policy GP11 applies or has been applied has ever been developed and no contributions of land have been made to the Guernsey Housing Association.

3. To agree -

(a) that Guernsey's planning legislation shall be amended in order to enable the States by Resolution to adopt such planning policies (to which, in the case of development plan amendments, the Development & Planning Authority shall have regard when determining any application for planning permission or outline planning permission) intended to encourage the provision of residential properties as they may think fit, without all or any of the current or prior procedures for amendments or replacements to development plans or the Strategic Land Use Plan including, without prejudice to the generality of the foregoing: public consultation, obtaining a certificate of consistency with the Strategic Land Use Plan and the holding of a public inquiry currently required by the planning laws, and

(b) that a Resolution of the type described in paragraph (a) may amend, suspend, delete, replace or add to any policy, direction or other provision in the Strategic Land Use Plan and any Development Plan, including the current IDP Policy GP11;

Provided that a Resolution may not extend to provisions relating generally to development requiring planning consent.

4. To agree that the preparation of such legislation is prioritized above the preparation of all other items of legislation which the States may have directed to be prepared.

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

The Deputy Greffier: Billet d'État V, Article 7, Requête – Affordable Housing, GP 11.

The Bailiff: I am going to invite the lead requérant, Deputy Dyke, to open the debate, please.

Deputy Dyke: Thank you, sir.

We have a major problem with our housing supply which, in my view, threatens the very fabric of our society. A young family today finds it virtually impossible to finance the purchase of a private home for their family. Something along the lines of three bedrooms, possibly with a view to having two children and maybe a smallish garden and a dog. At current prices, that will cost in excess of £500,000, possibly in excess of £600,000, depending on the standard of the property. This is over 13 to 15 times the median income in Guernsey which is around £40,000. Even with both spouses working, and with a married couple, that would typically be one spouse working full-time, one part-time to look after children. This makes it pretty much impossible to afford any sort of home, unless one has wealthy parents willing to make a loan.

The shortage of properties and the prices, I have talked there about family homes, it applies at all levels in the market, whether you are talking about small apartments, slightly larger apartments, or bigger houses. The whole thing is very expensive. It is dispiriting for any couple, impossible to start a family here. What do they do? Do they give up on a family? Do they leave the Island? Or do they rent whilst desperately trying to save for a deposit? Those are the choices. And it does seem that in some cases, we are now beginning to lose our young people who feel they have no future here because they cannot buy a home.

From the Census 2001, 71% of homes were owner-occupied. At the end of 2023, that had dropped to 60.1%. It is a terrible statistic if one wishes to encourage a property-owning democracy of people who have a stake in the Island and have a financial security that a home gives you.

So why are prices so high? Well, we have a limited land supply. Building costs have risen massively over recent years. It has been suggested that the percentage over the last year or 18 months is 30%. And we have construction constraints in terms of staffing. It is very difficult to get staff.

There are limited things we can do over those areas, but there is one other issue that we have had in terms of bringing forward housing and increasing the supply of houses, and that is GP 11. The price of houses will always depend on supply and demand. There is very little that we can do at the moment about demand. It is an issue of how the Population Management Law is working

and that is not up for debate today. The other side we can work on is supply, And that is where GP 11 comes in.

We have, what I would submit, is a self-inflicted problem, namely the imposition of planning policy, GP 11, in the Island Development Plan in 2016, in the teeth of opposition from the developers and the construction industry whose views do seem to have been largely ignored. I suspect that most of you know what GP 11 provides. In essence, it says that if you build on a development of houses with 20 or more units of accommodation then on a stage basis when you get to 30 you have to, effectively, donate 30% of the developable land to either the States or Housing Association for what is called affordable housing. And I should stop there. Definitions are everything.

We have a strategy definition of affordable housing which basically includes social housing, which is housing broadly for people who cannot otherwise afford to buy a property and partial ownership housing. They come under affordable housing, as does, at the moment, what we truly call keyworker housing and specialist accommodation. It all comes under that heading. But affordable housing does not mean affordable private housing. It does not mean housing at the lower end of the private market. That is something else. So I will probably use the terms 'social housing' to mean social housing and 'affordable housing' to mean affordable private housing. And I will try and stick to that.

So that was the idea. You want to build some houses, you will donate 30% of the land which will roughly mean 30% of the units, depending on the relative size, for social housing. And that sounds fine. It sounds lovely. You get free houses. And it was done with the best of intention. But as we all know, the road to hell is paved with good intentions and this has not turned out so well. House building commencements plummeted from the figures of 2014 and 2015. For the period since 2016 to Q4 2023, we have had 636 private and 167 social housing starts. That is around 100 per year on average. And those figures come from the Q4 2023 monitoring report.

Last year, there were only 94 commencements, all in the private sector, as opposed to a target of about 300. Basically, we have been underbuilding for a long time. The only private homes to be built during that period from 2016 were those on sites for fewer than 20 units. Nothing has been built on any of the larger sites. As you know, I am on the Development & Planning Committee; we have put through two or three significant consents for housing on larger sites. One had a GP11 imposed on it. That was Pointues Rocques, and that pretty instantly went up for sale. Nothing has happened on the property and nobody believes it actually will.

We have put through planning consent for Leale's Yard. Leale's Yard is a slightly complex plot, it is in two parts. So the main part has 300-odd potential units if it is built. And that avoided GP 11 via a viability assessment. And that is similar with the Briarwood plot in St Martin's. We will see if those get built out – we do not know. But it must be emphasised that those will proceed without GP 11 requirements.

Now the principal points raised by the builders and the developers and the estate agent in regard to the application of GP 11 and why it causes a problem or multiple problems to the industry. First of all, is the basic economics. If you lose 30% of your plot and you have to make a profit, the cost of that loss is inevitably going to end up on the price of the private housing that is remaining on the site. Or the development will not happen at all (**A Member:** Hear, hear.) Whatever happens, you will not get social housing out of it. At worst, you will get no private housing either and you will have an empty site. And that is what we are seeing all over the Island. The economics are a basic factual matter and it is pretty much unarguable.

The developers have other problems as well. There are technical issues with financing. Having GP 11 housing involves having registered planning covenants to govern how it is all going to work. And the banks do not like that, because that will rank ahead of their own charges. So it raises financing complexity.

Another issue that the builders have been raising is the issue of management and marketability of the mixed style estates. They feel they are difficult to manage and in certain cases, the presence of social housing could affect marketability. That would presumably depend on the type of social housing that was put there.

And the one of the biggest issues that has been raised by the builders is timing bureaucracy and delays, which they hate. To be viable, a major building project needs to have a timeline of around three years, where you can see where you are going, you can see the exit, you can see the timing of the exit, you can work out your financing. With GP 11, you have various issues. If you are going to argue that the development will not be viable with a full implementation of GP 11 then you have to go through a viability assessment which is a process whereby we, the States, appoint someone to go through all the figures in accordance with the IDP and work out whether the appropriate profit can be made or not. That takes time and money and patience. It delays the timeline. If you then end up with a GP 11 requirement, the covenants have to be negotiated, drafted and then finally registered. That can take up to a year.

So the whole issue is economics and bureaucracy. And bureaucracy feeds into economics; if you are delayed, if you have to waste time, then as well as the economic factor of losing 30% of your site, you also lose a lot of time and find it very difficult to plan a project forward.

The builders have been raising these issues. They raised them before GP 11 was introduced. Since the beginning of this term, they have been raising them. They raised them with the Housing Action Group and they have, basically, been ignored; nothing they have said has really cut through. The officers just say, 'Oh no, it is not the case, just carry on'.

Where we go wrong is intervening in the private market and thinking we know best. We actually do not. It is an arrogance, and we should not get into it. **(A Member: Hear, hear.)** We as the States in Guernsey are into quite a lot of things that in other jurisdictions we would not be. We own the Airport, we own the Harbour, we own the electricity company, we own the water company, we own the Post Office. That is a lot of things for the States. And when we say the States, that is us; we are the executive around here. That is a lot of things to own and I am not saying we should not, but as a small Island, some of these things do not lend themselves to privatisation, because they are natural monopolies. But one thing we do not need to get into is the private housing market. It is not necessary for us to do it. The private market will produce houses if it is allowed to.

So where this comes back to really is the economic argument, as to what GP 11 does to the possibility of developers coming forward with profits. There do seem to be some people who think that the developers need punishing in some way for making too much money. That is actually plain silly. These people are not robber barons from the 19th century in top hats. They are mostly local people running local businesses in difficult and stressful circumstances. Construction is hard yards. They pay their taxes like anyone else. There is no reason to add special costs to their product, costs that will ultimately be borne by their client, the home buyer. They do not have to do this work. If life becomes too difficult, they can give up and put their money into something else. And it should be noted that one of our major firms recently went out of business, in financial difficulties. Hardly suggestive of excess profits in the industry.

Now what I should do is describe how this Requête operates and just touch on Deputy Trott's Amendment 1.

The Bailiff: You can wait, Deputy Dyke, to address the amendments when they are actually ...

Deputy Dyke: Oh, okay. Well, I will just focus on the Requête then.

Various Deputies, including myself, at various times over the last several years, have tried to bring requêtes and amendments through and we have all had slightly different legal advice. Based on the legal advice I have had when I drafted this Requête, we worked on it in the way it is currently drafted and that provides a several stage process which probably sounds more convoluted than it is.

First of all, if you approve of this Requête, you would pass it, it would then require an ordinance to be drafted and passed to amend the plans ordinance of 2007. The 2007 ordinance is the one that effectively says, you cannot change the IDP without going through a very long process that will take about a year. The point of the Requête is to request the drafting of an ordinance that will change

Section 12 of that law to make an exception for this to allow the States, in certain circumstances, to pass a Resolution to amend the IDP.

The intent of this is to, via that route, repeal GP 11. I had initially drafted this with the precise wording change to Section 12 in the Requête and was advised that was not the way to do it. We should give the legal draftsman more leeway to draft the thing as they saw fit which is possibly why it appears slightly wider than one might have anticipated. But the Requête itself only calls for the bringing forward of the ordinance to change the 2007 ordinance. So the next stage would be the ordinance and then after that, the Resolution would then be put to the Assembly.

So there would effectively be a three-stage process for the two second parts, the ordinance and the Resolution, could be combined in one paper. So it is a two-stage process. It is slightly convoluted, but that is the intention of how it would work. I will not go into that in a lot more detail because of the upcoming amendment from Deputy Trot which deals with the whole thing in a different way based on the different advice he has had. And we requérants will be supporting that. Or so far as I am aware, we all will be.

So to sum up, it is far better for us to get out of the way of the private market. Let the market do its job and allow young families and others to buy their dream homes. Do not put minefields in the way. The same principles apply across the housing sector, not just for young families, but for older people wanting to downsize. The price of everything can only be pushed upwards by the presence of GP 11 and if we remove it, it can only help. It is difficult to say, I cannot say how much it is going to help. We have still got the other problems of high costs of building. But we do have the big plots out there. The builders have said to me that it could bring up to a 100 new additional homes per year onto the market and I am inclined to believe people when they say this sort of thing. Otherwise, if they had no intention of bringing anything forward, they would not be making the representations they have.

The more houses the private market can build and sell, the fewer people will need to go on to the social housing waiting list. So there is a benefit there. If we can get the private sector moving, then there will be fewer people in a desperate state, adding themselves to the housing waiting list.

Basically, as I see the way forward, we separate out private housing from social housing. Let the private housing get on with it. Let us concentrate on the social housing that we undoubtedly need, without breaking the private market which is what GP 11 tends to do with its linkage. But that does not stop us going forward with joint ventures, if we see fit, based on two entities working together in a free market. The States can come together with any developer and work out a project. It is possible that Leale's Yard itself will come forward as some sort of joint venture or we may possibly buy a large number of units from it. P&R are working on that at the moment. There is plenty of scope for that and there is no reason why we should not work together. But what we cannot do is, as a States, completely undermine the private part of the market.

So please look at the big picture. Do not be swayed. You are going to be throwing a whole load of detail and red herrings fairly shortly. But just stick at the basic economic picture. Where you foist on a developer, bureaucracy and costs, the cost of that bureaucracy and the direct costs will end up with the home buyer, and that is the way it ends. All the houses are not built at all.

So in short, I would say that GP 11 has been a catastrophic disaster for homebuyers on our Island. We really must remove it if we want to help. It has been around for eight years now. It has caused a lot of damage, in my view, for eight years. So I would respectfully suggest that you vote for this Requête. And as I say, I will be supporting Deputy Trott's Amendment 1.

Thank you.

The Bailiff: Well, Members of the States, under the terms of Rule 28, I have to run round the various Committees that have been consulted by the Policy & Resources Committee, but starting with the Policy & Resources Committee. So, Deputy Trott, is there anything you wish to add at this stage?

2105 **Deputy Trott:** Sir, very briefly, I wish to commend Deputy Dyke's opening remarks. But in the interest of expediency and to avoid duplication, I shall draw Members' attention to P&R's letter of comment to the Requête. And I will expand on certain matters when I lay Amendment 1 which has the unanimous support of the Policy & Resources Committee.

Thank you, sir.

2110

The Bailiff: The next Committee which was consulted is the Committee *for* Economic Development, but I am not going to invite the President who is one of the requérants to address that, but the Vice-President, Deputy Falla.

Is there anything you want to say in addition to the letter of comment?

2115

Deputy Falla: No. Thank you, sir.

The Bailiff: Thank you very much.

Deputy de Sausmarez, on behalf of the Committee *for* the Environment & Infrastructure.

2120

Deputy de Sausmarez: Thank you, sir.

In the interest of time and the proximity of lunch and my rumbling stomach, I too will keep it very concise.

2125 We have made extensive comments in the letter of comment that has been helpfully provided and published by P&R. And I would encourage all Members, if they have not yet had the opportunity to do so, to read that ahead of more substantive debate. But I think E&I's position on the original Propositions of the Requête can be summarised as: however sympathetic to some of the concerns and frustrations raised in the Requête, this is not the right solution. But as with Deputy Trott, I think those comments are probably better expanded upon when we come to address subsequent amendments.

2130

Thank you.

The Bailiff: Deputy Roffey, on behalf of the Committee *for* Employment & Social Security.

2135 **Deputy Roffey:** I think I will be a 'Little Mr Echo'. I think we have put in a really long letter of comment, covering all sorts of aspects of this. And I hope that all Members have read it carefully, because it is a really important subject. But I think I am probably better contributing later on when both of the amendments will be laid.

2140 **The Bailiff:** And Deputy Oliver, on behalf of the Development & Planning Authority.

Deputy Oliver: Thank you, sir.

I think I can just echo what has been said. The letter of comment is what it is. It states everything that we feel about the original Propositions and I cannot really say any more about it.

Procedural – Order of business

2145

The Bailiff: All right. Well, Members of the States, let me just explain to you what is going to happen after lunch. Two amendments have been submitted to the Propositions in the Requête. The first is from Deputy Trott, seconded by Deputy Oliver. The second is from Deputy de Sausmarez, seconded by Deputy Oliver.

2150

What I am going to do is, I am going to invite Deputy Trott to open on Amendment 1, formally seconded by Deputy Oliver. Pause. And then I am going to invite Deputy de Sausmarez to open on

Amendment 2, seconded by Deputy Oliver. Pause. And then we will go into general debate on both of the amendments together, because that will avoid unnecessary duplication because they are very similar. Not identical, but very similar.

2155 Then at the end of general debate, we will take a vote on Amendment 2 – that is the one proposed by Deputy de Sausmarez – first. See what happens in that respect and then we will close on Amendment 1 and take a vote on Amendment 1.

2160 So that is the way that the two amendments will be run. And assuming there are no further amendments, we will then move into general debate on whatever the Propositions look like at that time. But we will now break until 2.30, and we will resume at 2.30, please.

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

REQUÊTE

Affordable Housing – GP11 – Debate continued

Amendment 1.

For Propositions 3, 4 and 5, substitute the following Propositions:

“3. To agree that with immediate effect the percentage requirement of the affordable housing policy in section 19.12 and Policy GP11 of the Island Development Plan is set at 0% for all proposals subject to the policy until 31st May 2029, and for the avoidance of doubt will apply from the date of the Resolution to any planning application already filed and is yet to be determined.

4. To direct the Development & Planning Authority to apply that requirement when Policy GP11 is engaged and to publish amended Supplementary Planning Guidance to this effect.”

The Bailiff: I am going to invite Deputy Trott, as the proposer of Amendment 1, to open on Amendment 1, please.

2165

Deputy Trott: Thank you, sir.

The overarching vision of Guernsey's housing plan is that all people living in Guernsey will have access to a range of good quality housing that is affordable, secure, energy efficient, and adequate for their needs. Now the Policy & Resources Committee's top domestic priority is resolving the supply of housing of all tenures. And as recently as January of this year, the Assembly reaffirmed the urgency to progress house building. This amendment is a further demonstration of that resolve.

2170

Recent data paints a deeply concerning picture regarding availability and cost of housing in Guernsey, underscoring failures in meeting Government housing objectives. As we now know, there was a net increase of only 94 units of accommodation last year, and we need hundreds of new homes, and quickly. And the purchase price to earnings ratio, the mix adjusted purchase prices to median earnings of employees, currently stands at just over 15. I do not think anyone in this Assembly believes this figure to be sustainable.

2175

But the reasons behind the housing shortage and the high prices of properties to buy and rent are multi-faceted. Cost of land, cost of labour, cost of materials, cost of money. But interestingly, the size of an average Guernsey home is 60% larger than the equivalent in England, based on figures that have been obtained from the English Housing Survey headline report of 2022-23 from the Department for Levelling Up, Housing and Communities. And the difference between mean average usable floor space of all Local Market dwellings based on TRP units was 158 m² in 2022 compared with 97 m² in England.

2180

2185 Now while we have no control over external influences on our costs, Government can and should intervene to address market failure where it can. And there are a number of ways that that is done. So with cost of land, the States have purchased larger sites to facilitate construction. Cost of labour, the States will have to carefully cost decisions that impact inflation, a key driver for rising wages. Cost of materials, a consideration under the Guernsey Housing Plan gives average UK cost at £2,500 to £3,500 per m² with a comparable Guernsey cost of £3,800 to £4,500 per m², which, of course, also reflects labour rates.

2190 And then there is, as I have said, the cost of money. The States have no control over interest rates or external shocks to the economy, and that has certainly contributed to issues that we are dealing with today. Now that all condenses down to a statement which I am very comfortable to make. 2195 GP11 has not delivered the social housing it was designed to deliver, (**A Member:** Hear, hear.) notwithstanding all of the factors that have contributed to that.

So Amendment 1, has come about because the Requête seeks to enable the States by Resolution to amend, suspend, delete, replace, or add to any policy, direction or other provision in the Strategic Land Use Plan and any development plan with the intended outcome to encourage the provision of housing in the private sector, including the current GP11.

2200 Now in discharging its responsibilities, the Policy & Resources Committee consulted relevant Committees and has listened to and published their feedback. And the consultees were unanimous in believing that the Requête will not be able to deliver on the States' objective of facilitating and incentivising housing development in the fastest way possible. So clearly laudable, but not without its issues.

And those issues include that it creates significant risk in terms of the States' failing to conclude the focused IDP review because the professional legal resource would be directed to give this matter priority. That is a factor we must not lose sight of. So the Policy & Resources Committee has worked hard and spoken with many people to consider alternative options. And the amendment we are 2210 debating now, Amendment 1, navigates to a middle ground, removing a potential barrier to housing development through a modification to planning policy for a defined period, and that defined period is five years.

Specifically, sir, the amendment would direct the DPA, when determining planning applications, to apply a percentage requirement of 0% of affordable housing for all proposals subject to GP11 2215 determined up to 31st May 2029. We believe five years is needed as a minimum to give this modification every chance of success and to create stability and certainty for developers. And we have been told that the requérants agree.

Now zero rating the policy is based on our understanding that circumstances have changed so dramatically –

2220

Deputy Taylor: Point of correction, sir.

The Bailiff: Point of correction, Deputy Taylor.

2225 **Deputy Taylor:** Sir, I might have to get some confirmation from H.M. Comptroller but Deputy Trott is suggesting that we would be zero rating policy GP11. My understanding is that is not correct. That would be misleading because it is a direction that the DPA would have to consider, when determining applications, that the States have resolved to have a reduced tariff. But it is not changing the policy, and the DPA can make other considerations, and they can decide to continue 2230 to apply policy GP11 irrespective of this amendment. So I think it is misleading to say that it will actually be changing the policy or disabling it.

The Bailiff: Well, what Deputy Trott is doing in opening on the amendment is explaining what he thinks it does. If clarification is needed subsequently, we will take that from a Law Officer.

2235 Deputy Trott to continue, please.

Deputy Trott: Thank you, sir.

So zero rating the policy is based on our understanding that circumstances have changed so dramatically in the construction and development sectors since GP11 was adopted that it can be assumed that all sites coming forward for planning permission of 20 or more units would be unviable if an affordable housing contribution of that size continues to be required.

Now the amendment has immediate effect and negates time, cost, and resources otherwise required to bring forward supporting legislation as required to discharge the provisions of the Requête without disruption to the whole legislative framework underpinning land planning in Guernsey.

Furthermore, we have made full recourse to all previous work conducted by the former Policy & Resources Committee, including King's Counsel advice secured by H.M. Procureur and to all other evidence and advice available to us. In arriving at this proposal, we have considered a number of options and weighed their level of risk against each other as well as against the level of risk posed by the Requête proposal itself.

So in conclusion, Guernsey's housing challenge is not an emerging problem. Rather, it is a long standing systemic problem that threatens to destabilise our economy and society as a whole unless the matter is addressed and quickly. (**A Member:** Hear, hear.) The time is ripe for a change of direction. Developers, planners, and lenders are all pushing in the same direction, and we must show leadership on this most pressing of problems and deliver policy that facilitates rather than hinders property development, where we can.

Thank you, sir.

The Bailiff: Deputy Oliver, do you formally second Amendment 1?

Deputy Oliver: I do, sir.

The Bailiff: Thank you very much.

Deputy de Sausmarez, do you wish to move Amendment 2?

Deputy de Sausmarez: Yes, please, sir.

The Bailiff: Will you do so now, please?

[Amendment 2.](#)

For Propositions 3, 4 and 5, substitute the following Propositions:

"3. To agree that, with immediate effect, the percentage requirement of the affordable housing policy in section 19.12 and Policy GP11 of the Island Development Plan is set at 0% for all proposals subject to the policy until 1st May 2026, and for the avoidance of doubt will apply from the date of the Resolution to any planning application already filed and yet to be determined.

4. To direct the Development & Planning Authority to apply that requirement when Policy GP11 is engaged and to publish amended Supplementary Planning Guidance to this effect.

5. To direct that any proposals brought forward by the Development & Planning Authority to change the contribution rate with respect to GP11 shall take effect only after 1st May 2026."

Deputy de Sausmarez: Thank you, sir

Deputy Trott has already touched upon some of the issues, which are expanded upon in much more detail in the letters of comment, about some of the problems that would arise were the original Propositions in the Requête to carry. I hope I do not need to expend too much time or energy on those points. I sense, given that the requérants are happy to support at least, Amendment 1 that that is something that actually many people can coalesce around, that actually the unintended consequences of the original Propositions are not risks worth taking.

2280 In a very concise nutshell, there are two main problems. One is more of a problem from those looking to see GP11 struck off the record, and that is that of course the original Propositions would not do that. The original Propositions would leave GP11 intact for the time being whilst legislation is developed and drafted and approved.

2285 But, actually, the bigger problem is that even after this legislative pathway has been developed and adopted, that would perpetuate uncertainty because, actually, it would mean that there is no policy certainty at all. It would bake in the uncertainty because, actually, policies could change at the whim of the States *ad infinitum*.

We are not just talking policies, GP11. We are talking about a huge tranche of them. So I think it is incredibly problematic. So I hope I do not have to expend too much energy going into the detail. There does seem to be, consensus around the fact that one of the amendments or both of the amendments, potentially, are better.

2290 I will really just focus on explaining the difference between Amendment 1, which Deputy Trott has just proposed, and this, which is Amendment 2. I think actually neither of the amendments have got a number on the front, but I hope you can tell by the names which one is which.

2295 This is very deliberately very similar to Amendment 1. That was a conscious decision to make it similar in just about every respect. I will explain the ways in which it is different. So the core rationale is very similar to the one that Deputy Trott has just explained. However, Amendment 2 has three distinct advantages over Amendment 1, which I will summarise now.

2300 Amendment 1 is an effective zero rating and notwithstanding Deputy Taylor's interjection, he does not need to repeat it, an effective zero rating for a period of up to five years, but we do not know exactly, and we will not know exactly how long that period is for about another year. This amendment, Deputy Trott described Amendment 1 as a middle ground, I think this is actually the middle ground of the middle ground because this one is, to provide an effective period of zero rating for at least two years. So it gives developers –

2305 **Deputy Dyke:** Point of correction.

The Bailiff: Point of correction, Deputy Dyke.

2310 **Deputy Dyke:** Deputy Trott's Amendment 1 is not an unfixed period. It is that the policy shall apply until 31st May 2029. That is a clear fixed period.

The Bailiff: Deputy de Sausmarez.

Deputy de Sausmarez: Thank you.

2315 And as the explanatory note to Amendment 1 very clearly states, or until the States shall bring forward other Resolutions, or words to that effect. Now we know, and Deputy Dyke will know this as he is a Member of the DPA, that the DPA have been and are still currently working on a piece of work looking at GP11 in considerable detail, and they are going to be bringing forward recommendations to the States, probably this time next year, is the indication that we have had from the DPA.

2320 So the indications are spring 2025, the DPA will bring forward their work on the targeted IDP review, which will include recommendations, we presume, around GP11. That is what this piece of work, that was going on before this Requête was lodged, is looking at. And so the DPA will presumably consider that report, think about any recommendations they want to bring; and when we debate the targeted review of the IDP around this time next year, if there are any recommendations to be brought for GP11 that is when they will be brought.

2325 So Amendment 1 is, in effect, a period of up to five years, but we can expect recommendations to be made around that this time next year. So we have a year when there is no definitive certainty over how long this effective period of zero rating will extend.

2330 So the debate on the targeted IDP review is exactly the right time to make a properly informed decision. I know the DPA are doing a very thorough piece of work and there are various bits of inter-relating considerations. So I think that is the right time for the DPA to make their recommendations about the long-term future of this policy.

2335 But there is a bit of a dilemma when they bring forward that targeted IDP review in about a year's time. If they do see fit to make any recommendations on the future of GP11, and I think it would benefit from some longer term certainty, and it would benefit from the evidence that the DPA will no doubt be considering in the work that they are doing at the moment, they will have really two main choices.

2340 They can either recommend to the States that any other measures are adopted at the end of the period that is specified in Amendment 1, which will be four years' time from when we debate it, or they can recommend that some other measure or some variation on the theme is implemented sooner than the end of that period, which would be, in effect, cutting short that five-year period which is outlined in Amendment 1.

2345 So I think both of those approaches have some disadvantages. And either way, Amendment 1 does not offer developers the certainty that developers tell us they would like over this area of policy. So we would not know for another year what the, what the DPA's recommendations are likely to be.

Now this amendment, Amendment 2, by contrast, provides a much clearer steer. There is an additional element to it which explicitly directs the DPA that any further change to the contribution rate with respect to GP11 shall take effect only after 1st May 2026.

2350 So that is effectively guaranteeing a minimum period within which the zero rating would apply. Now I think it is also worth stressing, for those who may be sitting there listening to this thinking, well, I prefer the sound of five years than I do two. I think the point is if the DPA see fit to recommend that there is a full five years of a zero rating, then that would be the recommendation that the DPA would bring to the States and the States could consider it at that point.

2355 But I do think that it feels a bit premature to be making that decision before we have had the benefit of the DPA's view, based on the work that is being done at the moment. And we have not had a chance to consider the evidence or any of the other aspects that will be touched on in that IDP review.

2360 So that is one of the main advantages of Amendment 2 over Amendment 1. It provides much more certainty than Amendment 1. It also provides a much stronger incentive to bring housing development plans forward without delay. Now just to explain the timelines with a little bit more detail, the period in which GP11 would be effectively zero rated, is the period of time in which developers can secure planning permission.

2365 So if developers have got five years, or they believe they are likely to have five years, a developer could secure planning permission in five years' time. And then they would have, under the normal terms of planning permission, a further three years before they need to even start development. And then that planning permission is sort of live, *ad infinitum*.

2370 We really, really need more homes. Deputy Trott said when he opened that we need hundreds of new homes and quickly. That is a verbatim quote, and I could not agree more. And I would like to emphasise the words 'and quickly' because Amendment 2 does provide a realistic window of two years, in which to apply for planning permission, but it does provide that stronger incentive to bring plans for those much-needed homes forward in a more timely manner So that is another advantage of Amendment 2 over Amendment 1.

2375 And the final advantage of Amendment 2 over Amendment 1 is that we know that, while we are effectively zero rating, the GP11 contribution, that if we are not getting contributions from private development, we still need to develop those affordable homes. We know that the need is even greater in terms of our affordable housing need than it is even on the private market, and we know that the taxpayer will have to foot the bill for that.

2380 We know that there is going to be a financial impact on the States, and really this is a more limited way of making sure that that impact is not perhaps excessive. So it gives people options.

Again, I stress that if the DPA see fit, when they have had the opportunity to look at all the evidence, to zero rate GP11 forever, then that is absolutely within their gift.

2385 But doing it in this order, gives developers more certainty, it gives the States more certainty, and it is a stronger incentive for developers to bring forward the homes that we are told they want to bring forward even more in a more timely manner than Amendment 1 would encourage them to do.

2390 So for those reasons, we are putting forward this option for the States. Maybe I am jumping the gun here, but I believe that Amendment 2 will be voted on before Amendment 1. Yes, the Bailiff has already confirmed that is the case. And as ever, the parliamentary mechanics of it are that, when considering an amendment, it is useful to think about whether the amendment in front of us is, in our opinion, preferable to the original Propositions that we are being asked to debate. And I would hope that everyone in the Assembly or many people in the Assembly would agree that, between the two of them, the amendments are better than the original Propositions and I hope that I have clearly outlined the three key advantages of Amendment 2 over Amendment 1.

2395 They are, to recap, a stronger incentive to bring housing development plans forward without delay; greater certainty for developers in the form of a guaranteed minimum period of the zero rating as opposed to an uncertain period of up to five years; and a likely reduction in the States' funding requirement for the affordable housing that we know we need to develop also without delay.

2400 Thank you.

The Bailiff: Deputy Oliver, do you formally second Amendment 2?

2405 **Deputy Oliver:** I do, sir.

The Bailiff: Thank you very much.
Deputy Taylor.

2410 **Deputy Taylor:** Thank you, sir.

I wanted to speak quite early on both these amendments, primarily for the reason I raise in my point of correction, because I think, dare I say, a slight reality check is needed for what we are actually deciding here. I do firmly believe that the points put forward by Deputy Trott and slightly more carefully by Deputy de Sausmarez are misleading. They do not represent the actual position.

2415 You could dislike me for saying this but I am merely being the messenger based on the advice that I have sought and I will share with you. So, irrespective of any vote taken on these amendments, GP11 will not change. I can see the Comptroller is nodding. Did everyone see the Comptroller nod? I will do it again. Irrespective of any vote taken on these amendments and whether they are seen through to full Propositions and the States vote for them as full Propositions, GP11 as written in the IDP will not change. Can I get a confirmatory nod from the Comptroller? I will take that as a yes.

2420 Now there may be Members, and I think Deputy Oliver raised this in the podcast, with *The Guernsey Press* the other day, that I am simply splitting hairs. It is a fair comment to make maybe I am being pedantic. But I am going to go and read you paragraph 1.6.2 of the Island Development Plan, which is the paragraph that both of these amendments really hinge on. So I will read that out for the benefit of those who do not have the IDP in front of them or if they are listening online:

In applying the policies of the Island Development Plan, the authority will take into account any States approved strategies or any subsequent amended or revised documents or ...

2425 And this is the relevant bit.

... any relevant direction by the States of Guernsey.

But you need to read that paragraph in full: 'in applying the policies of the Island Development Plan.'

2430 So irrespective of the decision here today to give a direction to zero rate, the policies of the IDP still stand, and GP11, unamended, still stands there in policy. It is a genuine consideration for Members when determining a planning application. Now why is this so important? Because the DPA can consider the States' Resolution, which would be to zero rate, but it is just a consideration. Be under no illusion that it is absolutely –

2435 **Deputy Dyke:** Point of correction.

The Bailiff: Point of correction, Deputy Dyke.

2440 **Deputy Dyke:** Paragraph 1.6.2 of the IDP refers to various things, including a direction. A direction is what both of these amendments provide for. And a direction is a direction. It is not a suggestion. They are different concepts. It is a direction. And that is all. So I think Deputy Taylor is incorrect.

2445 **The Bailiff:** Deputy Taylor.

Deputy Taylor: Thank you, sir.

2450 Well, perhaps, it is time to read the confirmation email from H.M. Procureur on this particular point, for Deputy Dyke's benefit. 'The DPA is obliged to have regard to the policies set out in the IDP, including GP11. If the DPA, in relevant cases, takes the view that it should have greater regard to the direction of the States set out in this amendment,' this is the one we are referring to here, Amendment 1, 'that is a matter for the DPA.' That is fine. I think we are all in agreement on that. The DPA could consider this.

2455 'However, the DPA may decide, following the States' debate and after having taken relevant advice that it should not do as the States directs in the context of the IDP policies, and equally, that will be a matter for the DPA to decide irrespective of any Resolution of the States.' I can see Deputy Oliver shaking her head. I am just reading the email from the States' senior legal adviser on this particular point. It was a question that was raised quite correctly by Deputy Ferbrache in the lead up to debate and this is the advice that she shared with all Members and I am just bringing it to the fore. Do not shoot the messenger.

2460 'Now in other words the States can resolve to direct the DPA as per the amendment but whether or not to comply with any such direction is ultimately a matter for the DPA.'

I will give it a little pause for dramatic effect, and then I will give way to Deputy Le Tocq.

2465 **Deputy Le Tocq:** I am so grateful to Deputy Taylor for giving way.

What he is saying is true but that is the same for any Resolution the States makes for any Committee. If a Committee of the States chooses to ignore a direction from this Assembly, then it risks being threatened with a vote of no confidence immediately after. (**Several Members:** Hear, hear.)

2470 **Deputy Taylor:** That might very well be the case. It could face a vote of no confidence, but how does it work the other way? If the DPA do follow this this Resolution if it came through and then subsequently zero rated GP11 without any further considerations, what would the situation be? Because that does give certain legal risks and you cannot escape those.

2475 So it cannot be denied that these amendments are very lacking in actual substance. Apart from saying that GP11 has not worked, there is not really any evidence in there to back it up. So if the DPA then make a decision to put aside the policies of the IDP to act on the direction of the States and there is not actually any solid evidence what they are making that decision based on, that does

give an increased chance of legal challenge when that application is being determined or after it has been determined if there is a disgruntled neighbour perhaps.

2480 And I think that is important to raise because you have all had shared this morning the Arc4 report, which is or has been the review into policy GP11, including the previous direction of the states to look at tariffs in lieu of affordable housing. And the findings of that report or the conclusions very much go against what is being suggested in both amendments.

2485 So the evidence at this point in time is actually, like it or not, going against what we are being told by the Members bringing these amendments. So you then get on to a sticky issue of predetermination. So if DPA Members are voting here knowing that the evidence in the reports we have commissioned and paid for are suggesting we should be amending GP11, but we should be sticking with it, but we vote to act differently without –

2490 **Deputy Kazantseva-Miller:** Point of correction.

The Bailiff: Point of correction, Deputy Kazantseva-Miller.

2495 **Deputy Kazantseva-Miller:** Deputy Taylor is a Member of the Committee, and he is well aware that the Committee has not accepted the final report, that we have consistently sought for the Arc4 to provide the evidence in terms of actual technical, financial, modelling that they have undertaken to come up to their findings so that the report is incomplete.

2500 And with this in mind, we do not have the complete evidence to show the support for their recommendation. So it is misleading to say that there is evidence, and Deputy Taylor is a Member of the Committee. He is well aware that that is the Committee's position.

The Bailiff: Deputy Taylor.

2505 **Deputy Taylor:** Sir, I do not deny for one minute that the Committee do not accept the findings of Arc4. That is not what I have said. But Arc4's findings –

Deputy Kazantseva-Miller: Point of correction.

2510 **The Bailiff:** Yes, Deputy Kazantseva-Miller.

Deputy Kazantseva-Miller: I did not say it does not accept the finding. I said the Committee has not accepted the report as a final report because it is incomplete, and it does not provide the technical evidence to support the recommendations of that report.

2515 **The Bailiff:** Deputy Taylor.

2520 **Deputy Taylor:** But the fact is the report has put forward certain conclusions based on the independent consultants who have no vested interest in this. This is contrary to their suggestions. *(Interjection)* You do not have to listen. You can laugh if you want. I am literally just going off the advice that we have received. Is that not what we are meant to do here? No? Or do we just get a couple of emails from people who do have a vested interest such as developers and then run with it? Or do we listen to the people we have actually paid to advise us who are by all accounts experts?

2525 Sorry to have to throw that in there. Sir, if I am totally honest I am completely indifferent about this. As a Member of the DPA – *(Laughter)* Probably contrary to what I have said. As a Member of the DPA I can still consider GP11 if it comes forward as a relevant policy on a site over 20. I can still consider that. I am in the minority most of the time on the Committee anyway. We have been through a couple of viability assessments which have demonstrated that GP11 is flexible and it has been able to negotiate down to zero. And I was in the minority most of the time when I was seeking to ask questions on that.

2530 So I am quite used to being in the minority, so I am not bothered about that. So nothing necessarily changes with this. But I just ask that if Members are supporting this, do not do it under the illusion that you are scrapping GP11, you are actually changing it because you are simply not. Okay?

Thank you, sir.

2535 **The Bailiff:** Deputy Inder.

Deputy Inder: I thought that was a genius speech by Deputy Taylor. It basically said anyone who does not vote his way is going to be conflicted, but he is fine. It is alright. He can take it or leave it. So he can go in the room and vote for GP11 or against. This is practically Orwellian.

2540 Anyway, this is about Amendment 1 versus Amendment 2, and this Assembly has primacy as explained by Deputy Le Tocq. And my advice to anyone is any Committee who obviously goes against the will of this Assembly is, do it at your own peril. We have only got a year left, but I would challenge anyone in the DPA to go out of their way and dismiss the will of this Assembly. Try it. I beg you. Try it.

2545 Right. I do not believe, for a minute, that Amendment 2 is better than Amendment 1 for the reasons I stated because I believe the will of this Assembly has primacy. If not, as I said before, you may as well go away. We will hand everything to all the consultants who have got no vested interest in this at all apart from getting paid. We can hand it to all of the statutory officials, probably in part to Facebook, and they will save millions a year. We do not need to be here. We do not need to be here. What a load of nonsense.

2550 Anyway, I came to this party almost by accident. I put some challenge into Deputy Dyke. I think I mentioned up to 500 instances of GP11 mentioned over the past three years, but we had not seen a Requête. Then he put a Requête together. I think Deputy Dyke himself has accepted that it has got great sentiment in it, but probably not the best worded.

2555 I have taken a lead from Deputy Dyke for the first time in three years. He is my glorious leader, and I will be supporting Deputy Trott and Deputy Victoria Oliver's amendment because it quite clearly zero rates GP11, gives it five years, and to a degree Members, I am not wedded to the building industry, I do not think they are perfect in any way, but there is an element of calling their bluff. You have four or five years. You have been telling us for years, in fact if we go back to some of the – well, I will mention this in a minute – some of the commentary back from 2016 they were warning us back in 2016 not to adopt GP11 and this Assembly adopted it. So this is an eight-year running sore.

2560 It is a really quite strange, email we had from Deputy Taylor. He is on *The Guernsey Press* questioning GP11. He then sends us a bunch of data that effectively proves that all permissions were fantastic till about 2016, and they all stopped in their tracks. So my advice to Deputy Taylor as Vice-President of DPA is actually vote for either Amendment 1 or 2, but do not vote against it because your own evidence shows us that GP11 has not worked.

2570 Having a campaign pro-GP11, his own evidence, this is a man, through you, sir, who said we are here to listen to evidence, his own evidence supplied to us at about 9.15 this morning shows us that if we are going to do cause and effect, I do not know what the real reasons are, but it is him who sent it to us, that GP11 has not worked. Permissions have collapsed.

2575 And I will go back to July 2016 commentary from the then DPA. They made commentary about the transitional phase into GP11. Excuse me, sir, Members. I have lost my ... mind. No. (*Interjection*) Stop it! 12.54 in the commentary from July 2016. 'Policy GP11 relies on the cost of providing affordable housing being' – and it is important to list to this – 'essentially met by the landowner accepting less for their land.' The inspectors, so these are the paid professionals, the inspectors that Deputy Taylor is so proud for us to hand our power to, their evidence, 'the inspectors have found that notwithstanding the assertions by the development industry,' those who are making assertions this is going to be a disaster, 'the viability evidence shows that there is scope for this to happen without the supply of housing land drying up.'

Well, how wrong could they be? How wrong could they be? The supply of land dried up. In fact, the States of Guernsey over the past three years probably would have been the Island's biggest land bankers. We had to put our hand in our pocket. GP11 has not worked since 2016 in any way, shape, or form. And I will remind Members back in 2016. I remember it because I lost an election and came back six months later in a bye-election. And when I find out who voted for me, I will be writing them very strongly worded letters! All 320 of them.

Cast your mind back. And unfortunately the difficulty with the Government website, it is very difficult drilling down and finding what was said around 2016. It is almost impossible to find information. Now we have been on a buying spree. But back in 2016, whenever that was, that really is in what has happened these five or six years, that is a very long time ago. It is also reminding Members, a lot of the evidence for the IDP actually started work in 2014 yet we did not vote for it until two years later. So that is 10 years. That is 10 years, and for some reason, there are unicorn arguments here, flogging something, pretending it exists, pretending it is going to happen, and it never had. We are in fairies at the bottom of the garden territory. We really are.

Now back then, before we bought it, Channel Island Tyres actually was selling tyres. It actually had a warehouse there. But since then, we bought it. Braye Road, not Braye Road, Ruelle Braye, the old Miramar (**A Member:** Braye Lodge.) Braye Lodge, sorry, Braye Lodge. It think it was derelict eight years ago and the MSG were parking their cars in there. But we bought that. We have bought the land from effectively the back of the Bridge all the way to Route Militaire. They are social housing. At the Fontaine, we were talking back in 2016, that has not been developed, but we have bought a vinery site alongside it.

So we have bought lands all over the place. So back in 2016, it may have been the case, but quite clearly the inspectors were wrong. They have been wrong because they proposed or they spoke about the transition, by the looks of it, but they effectively said that despite the protestations by the building industry, this is great for Guernsey.

Deputy Taylor, it has not worked. And the only way it has worked, if indeed it is ever going to work, is if the States of Guernsey sticks its hand in the taxpayers' back pocket. Nothing has independently happened on its own as was the original dream. It simply has not happened. Pointues Rocques £7 million. Leale's Yard, £36 million. Briarwood, I do not fully understand, but basically for some reason we built on a cow field and the valuation or whatever the technical name is, they tried to stick some social housing there, it did not happen. They managed to find a way out. So, effectively, it has not happened.

So despite the protestations by Deputy Taylor, Deputy de Sausmarez, possibly we are going to hear from STSB as well, the only way GP11 on the two sites I am aware of is going to work is if this Government sticks its hand in the back of the taxpayers' pocket. It has not worked in its purest form where effectively Government was going to get millions of pounds, land was going to be handed to them, and it was going to be a great idea.

But remember, Members, when GP11 started this was 2014 really. We voted for it in 2016. Amendment 1 is really the only way to go because it really does zero rate. I entirely reject Deputy Taylor's ideas and warnings. They just do not make any sense at all. And I must say, with the greatest respect, when we do get advice from our Law Officers, it is exactly that, it is advice.

This Assembly has primacy. For all of its ills, for all of the fights that we have, ultimately, you were voted here to make decisions. If you do not want to make a decision, if you want to take the advice of, within reason, Law Officers, consultants, and officers, go away. Seriously, go away and hand this to the organisation. But make some decisions and follow through those decisions and hold your Committees and your officers' feet to the fire. You are allowed to make decisions. You do not need advice. You do not have to run scared of consultants. This is your job.

Please vote for Amendment 1.

The Bailiff: Deputy Queripel.

Deputy Queripel: Thank you, sir.

2635 It seems to me as though we have tied ourselves up in a real Gordian knot over policy GP11. Just in case any of my colleagues are wondering what a Gordian knot is, sir, it is a knot that is insolvable, in its own terms. It was named after Gordias, king of, I think, it is pronounced Phrygia. He tied an intricate knot that could only be undone by the future ruler of Asia, and which Alexander the Great simply cut with his sword to have done with it. And maybe that is what we should do with GP11. Just cut it away and have done with it.

2640 Now I do not know the answer, and at the moment I do not know which way to vote. As I understand it, there is a light at the end of the tunnel regards the provision of affordable housing in the not-too-distant future because a couple of big sites may just deliver a considerable amount of units in the next five years. Approximately 200, actually, if the private housing market indicator of 844 units is delivered over the next five years. And even though it is estimated that 1,000 units
2645 of affordable housing are required over the next five years, in the States' housing indicator, surely 200 units in five years is better than nothing in eight years.

So the question I am asking myself is do I vote against both of these amendments which seek to suspend the policy for either two or five years and then vote against the Requête and then live in hope that those 200 units actually do materialise? Or do I support one of the amendments? If I
2650 do decide to support one of the amendments, I will be doing so in the knowledge that I am prioritising private market housing development at the cost of not providing affordable housing for two or five years. But I am not sure if I want to close the door on affordable housing for another two or five years –

2655 **Deputy Meerveld:** Point of correction, sir.

The Bailiff: Point of correction, Deputy Meerveld.

Deputy Meerveld: With all due respect to Deputy Queripel, the States of Guernsey have policies
2660 and agencies to build social housing. There is nothing closing the door here. What we are discussing today is whether or not to continue a policy that we were told in the debate in 2016 would deliver £20 million worth of free property to the States for social housing and to date has delivered zero and which the industry is telling us stopped all large developments going ahead which would have helped address our housing crisis. So I think he is characterising this wrong. It is a case of whether
2665 or not a Government intervention in the free market has worked and increased social housing provision or not and the evidence is that it has not.

Thank you, sir.

The Bailiff: Deputy Queripel.

2670 **Deputy Queripel:** Sir, I appreciate Deputy Meerveld is trying to put me on the right path, but I am going to come to that later in my speech. And I do wish sometimes Members would not get up so quickly, with points of correction and points of give way, because they do not know what the speaker's going to be saying in the rest of their speech.

2675 I will go back to what I was saying. I am not sure if I want to close the door on affordable housing for another two or five years. Now I very much appreciate that a lot more houses could be built in that time if GP11 is suspended. But people who cannot afford to buy them or even rent them could be deprived of a potential 200 units of affordable housing being provided in that time.

2680 They could be deprived of the opportunity to improve their lives. And to a certain extent, they could be deprived of hope and become even more demoralised than they are now. There is a lot of demoralised people out in our community who are stressed out of their brains about the housing crisis.

2685 So in that two to five years, a lot more of our fellow Islanders could be forced to leave their Island home because they cannot afford to live here. And that really concerns me. Now we should not be in this position, as we all know, but we are. We are where we should not be. We need to

come up with a solution to the housing crisis we found ourselves in. And even though it has been pointed out to me on several occasions that affordable housing is not about affordability, I disagree entirely.

2690 In my view, it has got everything to do with affordability. And, actually, it should be called unaffordable housing, not affordable. See? Because that is what we are dealing with. It is exactly what we are dealing with. We are dealing with unaffordable housing. A lot of people cannot afford to rent, let alone buy, which is why some of them are leaving the Island. And in the case of some young people I have been speaking to recently who have left home with a partner and have had children, cannot afford to live in a flat or a house or anything else, they go back to their parents, 2695 which I am told is very unhealthy. There is no room.

So what do they do? They turn the lounge into a bedroom. And they end up completely demoralised. So it is about unaffordable housing, regardless of me being told several times, affordable housing has got nothing to do with affordability.

2700 I very much appreciate these amendments and the Requête itself have been laid with the best of intentions. But to emphasise what I have just said and what Deputy Meerveld was trying to correct me on, I want to read out for the benefit of Islanders listening to the debate on the radio who may not know this. We are told in the Rule 4(1)d information of Amendment 1, 'there may be an increase in the funding requirement from the States to deliver affordable housing if it is not provided by the private market for five years'. But these are unquantifiable at the moment.

2705 And that is echoed in the explanatory note under the heading Impact of an Alternative to Proposition 3. This amendment removes for a defined period of time, i.e. five years:

... the potential to require the delivery of affordable housing units through private development by consequence of planning policies.

And this is the bit that I think we all need to be aware of:

This could add pressure onto the States' Affordable Housing Development Programme and may risk units of affordable housing previously approved under the policy and not yet built.

2710 That is why I said I am not sure I want to close the door to affordable housing for five years, because the private market will not deliver affordable housing, and there is a risk that the States may not deliver affordable housing for another five years.

2715 As we know, sir, the Guernsey Housing Plan, much-lauded quite justifiably by Deputy de Sausmarez, has a multitude of work streams going on right now, which seek to address the housing crisis. And that plan was informed by detailed analysis and recommendations put forward by housing experts, and neither of them have indicated that suspending GP11 is the approach to take.

2720 So moving towards a close, I apologise for the pun, but I am going around the houses on this one. I think I can see the advantages in supporting one of the amendments, but I can also see disadvantages in supporting the amendments, I think. I need to be convinced one way or the other. I am hoping one of my colleagues can help me out here and come up with a point or a killer speech that nails it –

Oh, I give way to, maybe he is going to come up with a killer point, sir, Deputy Moakes.

2725 **Deputy Moakes:** Thank you for giving way. Whether it is a killer point or not I do not know. But you were referring to the fact that if we get rid of GP11, it will impact on the numbers of affordable or social houses being built. If I can remind you that in the eight years that GP11 has been in place, not a single affordable home has been built as a result of it. (**A Member:** Hear, hear.)

2730 So it would have effectively zero impact because nothing has been built in the past eight years anyway. The purpose of doing this would be to say, my belief is we need affordable or social housing, and we need private housing. We have built up a huge land bank, which can be used for social housing. The private sector has its own land for use for private housing, and we should allow both sectors to get on with delivering the homes that we need because we need all types of homes:

we need social; we need private; we need starter homes; we need family homes; we need homes for elderly people to retire to and downsize if that is what they want to do.

As it stands right now, we are doing none of that, and we have done none of that for eight years. Here is an opportunity to stop, try something new, and see if it works. I think it will, but the proof will be in the pudding. And I think it deserves a chance because what we have just been doing year after year after year has got us to the crisis that we are currently facing. And I do not think we can just carry on in the way that we have been and hope for the best.

That is just not good enough. That delivers nothing to anybody. So my view is I will be going for Amendment 1 to give a bit of certainty, more certainty than Amendment 2. And to answer your very specific point, I repeat, not a single affordable house has been built as a result of GP11. Not one. So to get rid of it does not put you in a worse position because what can be a worse position than zero?

Deputy Queripel: I thank Deputy Moakes for that interjection. I think I am a bit clearer. I thought I was confused, but now I am not so sure! *(Laughter)*

Moving to a close, as I say, I think I can see advantages and disadvantages in supporting or rejecting both of the amendments and the Requête. I remain to be convinced one way or the other. The irony is, of course, we could end up suspending GP11 for five years, in which time, hundreds of houses and flats could be built and put up for sale at market prices. But many of them could end up with for sale signs in the window for years because no one can afford them.

How ironic is that? You build hundreds of houses, but no one can afford to buy them. So they are left with for sale signs on them. *(Interjection)* The Chief Minister Deputy Trott is indicating lower the price. Tell that to a developer who needs to make a profit to survive and then to reinvest. Okay, I get the profit business – I have said this many a time in debates and many a time to colleagues – there is a difference between profit and greed.

How much profit does a developer want to make? Do they need to make to survive? And what is the difference between profit to survive and greed? That has never been answered. I have asked that question lots of times. It has never been answered. When I was in business, I ran my own business for 29 years, as long as we made a profit, it does not matter if it is 3% or 4%, you are making a profit. You survive, you get through to times when you can make more profit, hopefully.

Every time I say that, of course, some people misunderstand what I am saying, and they say, GHA is a not-for-profit organisation. I get that. I know it is. The same as I know we have not delivered a single unit of affordable housing for eight years. I get all that.

GHA may be, well they are a not-for-profit organisation, but developers are not not-for-profit. They need to make a profit. That is the point I am making. How much profit does a developer need to make in order to survive?

So we could end up building hundreds of houses, as I said before, and they are just going to sit there, many of them will sit there with for sale signs on for years, because no one can afford to buy them.

Thank you, sir.

The Bailiff: Deputy Gollop.

Deputy Gollop: Thank you, sir.

I thought I would speak early. Some of the older Members of the States might remember the rather ribald and perhaps slightly dubious comedy, *Are You Being Served?* And I am not saying I am free, but there was a character in it, Mrs Slocombe, who used to say, 'I am unanimous in that,' and I feel like that at times. As somebody said in the Public Gallery, 'You know, we never know which way you will go, John.'

And Deputy Trott revealed clearly today that we are unanimous on Policy & Resources in having reservations about the Requête and to put Amendment 1, we will call it, the amendment clearly proposed by Deputy Trott and seconded by Deputy Oliver. But perhaps a bit like Deputy Oliver, I

2785 have got a certain sympathy for Amendment 2 as well, the one that Deputy de Sausmarez has put over, because of my long standing membership of ESS and the need for social housing that we identified.

2790 I entirely concur with our long letter of comment in Policy & Resources that there are difficulties in accepting the Requête unamended because it opens the door potentially, especially Proposition 3, to perhaps the States being a planning authority of last resort and all kinds of issues being decided by Resolution here which would take us back 20 or 30 years to a difficult environment, I would say. That is why the amendments are superior, I think, to the Requête because the Requête is ambiguous.

2795 Where I perhaps disagree with Deputy Inder, who made a barnstorming speech, is he said we have to make the decisions here, and he is right. But a Resolution is not the same as us passing a Law, and he said you get legal advice, and that is what it is, advice. But I would say more than that, we get learned advice from highly qualified and experienced people that we dismiss, possibly at our peril, and we do see across the water in London from time to time the government being taken to court and found wanting by judicial review, and we do not want to be in that situation. We want to act lawfully, and therefore acting cautiously is important.

2800 And I suppose depending on the voting order, I would definitely prioritise the Deputy Trott amendment. But, if for whatever reason that did not work, I would support the Deputy de Sausmarez amendment, and if neither passed, I would vote for the Requête

2805 I do not quite understand all of the issues. Deputy Queripel in his usual passionate way, very much spoke on behalf of the less fortunate, maybe the homeless people in Guernsey. Only this morning, I was contacted by text by a family who urgently need and find the waiting list growing longer. But Deputy Queripel's warnings, that we could remove the possibility of social housing and that, you could get the ridiculous situation of developers building too many high value family houses and then seeing them unsold and a glut of properties in the wrong market sector. I would say, weirdly enough, we actually –

2810 I will give way to Deputy Oliver first and then Deputy Dyke.

Deputy Oliver: Thank you, for giving way.

2815 You will not see a glut of just one type of housing because the SSHI actually prevents that. And the SSHI has said what type of housing is actually needed, and that feeds into Planning. And then Planning will take that on board, and then developers will build what is actually needed rather than what is wanted.

Deputy Dyke: I thank Deputy Gollop for offering to give way but Deputy Oliver has just made the point that I was going to make.

2820 **Deputy Gollop:** Well, perhaps Deputy Dyke can ask me to give way in a minute when I ...

2825 Yes, the strategic housing indicator is a very useful tool, and Policy & Resources have certainly been informed by that. And it suggests off the top of my head that something like 750 social housing units are needed and 800 non-social. Obviously, there is a grey area in between, but I will come to that.

But we are not in a planned society. We are not quite in East Germany or whatever. And the reality is there is not a hard and fast line between what the market will go for social and the market for normal. Clearly, social, for example, includes partial ownership. And Deputy Oliver is, of course, right that Planning would take into account the quantities of development for each segment.

2830 But, of course, we know from the past, and I do know from the Planning, that we have given permission for many things, including twice for Leale's Yard actually, and they do not happen. And sometimes the DPA have followed every possible process and given permission for sites and they do not get built. And then that would raise an interesting question as to whether you would stop them because if you had a situation where, let us say, 1,200 non-social sites have been approved

2835 and only 300 social, that would clearly be a disconnect in the market on the figures through the strategic housing indicator. But that could be the way it would go. But I think my –
I will give way to Deputy Oliver again.

Deputy Oliver: Thank you.

2840 There is just not enough land for that to happen. It has got land for affordable, where it is set out as affordable, you have got land set out for private. It is all balanced.

Deputy Gollop: Well, hopefully, that might be the case. But, of course, GP11 implied, if I am correct, that you might have within the same site a mixture of affordable housing and market housing. And in fact, I have to take a lot of the blame with this because I was the President of the DPA when we brought in GP11 and it made it. I would also say that there were other Members who amended it. I remember Deputy Queripel, because of the nature of the way that he did not get a chance to put his amendment for 10 which might have made a material difference to the viability and the usefulness of it. We originally –

2850 **Deputy Queripel:** Point of correction, sir.

The Bailiff: Point of correction, Deputy Queripel.

2855 **Deputy Queripel:** It is just to help Deputy Gollop.

The original Proposition from GHA was five or more units. I laid an amendment for 10 or more units, Deputy Roffey laid an amendment for 20 or more units. Both the amendments were debated. Deputy Roffey's was voted on, and mine was not. Deputy Roffey succeeded, and mine was not voted on. So that is just to clarify.

2860 **Deputy Gollop:** Yes. Good. That was actually the way the mechanics of the debate went. And it is possible, with the benefit of hindsight, that if Deputy Queripel's amendment had been called first, it might have won. But political hindsight is a wonderful thing. The point I am coming to is GP11 was designed as a tool and a tool that has worked elsewhere to facilitate all social housing.

2865 I think Deputy de Sausmarez and definitely Deputy Queripel have made the point that there is a real risk of social housing not being constructed as a result of this. Trouble is, nothing has been or very little has been developed under GP11 and one has to accept that. And one also has to accept that the state, and perhaps some charitable trusts, definitely the state, has the primary responsibility for providing the capital for social housing and maybe when we brought in GP11, we were in a way trying to reduce the burden on Government by putting it to developers.

2870 But developers could come back at us and say not only was that a nuisance to them, but more than that, it was a form of extra taxation. And I think if I went back to GP11 again, I think I would want a clearer debate and more workshops before we took the vote. And I would also, personally, have reduced the percentage. I wish the DPA could do that because I think if the percentage was lower, we might see some social housing rather than what we have had because one has to accept that for various reasons, it has not worked.

2875 Why it has not worked in Guernsey, I do not know. Some people would blame perhaps the tone of this Assembly, but it was in force for three-and-a-half years before we got to the States. There was a sudden dip in property prices in the last years of the last decade and then after COVID, a sudden increase, that was a factor.

2880 And my own thinking is that such a mixture in Guernsey of limited capital suppliers, limited sites, a limited number of developers, high building overheads and materials. And then if you add into that mix, the fact that nobody had actually done GP11 before and there was an uncertainty of process might explain why it has not happened.

2885 What I would not like to see out of this debate is, for example, the opportunities of Pointues Rocques being lost if any of the amendments or the Requête wins because that, for example, will

be a gain for us. And I think with GP11, we needed somehow to stimulate the market, and we perhaps needed to look over our shoulders and see that perhaps Jersey have a system that may work better but is, again, on a larger scale than us. And we need to accept that any houses being built probably helps the market because if you build houses of any kind, you not only keep the development industry viable, but you provide more units, which means that there is more supply to meet the demand. And to that extent, I do not fully –

I will give way.

Deputy Blin: Thank you, sir. I thank Deputy Gollop for giving way.

I have just come to my feet to something you were saying a little bit earlier when Deputy Gollop was saying when he said if he had this chance again, how we would look at it differently. And looking at various bits of information, when you had that opportunity, when Deputy Queripel, it was being debated for the number, surely the industry recommendations and information must have come to your attention?

And the question I ask is if you have the chance and you want to look at it again, when you had the chance the first time, when industry ... I was looking at a document from, it was Eric Legg, the Chairman of Guernsey Construction, and it was a quote, and I picked it up, April 2015. It was, 'The forum accepts that the Island Development Plan has been discussed with us in principle and overall it is a flexible and pragmatic approach to the next 10 years of planning. We were surprised see the inclusion of draft policy GP11. This part of the policy has not been discussed with us in any depth or ... and given the construction industry in the Island is undergoing a very difficult time at present and for at least the next two or three years to introduce such a policy will only exacerbate the situation. And the equivalent UK legislation since 2012 is found to have been stalled.'

When all that information comes, what was said at the time, I just ask, when you had that opportunity the first time around, how that makes you feel for now?

Thank you for giving away.

Deputy Gollop: I perhaps fit into the stereotype Deputy Dyke was referring to of Deputies who want to intervene in the market and know better than the market, perhaps based on advice we received. And the process that Deputy Blin refers to actually started when I was a Member of Deputy Burford's Environment Ministry board as it took some time to work through the Island Development Plan.

And curiously enough, this might happen again, we had a planning inquiry which went over the change in Machinery of Government and the change of election. So we actually brought it back at the DPA, but it is the actual writing of the report had started in the Environment era. I think what Deputy Blin is referring to was there were numerous professionally involved planning inspector review of the plan at Les Cotils and other venues, and I attended some of them. And I do remember the developers at the time not liking GP11 and lobbying us at the time and around the time of the debate, and we went ahead because what we wanted to see was more of a mixture of social housing as a secondary gain and as a primary gain, more social housing constructed at a time when Policy & Resources were not funding too much and the GHA were running out of sites.

And so this seemed a way that we would try and make work. Perhaps we underestimated the data that Deputy Blin was saying about the construction industry having a difficult period because that difficult period actually continued for a while and then we went into the opposite direction of a boom period which had other problems.

But I do think it is a pity that the States as a whole, maybe things have changed materially in the last six months since the new P&R took office, but I think as a whole, Deputy de Sausmarez would not agree with me here probably, but I think that the States' Members should have more insight from developers and what the development sector needs to build the housing we need.

Of course, Deputy Queripel would say there is a difference between profit and survival, but we know anecdotally that some developers have said that they lost money on certain developments. We know others that may have gone out of business, and we actually need to know as a partnership

what works and what does not in order to get the goal of more housing that is social and more housing that is not social and that should be the objective.

We tried an idea of GP11 and it did not work. I know some people might not like what I am saying about reducing the percentage, but instead we had that debate when we went for 20 properties, Deputy Roffey's successful amendment, rather than the five or the 10, the five that the DPA was suggesting. And I think in hindsight, keeping five or even 10 would have been better, but a lower proportion of each site would have been for social because therefore perhaps the industry would have accepted that.

I also think that an alternative cash tariff and alternative sites provided in lieu, like you see with the Open Market registration, would have been a good alternative. And I am very curious about what Deputy Taylor said about how there have been two exemptions so far because Guernsey has some of the highest property prices in the British Isles, if not Western Europe, and yet big sites are not viable for the developer, as proved by independent planning experts, which again has made a little bit of a mockery of GP11.

And so my position on this is it has had its day. I would probably be able to live with the Deputy de Sausmarez and Roffey amendment inasmuch as it does not close the door. But I not only support the P&R version out of loyalty, I think it will win anyway, but there is another reason. I do not quite know, perhaps we could do with H.M. Comptroller's advice perhaps here but I do not quite know, taking Deputy Taylor's point about whether it has a material effect on the Committee, I think it does. I think a Resolution of the States, especially by a margin, is significant.

But what I do not understand is if you take the five-year one or the Requête as it stands, I assumed although I think I have heard a nuance different today, that we were reviewing the Island Development Plan within a year or two. But now what I am hearing is more of a review on certain key points rather than a review of the whole thing of outstanding issues.

But either way, it is obvious that the planning authority will look very carefully at how to incentivise the housing market, especially given the work of our core. So if we publish a new Island Development Plan by the end of the year or next year and it is approved by the States or the next States within two years, that effectively would mean that there would be a complete change of the landscape with GP11 anyway because one is expecting it to be reviewed in an appropriate way.

And personally, I have heard too that two years, given the length of time it takes sometimes to devote these proposals, is too short, five years is perhaps too long, three years would have been better, but it does seem to me, whether two years or five years wins that if and when the Island Development *new* Plan comes in, with maybe a new GP11 or GP22 or GP33, then that will change.

And I do not believe the States can find its successor. So we are just working for the immediate future. And so if we do suspend GP11 today, and I hope we do, actually, my call is for all property developers and property experts and landowners and constructors and architects to get on with coming up with sites as soon as possible.

And if the main barrier has been an interpretation of GP11, then at least by Resolution removing that, we should enable the industry to kick start and get going this year and next year regardless of what time we have. So I am still a bit perplexed about some of the ramifications of what we are doing and suspect, as I said earlier, that there are many other factors why we have undeveloped sites –

But I will give way to Deputy Trott.

Deputy Trott: Thank you, Deputy Gollop.

And some may say this might have waited until I was summing but I do not want us to go down a cul-de-sac. I want to remind the States that we provided long-term loans from the States of Guernsey Bond to enable social housing developments. But additionally and importantly, the States agreed in the recent Funding & Investment Plan debate to authorise the Policy & Resources Committee to take out new external borrowing up to a maximum of £150 million for a 40-year period at rates deemed appropriate, specifically to lend on to the Guernsey Housing Association or

2990 another affordable housing provider to fund the Affordable Housing Development Programme, specifically to ensure that social housing was provided for in a proper and appropriate manner.

So any fears he or other Members have around the effect this might have on that sector should be alleviated by a previous decision of the States in the quantum that it has made.

2995 **Deputy Gollop:** Yes. Deputy Trott has made an excellent point for me to conclude around because for some time Deputy Inder and others have said that we are living in a very different economic scenario post, I do not know, post-Ukraine, post-energy crisis, post-COVID, than we used to be.

And Deputy Trott's point is very valid that this States most recently has committed itself to a significant programme, both politically and financially, of constructing housing especially social. 3000 And therefore, the politics of 2015-16 –

I will give way.

Deputy Roffey: Yes, thank you.

3005 Would Deputy Gollop, though, accept that the £150 million borrowing that was endorsed in the funding debate was to be lent on to the GHA at terms of renewal, in other words they would service it. That was what they could afford to be serviced out of their rent roll. It does not provide for the grant funding which all affordable housing developments would need going forward. It is quite separate from the grant funding which will still have to be found by the taxpayer.

3010 **Deputy Gollop:** Yes, we accept that there are ... that was more of a commercial banking style loan that we agreed, the up to £150 million and the grant funding traditionally comes from a different base of capital funding through what used to be the Corporate Housing Fund. I think the way in which the GHA funds their projects is quite complicated and we had that discussion recently about Pointues Rocques at a meeting I was at, for example. But in principle, that is right. 3015

But my point is I think the thinking of 2015,-16, and the original Island Development Plan was a little bit philosophical, even opportunistic. It was saying, why should the state fund all of social housing or the taxpayer? Let us get the developers to subsidise it. But for whatever reason, it has not worked as a way of kick starting either that issue or wider housing development.

3020 And so Deputy Roffey may be right. We had this large loan, but we will have to inject other money into it, some of which may be recoverable in the long term. But I think at the moment, we are subject to an Island Development Plan review, and I would like to see an opportunity for developers to contribute money or other sites for certain projects. But I think at the moment, the safest option is to support the Policy & Resources amendment because economic circumstances have changed, and, we need instant impact rather than something that has been a bit of a slow burner and it has still been consulted on. 3025

Maybe we can try again on it at a later point.

The Bailiff: I am going to call Deputy Dyke to speak as he is the lead requérant if he wishes to speak now. (A Member: Not here, sir.) I will not call him, then! *(Laughter)* 3030 I will call Deputy Kazantseva-Miller instead.

Deputy Kazantseva-Miller: Thank you, sir.

Well, first of all, I actually wanted to thank Deputy Dyke because he has been on this case, on the Committee for two years, I believe, and always found it challenging. Because the advice we have consistently received is that you would need an amendment to the IDP, it would take a long time, 12 months plus, and that quick changes were not possible. 3035

This was the consistent advice received from Law Officers and States' officers. He had to bring the Requête, which forced the States to find alternative solutions through amendments. Like we have found a magic money tree, we have now discovered a magic planning tree. Because basically, 3040

you can zero rate or really give any direction to Planning in this Assembly, and they will have to take it into account or ignore it at their peril, as Deputy Taylor claims.

There were questions why DPA has not found the solution themselves. And as a Member of the Committee, I can wholeheartedly say that we have tried. We have asked questions. We have asked for advice, and we have consistently received the advice that it was impossible, by the same officers that have now advised P&R that actually other solutions were achievable.

I am actually supportive of the principle behind the Requête, which is saying that the States should be able, by Resolution, to have the ability to amend the IDP in a quicker fashion than we currently have. And I actually think there is a lot of merit in what Deputy Dyke was trying to propose and we will be looking at streamlining the IDP process anyway.

And I will explain how wholeheartedly I am supportive of Amendment 1. I am a simple person who has a mathematical mind, and for me, two plus two has to add up to four. So the economic theory behind affordable housing provisions for private market has to add up for me. And I speak from a position of being on the DPA and someone who has scrutinised viability assessments, and we have also scrutinised the latest Arc4 report, which is, as I said, incomplete because the financial technical assumptions behind their analysis have not yet been provided.

The main economic theory behind how affordable housing could be contributed through private market development is around land values. The theory is that when significant planning gain is created for landowners through rezoning agricultural land to residential, that part of that gain can be negotiated down by developers at the time of land acquisition to provide land for affordable housing for free. And the numbers around this planning game can be quite staggering.

Agricultural land per acre in Guernsey is around £40,000. However, developable land zoned for residential is more than £800,000. There is a 20 times planning gain premium in Guernsey. So in theory, if you know that you have to provide 30% of your land for free for affordable housing, when you negotiate your prices, you would discount your acquisition cost by 30%. So instead of paying £800,000 per acre, you would pay 30% less, say £560,000.

Your landowner will still make a significant profit, 14 times the agricultural value instead of 20 times, and you will have your land for free. So far so good. But this process only really works when you are rezoning new land and you are affecting land value prices at that point of the planning gain process.

But what if the land has been already rezoned for residential for years, if not decades, which is the case in Guernsey? This means that land values across the Island would have likely already absorbed this appreciation through the numerous sales and purchase agreements that would have taken place over the many years.

Land values would have also absorbed speculation premiums, such as if land was previously not zoned for development but located on the boundary of the main and local centres, it would have cost more to purchase than just pure agricultural land in Torteval in an APA. So the development land developers would be purchasing today is not going to be £40,000 per acre. The only time when it would have happened would be in cases where landowners were land banking. They were sitting on the land they originally bought at agricultural prices and have not done anything with them.

So you could argue that there may still be cases where landowners are sitting on land previously bought at agricultural land prices, and these would be the opportunities where the States and GHA and developers could negotiate the land prices down.

But how many how many developable land parcels in housing allocation sites or main and local centres are still owned by those who bought them at agricultural land values? The thing is we do not really know. If you were to keep GP11 on the grounds that there still may be some cases where this could be financially viable because of the land values to provide land for free, you would have to ask all developers to continue with the GP11 process and to continue proving the financial viability.

But the need to prove financial viability adds additional cost and delay and hence creates significant friction in the market, which is already highly constrained, high cost and high risk. Any type of friction in the market leads to increased cost and delay which means that what you are

building costs you more and it takes longer to build. This leads to increased house prices for those who can buy, or just about can buy, and the market not building as much as they could have been if they did not have those delays.

So let me explain in more detail. A financial viability assessment, depending on the size of development, will cost you tens of thousands of pounds. It will protract the planning process. It may mean that planning applications have to also go to open planning meetings. Never a good thing for developers. All of that takes additional months.

And why does time cost money? If you are in a period of high inflation, such as what we have had recently, an 8% annual inflation is a 2% inflation per quarter. So if it takes you, say, three to six months longer to go through the viability assessment, this leads to a 2% to 4% increase in your construction costs. So if your development costs £10 million to build, a 4% increase in construction cost is £400,000.

At the same time, your interest rate on financing might have gone up. So instead of paying the 5% on your £10 million you may be paying an additional 2% for the build period of the two and three years. That is another £400,000 to £600,000 of financing costs that you have to absorb because you failed to get the cheaper rate a year before.

So you have just increased your cost by £1 million on a £10 million development. You might have lost traders who had to accept other jobs because they could not wait for you. Instead of doing a development every two years, you may now need three, four or five years or longer to complete. You may say that with inflation, house prices have also increased. The developer may still maintain their margin. But house price increases means the families who can barely afford to buy a place in Guernsey have to pay more because of the delays created by the planning process.

So delay costs money. And that is why developers do not want to engage in this process. And evidence submitted in the Arc4 report suggests that developers have actively avoided building on larger sites to avoid going through this protracted process.

Now, assume you have some cases with low land values where GPA level is viable. Going through this process will take you even longer and it will be even more convoluted. In addition to doing the viability assessment and going through the additional planning time required, you will also have to start negotiating with the GHA or the States how you will provide affordable housing. Would it be through land or through units? You will need to write covenants, which need legal drafting and further negotiation between the parties. If you are planning to sell the units at cost, you will have to negotiate the cost. More delay, more delay, and more delay.

This means even higher cost for the buyers on the private market and fewer units of private market housing being built. So GP11 might work in theory and, as Deputy Gollop said, is a philosophically sound theory at the time when planning may choose to rezone new land for residential development. But even then, it will be a highly convoluted and protracted process, and the States does not do quick.

But we are not at that point where land is being rezoned. That ship has sailed. Land values are, by and large, locked through sales and purchasing and aspirations of land owners. And just assuming you can negotiate land values down is totally, practically unachievable. The practice of GP11 is complex and convoluted. In my view, the only time we can look into this mechanism for delivering affordable housing, both with a big 'A' and small 'a', is at the time of land rezoning.

We are not at this process today. And given that we have an oversupply of land for private development already, we are unlikely to be rezoning land for private development this political term. But we do not have enough land for affordable housing.

It has been suggested by developers that if there is any rezoning that does take place through the IDP, it should be kept for affordable housing only, so that the States does not compete with private developers for land acquisition. This is a common perception. There is a common perception among developers that even when the States thought that they got land discounts due to GP11, they have still overpaid for the land because they are likely to be the only purchaser in Town for the scale and type of parcels like Belle Greve, Parc Le Lacheur and others that someone wants to buy today.

3145 The States is proud to have bought Saltpans, but no developer would have bought it for residential development because it is not zoned for residential. It is a key industrial area. The States feels proud to have got a deal when they were the only buyer in Town for residential. Last year, there were only 94 houses built instead of the approximately 300 we need per year. Business has largely come from windfall sites, smaller sites not ring fenced for development. This is woefully
3150 inadequate. We need to take away all barriers to unleash a programme of house building. We are nowhere near that point.

There have been recent attempts at publicity to say that Pointues Rocques might be able to deliver GP11. I am really sorry, but when you try to buy most of the land in units, that is not GP11. That is a custom commercial deal. Leale's Yard, another custom commercial deal. This type of
3155 commercial deal may be the only realistic and necessary way to enable the progress of large development sites in the next five to 10 years.

GP11 has failed. I do not think a two-year moratorium is enough. It is not enough time for large developments to come through, given how long it takes to bring development proposals, how long it takes for them to go through planning, especially for larger sites. Also Deputy de Sausmarez's
3160 logic that the IDP review legislation changes will take another year after the next year debate is not quite correct. The IDP review will result in immediate changes to the IDP unless we choose to specify a delay. There will not be any legislative drafting.

I give way to Deputy de Sausmarez.

3165 **Deputy de Sausmarez:** That is the purpose of the direction. The additional direction in the Amendment 2 is to direct that when the DPA brings those recommendations for the States' approval or otherwise, that they are commenced at that particular time, which is the date, I think it is 1st May 2026, in order to safeguard that two-year period. That is the whole point.

3170 **Deputy Kazantseva-Miller:** I understand that. I think in other forums, Deputy de Sausmarez said it will take by the time we review the IDP, it will also take another year for potential legislative changes. It is not the case. The IDP review process will work in a way where we bring the changes, they debate it, and they will become the IDP as approved in the Assembly.

3175 Having a five-year moratorium does not mean we cannot bring something else forward if we find a compelling case to do so as a Committee. Whether it is through this IDP review or the next, we have opportunities to develop new policies and approaches if and when we find there is something we want to bring forward.

I have not yet seen the evidence today to support that approach. The truth is that the GP11 we have today is not the GP11 that was developed, that went through the consultation, because it was
3180 heavily amended, especially by Deputy Roffey's amendment that put the threshold to 20 units. The guidance developed was poor by Planning. The land value benchmarking was not in existence. It just could be that if the threshold was kept low and if most land purchases would have been affected, that this would have trickled into the land value prices over time. But this ship had sailed.

3185 Finally, there is another theory supporting GP11, and it is that developers should contribute something to affordable housing, and Arc4 Report cites this as having a social responsibility. Yet we do not ask the Co-op or Waitrose to ring-fence 30% of their store to be available for free sale of products to those who cannot afford food. We do not ask them to transfer 30% of their food at cost price to Social Security Department or Guernsey Welfare.

3190 We have other mechanisms through which we can address those policy issues. And those mechanisms are typically taxation and Social Security policies. And in case the Assembly has forgotten, income derived from property development and land ownership is taxed at 20%, the highest rate of corporate tax in Guernsey for specific sectors. Land owners and property developers already pay their share if they make a profit.

Members, please support Amendment 1.

3195 **Several Members:** Hear, hear. *[Applause]*

The Bailiff: Deputy Oliver.

Deputy Oliver: Thank you, sir.

3200 I actually want to apologise to this Assembly because I know we have had a lot of amendments come forward and a lot of people suggesting suspending GP11, to get rid of it, to do whatever they want, to sort of do something with it. And we have tried so hard, and I really want to thank Deputy Dyke for bringing this Requête because it has actually brought a lot of minds in focus.

I think that one thing the DPA has learned is we were asking the wrong questions to actually get the result that we wanted. So I am sorry for that. But in all fairness, P&R, the former P&R, were also asking the wrong questions. So that I do have some comfort in that as well.

3210 But I want to explain why I have put my name to two amendments and first of all, I just want to say that we have, the majority of the Committee that were allowed in the room, have got behind Amendment 1 from Deputy Trott and myself. Deputy de Sausmarez and the one I supported did not have Committee approval. So I just want to say that. And I looked at the Amendment 2 as a backup. Is it better than the Requête wording? Yes, it was if Amendment 1 does not go through.

3215 Now I want to say why you should actually get behind Amendment 1. And I have to say, Deputy Kazantseva-Miller, I think, actually saw my speech because there was a lot of it in that got taken. But first of all, by zero rating this, it is just looking at the simplicity of it. Simplifying the IDP will hopefully speed up the planning applications. We know with the Arc4 report that sites under 20 are so much more popular and this is why I do not think our target has actually been met. We had 94 houses come forward last year. Our target is 300. We are woefully inadequate.

3220 This is why we have such a demand on housing because they are just not being built. So from the adoption from 2016 to 2020, we had 1,168 dwellings be built. Only 91 of those came from housing allocation sites – 91! Developers just do not want to get involved in GP11 and what comes with the bigger sites. Everything is just more complicated. It just takes so much longer.

3225 The cost reduction. On the large sites, most of them are just more costly to bring forward, particularly when you are talking figures. Now I had got all the figures that Deputy Kazantseva-Miller, was talking about with the higher land prices and what was meant to happen. So I just will not repeat that because I think we just need to get on with this.

3230 But also a cost reduction in the viability assessments because they cost money, they take time, and I do not think our planners would actually mind me saying this, they are not surveyors, they are planners. It is a very different part of – it is a very different exam that you take as well – to actually get to where you get to. And these viability assessments, I just do not think we have the expertise, if I am being truly honest, to properly just go through them quickly: Yes, yes, next one. They have to go to external for independence, they have to be verified. It just takes so much time and money, and the money is what is putting all our house prices up.

3235 Modernisation. GP11 has just not worked, unfortunately. And I am sorry, to say that. It has not done the job that it was really, really intended to do. (**A Member:** Hear, hear.) We have not seen the houses come forward from these sites that we were just expecting to see. It just has not.

And clarity. By reducing the GP11 to zero, it just makes it easier for everybody. Everybody knows where they stand, including ESS, where they actually stand to say, 'That is that. Right, we need to make sure that we build X amount of affordable houses, and we are not relying on maybe one, maybe two,' well, it is zero 'come forward.' So that is why.

3240 Now turning to two or five years. I just want to walk you through, very simplistic, how you go from building, piece of land to house, and I hope this will make up your mind whether you vote for Amendment 1 or Amendment 2. First of all, you have got to find the land. You have got to agree a price with the owner. You have got to instruct solicitors. Now just really hope that all the boundaries are in the right place because then you have got a real longer fight on your hand.

3245 So you have done all the searches and you have completed the transaction. Then you will need architectural drawings. Now this can take some time to draw up. You will want to get rough costings on it. You will do all of this and everything like that. Sometimes you will get pre-application advice or an outline planning application.

3250 Then you will need to go to planning permission. You might even need an OPM, which all takes time. Once those are agreed, you will then need structural engineers for building control. You will then have the difficulty of getting finance, and I can particularly vouch for this as I am trying to extend my mortgage at the moment and it is what I can only describe as tedious, the amount of information they want, the amount of numbers they want, the guarantees they want and everything like this. It is just painful.

3255 You then need to go out to tender. And you probably could do the financing and the tender in one go, but you really want to know that you have got the financing to be able, once the tender comes in, to say yes because you do not want the tender and then say, 'Oh, I have got the financing, but I do not know the numbers yet.' It all just takes so long. And in my opinion, two years is not enough. And that is why the way I was looking at how it was going to be voted, I thought number one would be voted first, then number two and number two would then be an okay backup plan. But really, if it is not, please just vote for five years, Amendment 1.

The Bailiff: Deputy Soulsby.

3265 **Deputy Soulsby:** Thank you, sir.

Members might not know that GP11 is a rifle cartridge developed by the Swiss Army for the Schmidt-Rubin rifle. And, probably unsurprisingly, it was developed in 1911. Now a cursory glance will demonstrate little comparison with a GP11 as part of the States of Guernsey's Planning Law. The cartridge has lasted over a 100 years and saw extensive service until the 1990s and is still used by the Swiss Army reservists today. Guernsey's GP11, on the other hand, has not shown such a luxury of service, with not a single development having been built on the back of its deployment. It really has not been the silver bullet to the development of more affordable housing.

3270 Of course, that was not the intention of the original GP11 that was in the policy letter debated in 2016, as has already been highlighted. Hindsight could show that that should not have been amended. Whether it would have made a difference, I do not know. And it is a question Deputy Gollop asked. Why hasn't it worked? Well, I do wonder whether part of the reason is our Planning Law is so heavily based on those of the UK, and the fact that, well, we are not the UK. But, clearly, what we have has not worked, and we really cannot continue as we are. (**A Member:** Hear, hear.)

3280 Now when we were developing Amendment 1 on P&R, I did voice concerns about the length it was proposed to effectively put it on hold by reducing the criteria to 0%. However, I was satisfied that larger developments would be more complicated and likely to take longer to get through the planning process, and Deputy Oliver has explained the long winded approach and the difficulties in getting to that point.

3285 And contrary to Deputy de Sausmarez's argument, I do think the incentive will be that anyway, knowing the outcome of the IDP review, which should be coming to this place in the future. Now although I am totally supportive of Amendment 1, I do not think it will solve our housing crisis. The cost of finance, building materials, and capacity of the construction industry are all still barriers that will be there after today.

3290 I am also concerned that by passing this amendment or Amendment 2 would mean difficulty in getting mixed tenure housing. As I do not think it will stop affordable housing, but my concern is about not having great big developments just for affordable housing, and that is a concern. I am hoping in certain developments we can change that, but that is far from certain.

3295 However, we have clearly been told by developers that GP11 is stifling investment, and we have seen that over the last four years. And they say that this will set them free and they will build. Well, I have heard that for long enough. Now is the time they need to step up to the plate to demonstrate they really are invested in the future of Guernsey (**A Member:** Hear, hear.) and put their money where their mouth is, to put it bluntly.

3300 If we pass Amendment 1, which I hope we do today, this is not the end of it. It might hit the target, but it is not enough to kill the malaise that is our housing crisis. And I hope, for one, that I will be able to support both ESS and E&I, together with colleagues on P&R to ensure that we can

do far more than this as a Government over the coming few months that we have got left in this term.

The Bailiff: Deputy Roffey.

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Deputy Roffey: Thank you, sir.

I do not know if anybody is still intending to reject both of the amendments and vote for the Requête unamended, but I have to say, in case they are, that, just to back up what has been said in our letter of comment, which was this Requête as drafted goes way, way beyond GP11.

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Now I take at face value what Deputy Dyke said that the intention is or was meant to be all about focusing on his desire to get rid of GP11. But what he has come up with is something that just impacts on the ability to change a planning policy at the drop of a hat in all sorts of areas. And while I understand the arguments put forward by Deputy Kazantseva-Miller Miller that maybe we are too hide-bound at the moment, too restricted when we do want to change planning policy, planning impacts on people's lives. And I think just a rogue debate and a rogue Assembly, we have to ride roughshod over process when people have been in front of planning inspectors and made their pitch, I do not think that this Requête as drafted is supportable.

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So I guess I am going to have to vote for one of the two amendments. Whether or not I then vote for the amended Requête, I am still mulling over, but they are both better than the Requête as drafted and on that basis alone I think the right parliamentary thing to do is to vote for one of them.

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We have to remind ourselves that GP11 was a policy promoted by the DPA and they promoted it when the IDP came in because they had a responsibility at that time to facilitate the provision of affordable housing, and they will have that same obligation when they come forward with a new revised IDP sometime early next year.

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People almost looked as if I was the godfather of GP11; all I did was limit its application. And I think there has been some revision of history here. Deputy Dyke said nobody was listening to the developers in 2016. I was! They were saying partly they did not want GP11 at all, but they were also saying it is going to be particularly problematic on smaller developments, and therefore please do not impose it on smaller developments.

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And at the same time we had the main provider of social housing and affordable housing in Guernsey at the time, the GHA, under their then administration, saying we are not really interested in picking up one or two plots on smaller properties and therefore, to be honest, if it had not been some form of amendment, whether it was Deputy Queripel's – I am sorry his was never voted on, that not my intention, it was just the rather strange way the debate was, I think, handled at the time – whether it was his or mine, there would have been no GP11.

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Now some people will say, hooray, that would have been a better route, but that was definitely the zeitgeist of the States at the time. They were not going to live with every site above five – and I know there are some Members of this Assembly that still believe it should have been, but that was never going to come in. And nor would it have been more effective when you look at all the myriad of extant planning permissions that the DPA have given that have not been acted on, most of them are under 20.

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So most of them without any GP11 requirement, for some reason they are not coming forward. So do we really think that more of them would have been developed if they were having to make a GP11 provision as well because the threshold of being five instead of 20? It is looking back and distorting reality.

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What Deputy Dyke also said is that actually that policy back in 2016 may have fitted the economics back then. It may have made sense. Maybe developer profit was sufficient that it was perfectly okay to bring in it; and I agree, I am amazed that the DPA have made no attempt since – I know it has to go through due process, it cannot just be done by Resolution of the States – but to actually change GP11 as those economic realities have changed.

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I would certainly have been willing to consider lower thresholds because I think with the cost of construction and the cost of finance these days, 30% is simply probably pitched too high. And if it

had been 20% instead, I think there would have been a perfectly valid case for that. Not only that, but in the debate in 2016 I supported an amendment from Deputy Dorey which was passed, asking the DPA to consider bringing in cash alternatives instead of just plots, as a GP11 contribution. Eight years on, nothing has been done about it and yet that would have been a far more flexible approach.

That is all history. I think the zeitgeist today – I am not totally insensitive, despite what people might tell you – from this States is to completely disapply GP11, and I am glad Deputy Taylor is not in the States, otherwise I would have had to have an intervention saying that it is not totally disappplied, it is only an instruction to disapply, which can be ignored.

Now personally I do not agree with that for reasons I will explain shortly, but I accept that the perceived wisdom in this Assembly is that that may well turbocharge the private housing construction sector. Well I am totally with those people who want it turbocharged. I do not think there is any competition between social housing, affordable housing and private housing. I think they are all parts of a piece, and I will watch with interest and I will rejoice if I see that happening over the next few years.

But there is some cynicism in me I think. I am not totally convinced that removal of GP11 will suddenly, as Deputy Soulsby was just saying, remove all of the myriad blockages that we are seeing in our dysfunctional housing development sector at the moment.

So yes, the private owner-occupier sector is a really crucial part of the Guernsey housing market. But if removing GP11 was really going to be the golden bullet, Members should ask themselves why are all of those sites with planning permissions now for which GP11 has never even engaged either because they are below 20 or because they have already been deemed not to be viable with GP11, so the Briarwoods and the Leale's Yards, why they are still not rushing forward? Because they are not. And it is not an allegation against the developers, I just think there is some systemic problems there that we have to tackle.

In fact, far from Deputy Dyke's get out of the developers' hair, I actually think there is an obligation on this Assembly to look at the other blockages, whether it is the cost of construction, whether it is the cost of materials, whether it is the cost of capital, and see if there is anything that we can do to help. I do not think it is just a question of being so *laissez faire* and just thinking, oh, the market will sort itself out. Markets often do, but you do get market failures sometime. And I think what we are seeing is a chronic market failure (**A Member:** Hear, hear.) that we need to actually help with.

But let us be clear. Even if we do, and I really hope that we are going to, I am a bit cynical over it, but if we do as a result of the debate today and whichever amendment is probably passed, if we see a real spurt of private house building, that will not of itself resolve Guernsey's housing crisis. Because, yes, Deputy Gollop is right. Every house that is built in whatever part of the market helps with the supply and demand. But even if average house prices for house purchase, private house purchase, fall quite dramatically in a way that I think Deputy Trott would like to see –

I give way to Deputy Trott.

Deputy Trott: Well I am grateful to you for giving way.

Deputy Roffey has been a journalist himself. He is well aware how journalists make certain words sound different in a headline. I would like to see the affordability ratio fall, but there are a multitude of ways that that can happen, including, of course, increasing prosperity through a rise in median earnings. Let us hope that that happens.

A Member: Hear, hear.

Deputy Roffey: Leaving Deputy Trott's views completely out of my point, even if average house prices for house purchases fall quite dramatically, there will still be a huge swathe of our population for whom that market will remain utterly unaffordable and inaccessible. (**A Member:** Hear, hear.) So even though the onus of this debate, and I understand it, the onus of this debate today, has been predicated on stimulating private house building, we cannot afford to ignore the other side of that coin which is the Affordable Housing Development Programme. (**A Member:** Hear, hear.)

3405 We as an Assembly have identified and signed up to a very significant need in that respect. It is probably bigger than what we signed up to. And I am the first to confess that there has been a damaging dislocation in the programme of delivering affordable housing – capital A, capital H – caused by one very simple reason, the fact that we arrived at a situation where there were no suitable sites available on which to build affordable housing.

3410 So even though, unlike Deputy Kazantseva-Miller's claim, there have been actually some significant additions to the affordable housing stock in this political term, they were all early on in the political term, and we have now seen basically a two- to three-year dislocation taking place. I think people said we have been on a buying spree. I hope we have because we have arrived in a situation I hope we will never see again, and I thank Deputy Ferbrache, by the way, for his help in that buying spree, because I never want my successors to say, 'We have got a housing crisis. Please, GHA, can you build any homes? Where should we build them?' 'Well, we have not got anywhere where you can build them just now.'

3420 So I actually want us to do a little bit of land banking as well. Not sitting on it for years and years, like some people do, hoping the value gets up, but having at least enough in our back pocket to be able to have a smooth delivery of affordable housing going forward.

And as I said before, there is a responsibility on the DPA when reviewing the IDP to ensure that land is earmarked and made available for affordable housing. Now in 2016, the way they discharged that was by proposing what was their policy of GP11. I know it was amended. Now what I would say is if Members of that Committee, and many of them are, are urging that we should no longer continue with what was their policy back then, and they are asking us all, including me, to support them in that endeavour. I suppose my question to them is, what are you going to suggest in its place?

3430 I think I have heard something. I think I have got a hint of what is coming, and I do not really like it. Because what they are saying is there is enough land for private developments, so we are not going to need to bring much more of that, but we will bring forward quite a big bit of land that will be solely reserved for affordable housing.

3435 No. Please do not do it down that road. Please do not. It actually ties up with the point I wanted to make, what Deputy Dyke said earlier on. One of his objections to GP11 was that if you had private housing and affordable housing, cheek by jowl, the latter would somehow blight the former, it would make it so much less desirable for people who want private housing to have to live next door to people who require social housing. What an attitude. What an un-Guernsey attitude! All around this Island, we have States' houses.

3440 **Deputy Dyke:** Point of correction.

The Bailiff: Point of correction, Deputy Dyke.

3445 **Deputy Dyke:** I was not making that point as a personal view of mine. I was making that point as a view of the developers that they have put forward on several occasions that it gives them a problem in marketability.

Thank you.

The Bailiff: Deputy Roffey.

3450 **Deputy Roffey:** I fully accept that. I apologise to Deputy Dyke. What an attitude by the developers, and I am pleased that Deputy Dyke totally disagrees with them. *(Laughter)*

Now all –

I give way to Deputy Kazantseva-Miller.

3455 **Deputy Kazantseva-Miller:** Thank you. I thank Deputy Roffey.

I think he is shuddering at the idea that large plots of lands might be allocated just for affordable housing developments. I want to remind Deputy Roffey that he and previous P&R just bought Saltpans and Parc le Lacheur, massive plots of land, which would deliver about 500 units of affordable housing all at once.

3460 So I think there is a bit of hypocrisy in terms of his views on certain plots versus the massive spree he has gone into land purchasing just for affordable housing.

Thank you.

3465 **The Bailiff:** Deputy Kazantseva-Miller, it is not particularly parliamentary to use the hypocrisy word when referring to a Member's speech. I will just draw attention to that.
Deputy Roffey.

Deputy Roffey: I see nothing wrong with being hypocritical myself. I just do not think others should do it! (*Laughter*)

3470 I do not think it is hypocritical because where have we said that that would be just big blocks of social housing? We have not. We are encouraging the GHA, where they have acquired land, with our help, to look at joint ventures, to look at putting plenty of partial ownership there, not to have ... and it may upset some of the private developers that we are going to say, why do not you actually develop some property for sale on the general market and help finance the rest of it and take the
3475 burden off the taxpayer?

And if private developers turn around to me – no, I have given way enough, I am sorry – turn around and say, 'Oh, that is interfering with our market.' My answer is will you be pretty slow in coming forward with sufficient private housing yourself –

3480 **Deputy Kazantseva-Miller:** Point of correction, sir.

The Bailiff: Point of correction, Deputy Kazantseva-Miller.

3485 **Deputy Kazantseva-Miller:** The Affordable Housing Programme that is funded by the taxpayer is supposed to be for affordable housing as defined in Law. Deputy Roffey is now talking about opportunities for subsidising private market developments through the Affordable Housing Programme, which again I think goes completely against the affordable housing policy as funded by the taxpayer.

3490 **The Bailiff:** Deputy Roffey.

Deputy Roffey: I ask Deputy Kazantseva-Miller to go and look at – it does not need to wait for *Hansard*, there will be a recording of this that you will be able to pick up online. I said quite the opposite to that. I have no intention of subsidising private sector housing. What I said is that some
3495 of these sites could involve private sector housing at full price which will help to subsidise the affordable housing programme and reduce the burden on the taxpayer. That is what I said.

My point is I want mixed tenure developments. As I was trying to say, sir, around this Island, we have States' houses all over the place that are cheek by jowl with millionaires. I am not a millionaire, but I have got quite a few that live near me up the road, around the Naftiaux Estate, around the
3500 back of Naftiaux Road. Lots of big posh houses.

It is just the Guernsey way. When we got away from that was in the 1960s and 1970s when suddenly we stopped doing that, and we had the Bouet and the Genats, that was not a step forward. That was a step backwards. It would be perverse for me to say, please do not set aside land for affordable housing. But I would say to the DPA, please do not do it in such a way that only allows a
3505 big swathe of social rental housing to be built, and that it is not allowing a mixed tenure because I think that socially is absolutely going backwards from where we want to be.

I suppose another question I do have today for those who are wanting to scrap policy GP11, and I fully accept that is going to happen, and no, Deputy Helyar, it will not be fully scrapped, but it will be effectively zero rated, is if you no longer want developers to make a contribution to the Affordable Housing Development Programme, please, are you willing to see the taxpayer pick up that burden instead?

That is not through the £150 million loan, that is a loan to be leant on that is serviced by the rental. What makes it affordable is the capital grants, the grant funding that comes on top of that. We will need more of that – *more of that* – in the future.

And that is going to have to come from Mr and Mrs Taxpayer instead of those who win the planning lottery on this land. To some extent I take Deputy Kazantseva-Miller's point that that planning lottery may be many years ago and the land may have changed value since then, but to be honest, if somebody has been sitting on land for the next 20 or 30 years and it is actually ancient when it got planning permission, then they have had a one heck of a lot of appreciation in that time. So I am not going to be crying crocodile tears over that.

But I am in a minority and I understand it is worth giving anything a go, given that we are in a bit of a bind. Has GP11 worked? I would claim yes and no. I fully accept that it is, no, in the sense that no private developers have built large estates and have yielded up as a part of that process the required GP11 requirements.

Although I do have to pick Deputy Kazantseva-Miller up on the question of Pointues Rocque because the draft agreement that has been reached between the parcel of land owners and the GHA is not just about buying plots, it is about the GP11 quota of plots being provided free of charge to the GHA, and on top of that then purchasing additional units, which – why not? If that is what works, if it makes it any more, then why not buy some units at Leale's Yard if it makes it more affordable. But the GP11 is fully going to deliver in that respect if those plans come to fruition.

So, yes, there have been no plots over 20 being built, sites, just handed across. I would make the point, though, in passing, and I know it will not be accepted by the people who have been campaigning against GP11, but they have almost guaranteed that. They have almost guaranteed that by prominent Members of the States including members of the DPA continually saying we are determined, we are going to scrap GP11 pretty soon. As soon as we can, we will scrap it. What developer sitting on large sites would, hearing that coming from the States, as they see it, actually go forward and develop if they think they are going to have a bigger reward if they sit and wait?

And I have to say, at least one site that the GHA bought for affordable housing, and fortunately it did go through, but I know what was being reported back to me the owners were saying, but the valuation you have come up with includes GP11; what happens if the States scrap it? We do not think we should sell it to you now because we should hang on. We might be able to get more. I cannot really say who it is, I think it would be unfair on the owners, but those sorts of conversations have been happening. But there we go, we are where we are.

But there is no doubt that we have obtained hundreds of plots for the Affordable Housing Programme, which will be delivered upon, which otherwise would have been unaffordable had GP11 not existed. So I do ask again because we still do not have enough sites for affordable housing, maybe they will be delivered through the IDP review, if they are that is fine, but if not we are going to have to go out, basically, and compete on the Open Market for land zoned for development. And we are going to have to pay top dollar for it, and we will not be able to say some of that should be coming free of charge because of GP11. We will just have to pay the economic rate per plot. So that is fine. There is nothing wrong with that. That is perfectly legitimate. It is how it was 20 years ago, but just be aware of it, is all I am saying.

What I am trying to say, I think, is I am probably bowing to the inevitable here, I do not think I can bring myself to vote for it but I do respect where the democratic process is leading us. And I think what the democratic process is telling us is GP11 has had its day, at least for now. It did deliver, I have to say, but I confess fully it under delivered – under delivered big time, largely in my view because it was undermined for years; others will put different reasons for doing that. I am now, sir,

looking very much forward to Guernsey developers delivering on their promises and moving forward really rapidly to bring larger sites forward.

I actually personally believe that the de Sausmarez amendment stands a better chance of doing that than the Trott amendment. Is it unreasonable to offer just two years for going to planning and then another three years to do the development? Well, I did listen to the litany of time that needs to be applied to big developments from Deputy Oliver and she was right. But I do not know.

She said the first thing you have to do is go and find the land and buy it. We know that there are many developers that already own and have a concept in their mind that they could actually bring it forward. I know that there have been conversations happened by the States' Property Unit with big land owners recently, who said, 'Yes, I own big bits of land. I am in no great hurry to bring that forward actually. No great hurry, that is such a slow burner. I am going to do that ...'

Well they might change their mind a bit if they are given a set horizon where if they do not do it the requirement for GP11 may come back in again. So I intend to vote for Amendment 2 and actually, I think there is no point in a person trying to stand out, against the will of the States like a pinnacle of granite trying to stand up against the sea. So I will probably then vote for the Requête as amended.

The Bailiff: Deputy Ferbrache.

Deputy Ferbrache: Sir, following on what was the usual eloquent speech by Deputy Roffey ... but the standout speech today so far has been Deputy Kazantseva-Miller. She has highlighted one point that concerned me when I was President of P&R and all my colleagues on P&R, which was the advice that we received consistently – the consistent advice we received – which was that it was impossible to do anything about GP11.

Now we have got – and I like her phrase – we have got the magic planning tree. But what we still have not got is the magic money tree, but we have got the magic planning tree now because all of a sudden ... so I have got to say I am critical of the fact that the advice that we have received has been inconsistent because I do not think it should have been as negative as it was.

But anyway we have got to get on and we have got to do something. Because two points I would like to mention in beginning are, firstly, we have talked about the cost of building in Guernsey. Now Deputy Dyke, I think, comes from Poole, and in Poole, you could buy a concrete block today for about £1.30. In Guernsey, it is going to cost you £2.93. So more than twice the price for a concrete block.

And a house needs lots of concrete blocks, whether it is the big houses that Deputy Trott has talked about or the more modest houses that some of us lived in. Whether it is one of those or not, in relation to that, it is going to cost a lot more just for concrete blocks. And then you have got the cement, and you have got all the other things you need to build a house. So that is the first thing.

The second thing is, and it is really a quote, most people know the first bit of the Otto van Bismarck quote, even if they do not know it was him, and he has been dead a long time. They know the bit about 'Politics is the art of the possible'. What they do not know is the second part of his sentence, which is 'the attainable is the art of the next best,' and that is what we are trying to do today. We are trying to do a next best. We are trying to do something for housing.

Now we have talked lots and lots about housing, but we have built 94 units last year, not a single social house. We are going to build in the four years, eight months term of this Assembly, I think less than 50 social houses. That is pathetic, completely unacceptable. (**Several Members:** Hear, hear.) We are going backwards.

Now I saw an article, I think Rob Batiste, who writes these excellent articles in the *Press* saying what house prices were in 1969. A three-bedroom house that Deputy Dyke, quite correctly, says is going to cost you about £500,000 or £600,000 now, depending where it is and exactly how big your garden is, etc., but in 1969 – and if you uplifted 1969 to now by inflation – that would cost you about £170,000. So we are over three-and-a-half, four times, and it is the means thing that Deputy

Trott regularly speaks about, and quite correctly so, about it was four times average salary, now it is 15, 16 times, or 14 times, and that has made it unaffordable. (**A Member:** Yes.)

Ordinary Guernsey people without the bank of mum and dad cannot buy houses. I think Deputy Dyke gave, I have got to say ... I do not regularly applaud Deputy Dyke, but I do today, he has done quite well. And he was talking about 71% of homeowners 20-odd years ago, and it is 60% now, or whatever the exact statistics were. That is a backward step because the Guernseyman and the Guernseywoman, they wanted their plot of land, they wanted to build a house, they wanted to own their own modest property where they could bring their kids up, have a dog or a cat, and live their lives. That is what they wanted. That has been denied them because of pressures. That is economics, supply and demand. That is the price of houses being realistically a lot more than they were 50 years ago. It is because there is a great demand now, but people are earning more money.

The finance sector came along and it has been more benefits than minuses. But one of the minuses is it has pushed the price of housing up, because if people have got more money in their pocket they are going to spend more, things are going to get more expensive because you are bidding against somebody else.

I am going to vote overwhelmingly for Amendment 1 proposed by Deputies Trott and Oliver, because it is better than nothing. But I share the same cynicism that Deputy Roffey, I think, was sharing. I do not think developers are suddenly going to build all the houses that we want. I do not think that for a jot.

But it is calling their bluff, to use a phrase that Deputy Inder used earlier this afternoon, it is calling their bluff and saying, 'Okay, chaps, chapesses, go and build your houses now. You have got the chance. You could buy a plot of land that you could build 40 houses on. Do that.' Where I disagree with Deputy Roffey is blocking out big chunks of land for affordable housing.

What I hope under this process that is going on in relation to the amendment to the IDP is that ... I do not know how they are going to cut it down. I remember when it came in because I was a lawyer. I have dealt with planning matters for the last 40 years, and they were saying, 'Oh, this will make things more flexible, it will make it easier.' It has not. It is a monolith. It is a behemoth. It is impossible to get things done in any great order.

If Deputy Oliver wants to jump up, I am going to tell her to jump down because it just does not work. It has not worked in relation to where we are. And also we talked about the CI Tyres site just down the road where I used to live as a boy. I remember it when it was Miller's Yard, and two of my uncles drove lorries from there because that is what it was. They were lorry drivers. They were haulage people. Now we have walked past it, and my legal office is not far away, and the Frossard House is not far away, so I walk past it regularly; I do not actually see any houses being built there yet or any apartments being built there yet.

And I compare that with the private development. I drive down the La Croix regularly because I live just around the corner. And there was a house burnt down a year or two ago. A local builder has built two houses in a less time that we have taken to talk about what we are going to do at Miller's Yard.

Now that is what private enterprise can do. It can get on and do things because we have got this thing, we are frightened to take decisions, we are frightened to follow those decisions through, we are ultra cautious, we just do not do things. I want the Guernseyman and the Guernseywoman, the 25-year-old Guernsey person, the 60-year-old Guernsey person to have a home. I do not want to talk about it. We have been talking about this now for about three hours and we are going to pass Amendment 1 overwhelmingly, whether Deputy Roffey votes for Amendment 2 or people do not vote for anything. We are going to vote for it overwhelmingly.

And it is a suspension of GP11. GP11 is never going to come back. It is never ever going to come back. It is suspended for five years till May, whatever it is, 2029. It is a bit like DPT. DPT was brought into the mid-seventies because a Mr Le Page and others were buying up properties all over the place, residential properties at considerable prices and there was massive, residential inflation of house prices.

We suspended that for the first X number of years, many, many years of my legal practice in Guernsey. We would have to go to the conveyancing form with a DPT form to show we had DPT exemption, you give that to the Jurats, who looked at it, put it on one side, and then the transaction can go ahead. The States suspended that some years ago. It could be brought back tomorrow. It will never be brought back. So this is never going to come. GP11 is going to die today or tomorrow. It is going to die.

I remember Deputy Queripel bringing forward his amendment for 10 units. The DPA wanted five, and Deputy Roffey was pragmatic and said 20. And it was a social housing thing, a social engineering thing as well about, well, we should have some people living juxtaposition with millionaires, to use the phrase that Deputy Roffey has used in different context just before. Great in theory. I do not care about the theory. I want the people who cannot afford a house to actually have a home. I do not care if it is 400 yards away from a millionaire or if it is right next door to a millionaire.

Forget the social engineering, and there are some people in this Assembly today that are responsible for that social engineering, which meant houses did not get built, that should otherwise get built. It was the overwhelming will of the States when that was debated, and I was a Member of the States, that GP11 be enacted and promulgated and enforced by the policy that the States passed by a clear majority on that particular day.

It was never going to work because if you put things in the path of the private sector, they are just going to ignore it. I do not mean they can legally break the Law. They did not do that. They are just going to sit back on their haunches and not build. They are going to buy sites for 10 houses or 15 houses, or they are going to buy a site which could have 25 houses, but they are only going to put plans in for 18 houses because they do not want to engage the policy and all the bureaucracy – all the bureaucracy – that goes forward.

We had that site at Briarwood, at St Martin's. I do not know the ins and outs of it, I only know what I read in the paper. It went backwards and forwards and backwards and forwards. And what has happened? We have got Pointues Rocques that has been talked about. And I know there has been things talked about, but that has been around for a long time. We have got Leale's Yard. Nothing has happened on that yet.

We talk and we talk, but we do not provide a single unit of accommodation for the Guernseyman and the Guernseywoman. This is a small step in the right direction. And it gets rid of the developers from saying, 'We cannot do it because of GP11.' This is your test. What I would like them to do tomorrow or whenever this debate concludes is to put something out, saying, 'Okay, GP11 has now gone effectively,' because Deputy Taylor is strictly right, but in reality it will have gone, 'overwhelmingly. We are going to build in the next year, 300 houses, 500 houses, whatever we are going to do.'

I am not quite sure how they are going to do it, because where is the labour going to come from? Concrete blocks have not got any cheaper. Cement is not going to get any cheaper. Land is not going to get any cheaper. We can do, and I know the development and I am not going to mention it because I know exactly what Deputy Roffey was talking about when he said about the person who honoured the deal where they could have got more money. I think I was tangentially involved in that as a politician. So I know what he is talking about.

But most people are not as philanthropic as that particular person. I am surrounded by capitalists in front of me. *(Laughter)* So they will sell they will sell to the highest bidder, and I do not blame them. We live in a capitalist society. What is wrong with that? I actually, as a humble Guernseyman like money. I do not have any apology for that. You know, it is a good thing.

Deputy Queripel talked about greed and profit. Now some of you will have read from what I regard as a respected developer recently in *The Guernsey Press* saying, 'Hang on. Have regard, we do not make that much money. It is very difficult.' Some people obviously make good money on a development. The risk they take is considerable because the market does not stay like that. The market goes up and the market goes down. And I have known many developers over the years, over the last 40 years, who have lost a lot of money on developments. They have lost fortunes on developments because the market has turned against them.

Because as Deputy Oliver was saying, you do not just suddenly get a piece of land and then tomorrow you have got a house or a group of houses. It takes years by the time you have got your finance, you have got the building work done, all the roads, and you have got to then go through all the planners. You have built a house that is 10 inches too high, so you have got to put in revised plans. I remember one of those recently. I had a two-page letter from the planners about that. Ten inches! Of course, it was a great ... anyway, we will put that to one side.

But in relation to this, let us pass this amendment by Deputies Trott and Oliver. It is not going to cure the endemic or systematic problem that Deputy Trott, rightly, emphasised in his opening speech, but it is something. Let us get some houses built, please. Let us give the Guernsey people, who we have let down badly, this Assembly, the previous Assembly, the Assembly before that, let us give them a bit of hope.

Several Members: Hear. Hear.

The Bailiff: Deputy Meerveld.

Deputy Meerveld: Sir, I would like to test the will of the States in supporting a motion 27(1).

The Bailiff: I think it might be 26(1). *(Laughter)* That is inflation for you!

Can I invite those Members who are minded to speak in the debate, should it continue, to stand in their places?

Is it still your wish, Deputy Meerveld, that I put the motion?

Deputy Meerveld: Yes, please, sir.

The Bailiff: The motion is that, subject to the winding up on both of the two amendments, that further general debate be curtailed at this point. Those in favour; those against?

Some Members voted Pour; some voted Contre

The Bailiff: I think we might have a motion up, please, Greffier. **(The States' Greffier: Yes.)** Would you now open the voting on the Rule 26(1) motion, please?

There was a recorded vote.

Carried – Pour 16, Contre 14, Ne vote pas 4, Did not vote 5, absent 1

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Blin, Chris	Queripel, Lester	Helyar, Mark	Parkinson, Charles
Cameron, Andy	Brouard, Al	Roberts, Steve	Le Tocq, Jonathan	
De Lisle, David	Burford, Yvonne	Snowdon, Alexander	Mahoney, David	
Dudley-Owen, Andrea	Bury, Tina	St Pier, Gavin	Oliver, Victoria	
Dyke, John	De Sausmarez, Lindsay		Taylor, Andrew	
Falla, Steve	Fairclough, Simon			
Haskins, Sam	Ferbrache, Peter			
Inder, Neil	Gabriel, Adrian			
Le Tissier, Chris	Gollop, John			
McKenna, Liam	Kazantseva-Miller, Sasha			
Meerveld, Carl	Leadbeater, Marc			
Murray, Bob	Matthews, Aidan			
Prow, Robert	Moakes, Nick			
Soulsby, Heidi	Roffey, Peter			
Trott, Lyndon				
Vermeulen, Simon				

The Bailiff: On the procedural motion to curtail debate, pursuant to Rule 26(1), proposed by Deputy Meerveld, there voted in favour, 16 Members; there voted against, 14 Members; 4 Members abstained; 6 Members did not participate in the vote, and therefore I will declare that carried.

But before I turn to Deputy Dyke, I am going to invite the Comptroller to address any of the legal issues that have arisen. Mr Comptroller.

The Comptroller: Sir, thank you.

Could I limit myself to the issue that has arisen over changing the IDP and GP11 by Resolution. My own view is that the States cannot change the IDP and GP11 by a simple Resolution of the type that is in the two amendments that have been put forward. And I say that because Guernsey has a statutory planning regime, the IDP and GP11 live within that regime.

Under the legislation, it is the Plans Ordinance that is the relevant legislative instrument, there is a procedure set out for changing the IDP and GP11. So if there is going to be a change that procedure needs to be followed and concluded or the legislation itself needs to be amended. So if that helps Members, it may not be welcome news to many of them, but that is my view in relation to the effect of the Propositions that are set out in the two amendments.

The Bailiff: Thank you very much.

I am going to invite Deputy Dyke, as the lead requérant, now to reply if he wishes to on both amendments or, if he prefers, he can do Amendment 2. And then I will hear from Deputy de Sausmarez, and then he can speak again on Amendment 1.

So it is your choice, Deputy Dyke.

Deputy Dyke: Thank you, sir. I am happy to deal with them both together to speed things along.

Quite a lot of things have been said. To start with the substance of this, I agree with Deputy Trott's legal analysis of how Amendment 1 will work, and I would say that I do not agree with Deputy de Sausmarez's analysis as to why we need the extra paragraph that she has put in. As Deputy Inder has so eloquently said, we are the controlling body here and we need to make a decision and we need to take responsibility for doing so. So I thoroughly agree with them. He makes good speeches when he is not blowing my head off, I have to say! So that was that point.

Now we have had a lot of arguments as to why we should proceed with Amendment 1 and what is wrong with GP11 and why we should, pursuant to IDP 1.6.2, give the direction in accordance with, Deputy Trott's Amendment 1

Now where shall I start? Deputy Oliver has made the good point about how long it takes to progress to completion a complex building development. It is years and years. There are huge risks involved, and why would we want to add more time to that to make developments even more difficult? Deputy Kazantseva-Miller has made the same point, and others have made that point which I think is a very valid point.

Deputy Kazantseva-Miller made an interesting point in terms of tax theory which I agree with, that if you are going to look at taxing development you need to do it when, for example, agricultural land is redesignated to residential land. At that point, you have a large uplift and you could consider whether you should have a planning uplift development tax of some sort.

In theory, I think that is completely correct in terms of economics. In terms of practicality, are we going to be doing enough of that to make it worthwhile? That is another issue. The difference in approach from the Requête, I should have mentioned that. Yes, the idea of the Requête was to proceed in the way that the Comptroller suggested. We would pass this Requête, pass an ordinance to change the Law, and then pass a Resolution to do it. But on balance, and in fact, quite clearly, I think Deputy Trott's methodology in terms of proceeding, so far as I am concerned, is a better way to go and it has the effect of immediacy.

So far as I am concerned, it does follow precisely what IDP paragraph, I think it is, 1.6.2 says, that the States can give a direction. So if they can give a direction, then I think we on the Planning Committee should follow it. It would be extraordinary not to, as Deputy Inder says. If we turn around,

having been directed to deal in a certain way by a substantial States' majority, then I would expect a vote of no confidence at the next Assembly Meeting. So, so much for that structural issue.

I would like to address a point that I know Deputy Queripel is very worried about. Deputy Queripel is very worried that if we suspend GP11, the operation of GP11 pursuant to this direction,
 3800 then we are closing the door on some social market development. And I know he is very worried about that. I think Deputy Gollop touched on the same point.

But it is a factual matter that GP11 has not actually got any projects through the door. So I do not think we are closing the door on anything. If anything, we are opening doors. The door we will be opening – whether anyone goes through it is another matter – but we will be opening a door
 3805 for better development of the private market, better development of more affordable – lower case affordable – private housing, which will help those in middle Guernsey, and as Deputy Roffey said, the property market is, I am not sure of his exact words were, but it was a continuum. So if you build some houses here, that takes the pressure off elsewhere.

And at the same time that we are opening our doors to the private market, we as the States or
 3810 through the Housing Association can then focus on developing the social housing that we believe we need. That, I think, is basically get out of each other's hair. But at the same time, we still have an option to come back together to do joint ventures, which is possibly what might happen at Leale's Yard and the other site near the Hospital. So I do not think he should worry about that point. I really do not. He should look at it in a totally different way. We are opening a door to something else to
 3815 happen whilst still leaving ourselves the option to build social housing.

Yes. Deputy Ferbrache – I am not taking this in any particular order – did make the point that people do want their own homes. They really do. They want their own owner-occupied house and he mentioned the point that I mentioned earlier that owner occupation has dropped from 70% to only just over 60% in the last 20 years, and that is a shame that people are forced not to do what
 3820 they really want to do, which is probably to have a home of their own for their family in many cases.

Obviously, there are other people who do not want to do that, and that that is fine. People should have options, do what they want and what they can afford in the market, subject only to us underpinning the poorest who cannot afford a house at all because the market price ends up at above what they can afford at all.

There are certain things that I did agree with from Deputy Roffey, who made a lot of points. Yes, he made the point on the Requête that the wording of the Requête goes broader than simply dealing with GP11, but there is a proviso at the end of it. There is a proviso to the effect that it does not cover general points of planning policy, e.g., our rules about not building in the countryside and all that sort of thing.
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And under the Requête route, there would be a second stage which is the drafting of the actual amendment to the Plans Ordinance at which point the Legislation Scrutiny Panel, which I happen to chair, would look at it and we would what the States had voted on. So it would be fine-tuned at that drafting point and then we would pass whatever Resolution this Assembly wanted to pass. So it is a reasonable way to proceed based on the advice I was given, and I stand by the Requête as it is. I just happen to believe that Deputy Trott's amendment is better.
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Another point from Deputy Roffey is, and I do agree with this, he made the point that we should not – I think this is public knowledge, we do not disclose Committee business, but this has been public knowledge – we have had a call for sites and some sites have come forward and we have gone through them and a number of sites have been identified as possibilities to be absorbed into the main city areas.
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Now the suggestion has been made that those should be designated by the IDP for, exclusively social housing, and I wonder on a legal basis, and we have had a frank discussion – we have not made any decisions yet – whether really the Planning Department and the IDP should be designating for types of housing in terms of social housing or private housing as opposed to types
 3845 of housing in terms of one-, two-, three-bedroom houses. So that is an interesting point.

Now Deputy Roffey made a point that probably sums up where I think he makes a mistake. He is saying that if we get rid of GP11, are we happy that the burden for social housing falls on the

taxpayer? Now the burden of everything we spend falls on one taxpayer or another or all the taxpayers together. There is no reason to single out construction for a special extra tax, effectively, over and above the taxes everyone else pays.

Deputy Kazantseva-Miller said that we would not put a tax on the Co-op to provide 30% of its stock to a food bank, would we? It is the same thing. If we are making transfer payments from the better off to the needy then it goes through general tax, and I think that is the principle. It should not be allocated to particular people such as developers and construction companies, because that special tax will end up being passed on to the purchasers of the houses. There does not seem to be a lot of point in that.

I want to make one other point. There is a lot of suggestion that we do not have enough land for social housing, that is why we need GP11, but I would question that. Looking from the IDP focused review Housing Land Supply Technical Report 2024, which we were looking at, as it happens, on Monday, I have always been a bit dubious about these figures, but anyway, the figure for affordable housing need, that is social housing need, over the next five years is set at 721. The number of sites acknowledged as available easily to be developed comes in at 793.

But there are more difficult sites, e.g. Castel Hospital, here, there and everywhere, and those sites could yield between 273 and 663 additional units. So we have plenty of land available for social housing without need to press into the private market to push up prices to buy more. We have not got the money to buy more and more and more, and we do not want to because we do not want a massive social housing land bank which we are beginning to get. So we do not need GP11, and I would also submit we do not need to buy a load more properties.

Deputy Roffey did suggest that GP11 was allowing us to get good deals for the purchase of land. I am just not convinced of that. I looked up some recent purchases through the Registry. The Data Park, we paid £4,750,000 in 2022. It was bought by the Red Fund, who sold it to us, three years earlier for £1.6 million. I am not sure that was a good deal for us. The Charroterie site, similarly, we spent an awful lot more, £1.7 million as against £700,000 a couple of years earlier for that site. So I do not think we do good deals. I think to the extent we can, we should pull out of the property market except to the extent we absolutely need social housing, land for social housing.

I think I have said enough there. I think I have answered all the main points. If anyone wants to tell me that I have missed something they wanted covered. Alright.

Thank you, sir.

The Bailiff: I am going to invite the proposer of Amendment 2, Deputy de Sausmarez, to reply to the debate on Amendment 2, please.

Deputy de Sausmarez: Thank you, sir.

Given the time and the Assembly's evident enthusiasm for not sitting here an awful lot longer, I do not intend to go through every speech and address every point. I am just going to summarise along the main themes. But there is just one particular detail that I think is worth drawing out because there seems to be a little bit of confusion certainly coming in on emails and things like that.

Pointues Rocques, as a development, has been cited a number of times. The way I understand it, no outcome of this debate, whether the unamended original Propositions were to carry or to fall or either of the amendments were to go through and then carry or fall, that does not affect Pointues Rocques because that planning decision has already been made and the GP11 contribution has been determined, and the original Propositions would only affect future determinations, as would the amendments.

So it is slightly ironic, actually, because of course, as I think someone, possibly Deputy Roffey, has referred to, there has been an announcement quite recently of a proposed joint development project which actually does include the GP11 contribution. So it is perhaps a little bit ironic that we might see the first units on the ground after GP11 has been effectively suspended.

However, when it comes to the difference between ... it does sound as though either Amendment 1 or Amendment 2 will go through so that is where I am going to focus my comments. And, really,

3900 there have been very few arguments put forward by any of the speakers to suggest why Amendment 2 is not better than Amendment 1.

Really, the only argument that I could determine, was that two years is not enough time. And I find that very hard to believe because really on the one hand we are being asked to believe that the moment we suspend GP11 a whole flood of developers are going to come forward with plans and we are going to see houses left, right and centre. But yet two years is not enough time to put in a planning application, when actually we know – and we know this because we talk with developers a lot – that there are developers who have already got fairly well progressed plans and are very keen.

3910 Some developers have, they tell us, been waiting for an anticipated change to GP11. So I do not think we can argue that both ways. I do not think we can argue that developers are going to rush forward with plans as soon as we suspend, or the equivalent, GP11 and simultaneously argue that two years is not long enough.

I totally agree with Deputy Roffey, one of the core elements of rationale behind Amendment 2 was to focus minds, was to actually incentivise and actually accelerate the delivery of housing because, boy, do we need it. Let us call their bluff, says Deputy Inder. Well, five years is a pretty long bluff call, in my opinion, And it is quite a gamble with taxpayers' money. Deputy Roffey explained very well that this will cost taxpayers more money. Be in no doubt about that.

Irrespective of the borrowing, that was an amendment brought by Deputy Roffey and myself. Irrespective of the borrowing, it will mean that taxpayers will need to pay more in terms of the grant funding, for sites because we will need to compete and pay the full market value. So taxpayers will be on the hook for more money to fund the affordable housing that we know we need.

3920 And let us just remember that the need for affordable housing is even greater than the need for private market housing. So taxpayers will be on the hook for more money, for as long as we effectively suspend GP11 –

3925 **Deputy Kazantseva-Miller:** Point of correction.

The Bailiff: Point of correction, Deputy Kazantseva-Miller.

3930 **Deputy Kazantseva-Miller:** I do not think Deputy de Sausmarez can make that statement because it is not known what will come from the IDP review, what kind of zones will be allocated, whether the States will have to continue to compete with private market. So I do not think it is possible to make with any certainty that this will cost any money because if GP11 continues as it has, delivering zero units, that means potentially zero contribution could have been delivered in the future. So it is misleading to say that it is completely certain that it will cost more money to the taxpayer.

Deputy Oliver: Point of correction.
I am ever so sorry for doing this.

3940 **The Bailiff:** We have a second point of correction straight away.
Deputy Oliver.

Deputy de Sausmarez: Can I just address the first point of correction before the second point of correction?
Thank you.

The Bailiff: Deputy de Sausmarez.

3950 **Deputy de Sausmarez:** I absolutely will explain and justify why I made that assertion.

Deputy Kazantseva-Miller is talking about proposals that will come forward at the point that the DPA brings forward the targeted IDP review. That is not for another year. Within that year, GP11 will be effectively suspended.

3955 Now the reason it affects the amount of money that taxpayers need to pay – and we know this because ESS and P&R have been through this process on a number of different sites – is because when you can take GP11 into the calculations on the land value, it lowers the value that the States then pays to the GHA for that grant funding.

3960 So it is definitively accurate to say that GP11 has saved taxpayers money in the form of the grant funding and that while GP11 is suspended, that will not apply. So I think my original statement was indeed accurate. And I am not going to give way, but if there was another point of correction, I will sit down.

Deputy Oliver: Thank you. And I am sorry to do that.

3965 Deputy de Sausmarez said there is a higher demand for affordable housing than there is for private housing. Well, the SSHI says that we need 800 and something-ish houses in the private market and only 700 in the affordable market. So, to me, the demand is higher in the private.

3970 **Deputy de Sausmarez:** What Deputy Oliver has not taken into account is that the SSHI did not factor in key worker housing. And when you factor in key worker housing, which we were not able to do at that time, but we have since done that analysis, we actually need about a 1,000 units altogether. So there is definitively more demand for affordable housing than there is for private market housing.

3975 **A Member:** Hear, hear.

Deputy Kazantseva-Miller: Point of correction.

The Bailiff: Point of correction, Deputy Kazantseva-Miller.

3980 **Deputy Kazantseva-Miller:** Sir, I am really sorry having to do that because I understand that previously the States had potentially saved some money by negotiating things down. But I was referring to Deputy de Sausmarez's statement that in the future it will cost more money, assuming the States will have to purchase more land or whatever.

3985 The point I am making is I do not think we can make that assertion. And also given how much land the States have purchased and actually the GHA just desperately needs to go with actually building houses rather than just buying more land, even if further changes are brought forward with the next IDP, again, we cannot make that assertion that it will cost the taxpayer more money going forward. But I take her point previously we might have saved some money.

3990 Thank you.

3995 **Deputy de Sausmarez:** I think Deputy Kazantseva-Miller's logic only stands up if we assume that the IDP review will cut short that five-year period or compensate for it by requiring more of developers. And that really is my core argument. I think people really do need to focus on the fact that Amendment 1, which is, I believe, better than the original Propositions, but Amendment 1 is a period of up to five years.

I think no one explained better than Deputy Kazantseva-Miller herself that that is very much expected to really only last in terms of zero contribution for a period of one year. Deputy Kazantseva-Miller did explain that she expected that any recommendations from the DPA would be implemented straight away, and we are expecting to have that debate in about a year's time.

4000 So really, if Amendment 1 is approved, developers have got around one year of relative certainty, and beyond that, there is no certainty. Whereas with Amendment 2, developers have a period of at

least two years of certainty. So that is why Amendment 2 offers more certainty to developers and from that point of view is probably easier to deal with.

I think really this seems to come down to whether States' Members have got a fluffier feeling that five years is better than two; we are not able to make an evidence-based decision at this point about whether five years of zero rating is appropriate and we have already heard that actually alternatives will come forward in a year's time, and we can expect those to be implemented immediately.

So five years is really a bit of a, it is not a Trojan horse, it is just not a particularly accurate picture. And I do worry that we will be mismanaging expectations, especially with developers, if we vote for something that says five years on the tin, but in actual fact, we know is really a period of a year and then something else.

So, Deputy Queripel, I think, made the very accurate point that really this debate centres on whether we, as an Assembly, want to prioritise private housing over affordable housing. I am very sympathetic to that view. It is a point that the ESS letter of comment makes as well. And, of course, he is a member of our Committee now.

But I would like to point out that what we do, the parliamentary mechanics of this, is for every amendment that we are voting on, we are weighing it up against the substantive Propositions as they stand. So actually, I would encourage Deputy Queripel to look at Amendment 2 and its virtues relative to the original Propositions. And it is my view that the original Propositions prioritise private housing very much more at the expense of affordable housing, potentially, and therefore it is a more limited impact.

And just on the issue of parliamentary mechanics, Deputy Gollop suggested that he liked Amendment 2 as a safety net. My understanding is that Amendment 2 will be voted on first, so I would encourage him to vote for Amendment 2. If Amendment 2 carries, Members can vote for Amendment 1 and the Propositions in Amendment 1 would replace the Propositions in Amendment 2, if that is the case. But it is always a case of weighing up the relative merit of the amendments and what they are amending.

So, really, I will just summarise. I think the core points of the amendment remain that Amendment 2 has got several advantages over Amendment 1, and I do not think debate has done anything to weaken those arguments. In fact, I think they have underscored them. They provide a stronger incentive to bring housing development plans forward without delay. They provide greater certainty for developers, and I think actually that that point has been further underscored through this debate. And they also limit, relative to Amendment 1, the impact on taxpayers' money in terms of the provision of affordable housing. And so for those reasons, I would encourage Members to please support Amendment 2 whether or not they intend to subsequently support Amendment 1.

Thank you.

The Bailiff: Well, Members of the States, it is now time to vote on Amendment 2, which is proposed by Deputy de Sausmarez and seconded by Deputy Oliver. And I will invite the Greffier to open the voting on Amendment 2.

There was a recorded vote.

Amendment 2.

Not carried— Pour 14, Contre 21, Ne vote pas 2, Did not vote 2, Absent 1

POUR

Brouard, Al
Burford, Yvonne
Bury, Tina
Cameron, Andy
De Sausmarez, Lindsay
Fairclough, Simon
Falla, Steve

CONTRE

Aldwell, Sue
Blin, Chris
Dudley-Owen, Andrea
Dyke, John
Ferbrache, Peter
Haskins, Sam
Inder, Neil

NE VOTE PAS

Roberts, Steve
Snowdon, Alexander

DID NOT VOTE

De Lisle, David
Helyar, Mark

ABSENT

Parkinson, Charles

Gabriel, Adrian	Kazantseva-Miller, Sasha
Gollop, John	Le Tocq, Jonathan
Le Tissier, Chris	Leadbeater, Marc
Matthews, Aidan	Mahoney, David
Queripel, Lester	McKenna, Liam
Roffey, Peter	Meerveld, Carl
St Pier, Gavin	Moakes, Nick
	Murray, Bob
	Oliver, Victoria
	Prow, Robert
	Soulsby, Heidi
	Taylor, Andrew
	Trott, Lyndon
	Vermeulen, Simon

4045 **The Deputy Bailiff:** In respect of Amendment 2, proposed by Deputy de Sausmarez and seconded by Deputy Oliver, there voted in favour, 14 Members; there voted against, 21 Members; 2 Members abstained; 3 Members did not participate in the vote. And, therefore, I will declare Amendment 2 lost. And we will now adjourn until 9.30 tomorrow.

4050 **Deputy Oliver:** Sir, could we just finish this? Because we are so close to the end, could we take a vote to just finish it, please?

The Bailiff: Well, what I will do is I will put a motion to you that we finish Amendment 1 by hearing from Deputy Trott and voting on it, but then we adjourn. Those in favour; those against?

4055 *Members voted Pour.*

The Bailiff: Deputy Trott.

4060 **Deputy Trott:** Sir, I shall be very brief indeed.
But I do think I ought to just read the Proposition so that we are all very clear on the strength of the direction:

To agree that with immediate effect the percentage requirement of the affordable housing policy in section 19.12 and Policy GP11 of the Island Development Plan is set at 0% for all proposals subject to the policy until 31st May 2029, and for the avoidance of doubt will apply from the date of the Resolution to any planning application already filed and is yet to be determined.

And then crucially:

To direct ...

So not to request, ask or note but to direct –

... the Development & Planning Authority to apply that requirement when Policy GP11 is engaged and to publish amended Supplementary Planning Guidance to this effect.

4065 We know that whilst the DPA is obliged to have regard to the policy set out in the IDP, including GP11, paragraph 1.6.2 of the IDP provides that in applying the policies of the IDP, the DPA will, not may, but will take into account any relevant direction of the States, and the States will be directing unequivocally that GP11 be zero rated should Amendment 1 carry.

4070 I think Amendment 1 is likely to carry, and I think this debate and the manner in which the Requête stimulated discussion and moved us all through that discussion to a solution that it is clear to me most can support, shows again the States at its best. And I know that, once again, we are about to make a clear statement that our housing shortage must be satisfied and quickly, and so I believe that that is a credit to all Members of this Assembly.

The Bailiff: And now it is time to vote on Amendment 1 proposed by Deputy Trott, seconded by Deputy Oliver, and I will invite the Greffier to open the voting on Amendment 1, please.

There was a recorded vote.

Amendment 1.

Carried – Pour 32, Contre 4, Ne vote pas 2, Did not vote 2, Absent 1

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Queripel, Lester	Roberts, Steve	De Lisle, David	Parkinson, Charles
Blin, Chris	Roffey, Peter	Snowdon, Alexander	Helyar, Mark	
Brouard, Al	Taylor, Andrew			
Burford, Yvonne				
Bury, Tina				
Cameron, Andy				
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 Tissier, Chris				
Le Tocq, Jonathan				
Leadbeater, Marc				
Mahoney, David				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Prow, Robert				
Soulsby, Heidi				
St Pier, Gavin				
Trott, Lyndon				
Vermeulen, Simon				

4075 **The Deputy Bailiff:** So in respect of Amendment 1, proposed by Deputy Trott, seconded by Deputy Oliver, there voted in favour, 32 Members; 3 Members voted against; 2 Members abstained; 3 Members did not participate in the vote, and therefore I would declare Amendment 1 duly carried, which means that we now have 4 Propositions, for debate tomorrow, and we will adjourn until 5.30 in the morning –

4080 **Deputy Oliver:** Sir, may I move a Proposition?

4085 **The Bailiff:** No, I think we have got too much business to try and finish everything today. *(Interjection)* But in relation to this debate, let people reflect overnight, and they can come back tomorrow. We have still got to hear from Deputy Dyke in any event. So that to me is the solution. You can disagree as much as you like, but that is the conclusion that I have reached and therefore we will adjourn until 9.30.

The Assembly adjourned at 5.40 p.m.