



**OFFICIAL REPORT**

**OF THE**

**STATES OF DELIBERATION**

**OF THE**

**ISLAND OF GUERNSEY**

**HANSARD**

**Royal Court House, Guernsey, Wednesday, 5th March 2025**

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Alderney Representatives E. Hill and E. A. J. Snowdon

**The Clerk to the States of Deliberation**

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E. Gallienne, Esq. (Deputy Greffier) (pm)

**Absent at the Evocation**

Deputy A. Cameron (*indisposé*); Deputy A. D. S. Matthews (*relevé à 9h 47*)

## Business transacted

Evocation .....	3179
Convocation .....	3179
<b>Statements.....</b>	<b>3179</b>
General update – Statement by the President of the Committee <i>for the</i> Environment & Infrastructure .....	3179
General update – Statement by the President of the Transport Licensing Authority .....	3192
<b>Questions for Oral Answer .....</b>	<b>3194</b>
Tourism – Decline in visitor numbers .....	3194
Elections & Appointments.....	3209
1. Independent Monitoring Panel – Re-appointment of Chair and Members – Propositions carried .....	3209
Legislation for Approval .....	3210
2. The Animal Welfare (Guernsey) (Amendment) Ordinance, 2025 – Proposition carried ....	3210
3. The Veterinary Surgery and Animal Welfare (Amendment) Ordinance, 2025 – Proposition carried.....	3212
4. The Road Traffic (Causing Death or Serious Injury by Driving) (Guernsey) Law, 2025 – Proposition carried.....	3215
5. The Road Traffic (Guernsey) (Amendment) Ordinance, 2025 – Proposition carried.....	3222
6. The Road Traffic (Drink Driving) (Guernsey) Law, 1989 (Amendment) Ordinance, 2025 – Proposition carried.....	3223
7. The Income Support (Implementation) (Amendment) Ordinance, 2025 – Proposition carried.....	3225
<i>The Assembly adjourned at 12.25 p.m. and resumed its sitting at 2.32 p.m. ....</i>	<i>3227</i>
8. Legislative Changes for the Implementation of the Open Market Part A Inscriptions Policy – Propositions carried .....	3227
9. Introduction of Housing Standards Legislation – Legislation and policy letter – Debate commenced .....	3241
Procedural – Motion to suspend Standing Orders to allow sursis motiv� – Carried .....	3245
<i>The Assembly adjourned at 3.55 p.m. and resumed its sitting at 4.10 p.m. ....</i>	<i>3247</i>
9. Introduction of Housing Standards Legislation – Legislation and policy letter – Sursis motiv� – Debate commenced.....	3247
<i>The Assembly adjourned at 5.32 p.m. ....</i>	<i>3264</i>

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# States of Deliberation

*The States met at 9.30 a.m.*

THE BAILIFF *in the Chair*

## PRAYERS

*The States' Greffier*

## EVOCATION

## CONVOCATION

**The States' Greffier:** Billets d'État VI, 2025. 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 5th March 2025 at 9.30 a.m. to consider the items contained in the Billets d'État which have been submitted for debate.

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# Statements

## General update –

### Statement by the President of the Committee *for the Environment & Infrastructure*

**The Bailiff:** Good morning, Members of the States, we will move swiftly to the first of the Statements, which is on behalf of the Committee *for the Environment & Infrastructure*, and I will invite the President, Deputy de Sausmarez, to deliver that Statement, please.

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

I will start with housing delivery. As everyone will be aware, the market is still really struggling to deliver enough new homes to meet the Island's rapidly growing population. To help unlock potential private sector housing developments that are not progressing, we have been meeting with landowners, developers and architects, going literally site by site focusing on developments that could provide 10 or more units so that we can understand the specific barriers to house building on each individual plot, as well as how more generally development might be facilitated.

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These meetings have been extremely productive and we have more scheduled including this week and, indeed, today. Issues raised include access to financing, landowner price expectations, building costs and the costs for testing and clearing brownfield sites, as well as the responsiveness of the planning process, although I will add that there has been a great deal of praise from the industry for our planners and, particularly the Director of Planning. They do not always get the credit they deserve, so I want to take this opportunity to put it on the record.

20

Depending on the type of barriers, we anticipate that these conversations will lead to bespoke support to help unlock sites that otherwise may not progress fast enough, or indeed at all. Members will, of course, be aware that there are two housing items on today's agenda; the Open Market Part

25

A Inscriptions Policy and the Housing Standards Legislation. Both have a crucial role to play, each in its own way in stabilising Guernsey's housing market.

We will soon be submitting proposals to strengthen the rights and obligations of private landlords and tenants, another key piece of work to support our private rental sector, which is home to more than a quarter of Guernsey households, so it touches a lot of lives.

We have now got some really good data and insights around the specific barriers people in Guernsey face to downsizing, which helps to inform the ways we can best support people looking to do so. Bearing in mind that there is such a pronounced mismatch between the size of homes that some households need compared with the size of homes they currently live in helping people to right size more easily is a really important avenue to reducing the number of new homes that the market is struggling to deliver.

We are also working with the charity, At Home in Guernsey, to quantify the extent of homelessness in the Island and best support the accommodation requirements of people who are homeless or at risk of becoming so. It is worth reiterating that homelessness is not just about housing, so often factors beyond the bricks and mortar also play a critical role, such as stable employment and freedom from addiction or domestic abuse.

Working in support of the DPA, the planning inquiry into the DPA's proposed amendments to the Island Development Plan was reopened last month. I would also like to take the opportunity to thank officers in Traffic & Highway Services who processed a large number of potential new housing sites at short notice at the request of the DPA following the first phase of the consultation and the reassessment of the options.

Separately, the Committee has overseen the completion of the recent planning enquiry into a proposed local planning brief for the Harbour Action Areas of St Peter Port and St Sampson's. Members will be aware of the flood assessment study for the bridge area that accompanied the local planning brief proposals and that flood prevention in the area is a critical facilitator for the development of key housing sites in the area. I am pleased to report that the St Sampson Enabling Flood Defence Project is moving forward. Funding was approved for a first phase of flood design options to be produced and we are in the middle of a competitive tender process for commission of this critical piece of infrastructure.

In July of last year, the Assembly endorsed proposals to provide better protections for the Island's animals, both wild and domestic, by strengthening and modernising Guernsey's animal welfare legislation. These legislative upgrades were long overdue, emanating from extant resolutions from 2003 and I am delighted that two of the three Ordinances required to bring the Assembly's July decisions to fruition are laid before the States today; The Animal Welfare (Amendment) (Guernsey) Ordinance, 2025 and the Veterinary Surgery and Animal Welfare (Amendment) Ordinance, 2025.

Whilst animal protection is important in its own right, and I know that many Islanders share this view, these legislative modernisations also support Guernsey's free trade agreements and the international conventions to which we are a party, many of which include commitments to animal protection.

This is especially important following the UK's departure from the EU. The States' veterinary office is currently consulting with businesses that are not already covered under the Animal Welfare (Guernsey) Ordinance of 2012, such as professional dog walkers, groomers and pet sitters on a proportionate licensing scheme so that pet owners can be assured that these newer animal services also meet the relevant standards. Members of the public can take part in that consultation by completing the survey on Gov.gg, open until the 18th March. It has had excellent engagement so far.

The Committee has also welcomed the fantastic community response to help explore ways to keep the diving platform in place at the Ladies' Pool. With the valuable considered input of the working group we have made good progress. The HSE has now agreed to our proposed approach which means, should the works achieve the safety standard we are aiming for, the diving platform can then be reopened.

We would like to thank and commend the working group for their detailed contributions and the HSE for their openness to finding a mutually agreeable, pragmatic solution. The Committee is in the process of assessing the extent of work required, which may lead to a financial bid to deliver works to further improve the pool on top of the work done in 2022, so that this much-loved swimming facility can continue to be safely used by locals and visitors alike.

The Committee was heartened by the level of support for the Island's dairy farms, as expressed in the debate and the voting on our revised policy in the previous Meeting. We believe it will provide the foundations for a bright future for the industry where the community can continue to benefit from its high-quality products and an increase in those wider public goods as well.

The debate was the culmination of a lot of hard work by the Committee in reaction to the economic impacts on the industry in 2022, so it was particularly pleasing to hear from the farmers listening to the debate that the Assembly's comments increased their confidence in their future.

Protecting our marine environment is important, not only for those wishing to swim and kayak, but also for economic reasons as well, such as oyster production, fishing and tourism. We have recently completed work with stakeholders to develop a marine bio-security plan for Guernsey. The plan, which will be launched in the coming months, aims to protect our blue economy from the threats of introducing pests, diseases and invasive non-native species.

A policy letter on the strategic future use of Les Vardes quarry will be lodged in the next week or so, which proposes a positive solution for the Island and provides much needed clarity for the Island's plans for water storage and inert waste disposal. It has been a collaborative process working with relevant stakeholders, including the Guernsey Development Agency to support the Vale work that they are doing too.

Another policy letter on the near horizon looks at how Guernsey can best meet its international obligations with respect to net zero particularly relevant, of course, to the Paris Agreement which is now extended to us in our own right. The policy proposals have been developed through close consultation with industry and other stakeholders and the Committee has been rigorous in assessing all options through the lens of what will improve affordability and or quality of life for people in Guernsey.

One of the most significant ways we can keep future cost of living pressures in check is through the effective implementation of our Electricity Strategy. This work is progressing well across a range of different areas, including with respect to some interesting innovative energy technologies. Speaking of clean energy, we will also be submitting a policy letter on the establishment of an Offshore Renewable Energy Commission, a piece of work directed through the Electricity Strategy resolutions, which is a critical part of enabling progress on offshore wind.

Another important enabling factor in that respect is the development of a Marine Spatial Plan, not to be confused with the aforementioned Marine Bio-security Plan, which will support, not just offshore renewable energy aspirations, but also other facets of the blue economy such as fishing, tourism, leisure and the protection of the marine environment. We are currently building the evidence base that will underpin that MSP.

The Coastal Infrastructure team has continued the important work necessary to maintain and upgrade our sea defences over the past year, with the valuable support of local stonemasons. I am delighted to report that the continuous engineering inspections of the coastline have highlighted that the defences are now in a better condition than seen for many years, which is testament to our proactive strategy. Inevitably, nature is unpredictable and we have seen the need to respond to unexpected breaches over the past year and we thank the public for their patience when this has caused disruption to traffic.

Five significant capital projects were completed last year within budget, and the most notable of these being the reinstatement of the Clarence Battery steps. These have also been recently enhanced with the help of Guernsey Arts and a local poet using both English and Guernésiais. For those that have not yet done so, it is definitely worth the effort to climb the steps.

The Coastal Defence Strategy, which has been in place since 2016, is proving successful so the plan is for it to continue. Options for mitigating the flood risk identified in any of the highest risk

areas will also be considered as part of that process. Because of the success of the recent years re-pointing programme focus is moving more towards detailed inspections of key parts of the coastal infrastructure leading to a more proactive programme of works to minimise the risk of failures.

135 As in previous years, the Alderney breakwater has required more of the team's resources than any other project, predominantly in the repair and maintenance of its current condition, both above and below the sea line. An audit was also undertaken during the year to assist in the management of risks to those working on the breakwater and also Members of the public wishing to use it for a range of purposes. The findings of that audit will be combined with longer term strategy, in  
140 partnership with Alderney, to develop the most effective approach to funding and supporting the teams undertaking that work.

The Committee delivers a great deal of infrastructure that often gets overlooked and much of that is delivered by Traffic & Highway Services. As part of the 2024 annual road resurfacing programme, for example, 11.33km of road were resurfaced and patched and 2.5km of footway were  
145 resurfaced and improved.

The Committee is delighted to confirm that bus passenger figures continue to remain high, with over 1.8 million journeys undertaken in 2024. January 2025, which is the latest figure we have available, saw 122,334 passenger journeys, nearly reaching the pre-pandemic levels for the same month. As we approach the final few weeks of the current bus provider's operation, the Committee  
150 would like to thank CT Plus and their parent company, Terra Transit, for their continued dedication to Guernsey's operation and support with handing over to the next provider, Stagecoach.

The Committee has been closely involved with the development of a strategic framework for several housing allocations within the north of the Island, led by the Committee for Employment and Social Security, which aims to create a well-connected place for current and future residents.  
155 This builds on the Better Transport Plan and looks at how those sites can be developed comprehensively with infrastructure which joins the sites wherever possible.

The Committee has been working with colleagues in Home Affairs to address the issue of road traffic and driver offences. This work investigated matters including the provision and use of data, speeding vehicle standards, noisy vehicles and systems used to collect and respond to offences.  
160 The Committee is pleased to confirm that an assessment of data collected and held by the States of Guernsey has begun as a result of this work and the creation of a data improvement plan will follow. Both the Committee and colleagues in the Committee for Home Affairs have agreed a package of measures to address the issue of noisy vehicles, and we hope that a policy letter is being developed by Home Affairs.

165 Members will know that one of the Committee's priorities, this political term, has been to progress the introduction of periodic technical inspections, which is a requirement of the Vienna Convention. A proportionate approach for Guernsey has been developed and following an extremely successful industry workshop, towards the end of 2024, further work has been done with industry in relation to costs.

170 The analysis of the latest industry feedback, specifically covering costs and capacity levels and the recommendations from this, will be shared by officers with the Committee for consideration in the coming weeks. We will also soon be submitting a policy letter recommending changes to the D1 category of driving licenses, which we hope can be debated this political term.

175 While it is not an issue that affects lots of people the changes we are recommending will make a big difference to the voluntary sector, for whom the current legislation creates a barrier. So, that is a whistle stop tour of the main areas of progress since our last update, and I look forward to any questions.

**The Bailiff:** Deputy Matthews, is it your wish to be relevéd?

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



**The Bailiff:** It is now an opportunity for Members to ask questions within the mandate of the Committee. Deputy de Lisle.

185 **Deputy de Lisle:** Thank you, sir.

On sea defences, the sea wall at Rocque Poisson, sir, is in danger of collapse as it gets battered by the sea in high gales at Rocquaine. The wall at Rocque Poisson could be breached at any time now in a major storm. It has been undermined by the sea and the material behind the wall has been  
190 leached out over the years. The sea wall is bowed and the coastal highway has dropped in places behind the wall.

I have been calling for action on the wall for 20 years now. What is the intention of Environment & Infrastructure with respect to the rebuilding of the wall and its foundations, to protect housing and road infrastructure as people living behind the wall live, fearful of an imminent collapse?

195 **The Bailiff:** Deputy de Sausmarez to reply, please.

**Deputy de Sausmarez:** Sir, I can assure Deputy de Lisle that this has been under very careful monitoring for some years, and he will be reassured to hear that there is, indeed, an action plan in  
200 place. I can provide the details of that by email because I do not have them to hand, I was not given any advance warning of that question, but I think he can certainly take assurance that the matter is very much in hand.

Thank you.

205 **The Bailiff:** Alderney Representative Hill.

**Alderney Representative Hill:** Just for clarification, does the President agree that the Alderney breakwater forms part of the Guernsey contribution for the MOD defence which, in the UK, the actual defence budget is actually increasing?

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

**Deputy de Sausmarez:** Yes, that is why we spend that much money on it.

215 **The Bailiff:** Deputy Brouard.

**Deputy Brouard:** Thank you, sir, and I thank the President and the team for the update. Would the President of the E&I kindly give an undertaking on behalf of E&I that it will return to the States prior to making any changes to the present monitoring and modest maintenance of the L'Ancrese  
220 sea wall.

Thank you.

**The Bailiff:** Deputy de Sausmarez.

225 **Deputy de Sausmarez:** Yes, I am happy to give that undertaking.

**The Bailiff:** Deputy St Pier.

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

230 The President was silent on progress working with Policy & Resources on an alternative to motor fuel taxation and I am wondering whether the President is able to update the Assembly on that work and the time frame for completion of that work?

**The Bailiff:** Deputy de Sausmarez.

235 **Deputy de Sausmarez:** Yes, the Committee did try its absolute best. I think Deputy St Pier is referring to some of the issues around, for example, the reform of Fuel Duty. Is that what Deputy St Pier is referring to? Yes, immediately following the Budget debate the Committee did approach P&R, but P&R had quite a lot on their plate following that particular debate and, therefore, we were not able to meet with them to discuss that until very recently.

240 So, the whole of that workstream has not been able to progress in the way that we were hoping it would and I just think there is probably not enough time to do anything, given the amount of time left in this political term and the amount of business that is yet to be covered.

**The Bailiff:** Deputy Vermeulen.

245 **Deputy Vermeulen:** I am a bit out of breath, sir.

I thank the President for her comprehensive update. My question relates to the La Vallette swimming pool. Deputies here would have had numerous emails and letters sent to them about the withdrawal of the diving board and at the time £1 million to fix the Vallette was bandied around from your Department. Given that there was no underwater survey, can you tell me, as an exact science, how that figure was produced? Was it a quote, a bill of quantities? Because I am aware of contractors that would do it on a voluntary basis.

**The Bailiff:** Deputy de Sausmarez.

255 **Deputy de Sausmarez:** We have indeed had some very helpful offers from the community and we are very grateful to them indeed. However, Deputy Vermeulen was talking about the upper end of the cost estimate and I have explained before in the previous States' Meeting how that was arrived at.

260 Obviously, there is a scenario in which the cost will get absolutely nowhere close and obviously we are all hoping that is where the costs will stay, at very much the lower end of the cost envelope bracket. However, to explain the upper end of the cost bracket, again, it is a case of a scenario in which bedrock needs to be excavated. So, we are very much hoping that that will not be required.

265 There have been there has been quite a lot of explanatory work and I have to say some of the data is contradictory. There have been a number of different measurements and much of that data is contradictory, which is why there is quite a lot of uncertainty. However, we have to account for the possibility that it might be necessary to excavate into bedrock in order to deepen the pool.

We are very much hoping, especially with our proposed approach, which I have just stated has now been agreed by the HSC, that will not be necessary. But the reason for the original cost estimate that Deputy Vermeulen was talking about, which has now been superseded, that is the reason. As I explained previously, it is about the possibility that bedrock may have needed to have been excavated, which is a scenario we are now hoping will not need to be taken.

**The Bailiff:** Deputy Leadbeater.

275 **Deputy Leadbeater:** I thank the President for her update. As at the end of 2023, Guernsey had over 2,000 electric vehicles and around 2,000 hybrid vehicles. Around just over 4,000 vehicles. We have probably got the poorest public electrical infrastructure for charging vehicles that I have ever come across. We have only got four points in Town, so that is one for every 1,000 cars. Can you tell me what the plans are to improving that?

**The Bailiff:** Deputy de Sausmarez.

285 **Deputy de Sausmarez:** Yes. I think it is important, it has actually been a drum I have been banging throughout this political term as well, Deputy Leadbeater will be reassured to hear. It is important to distinguish between, in terms of charging infrastructure, the different types. So, many

people who have got off-street parking can put in their own domestic charging infrastructure and that is by far the most cost-effective way of doing it.

290 Deputy Leadbeater, I think, is talking about publicly accessible charging infrastructure and, again, there are two types. There is a standard type and there is a fast charging and when we are talking about commercial vehicles, the latter is not usually provided by Government. If you look in other jurisdictions, it is normally like petrol stations provided by commercial providers. We do have some publicly accessible infrastructure and Deputy Leadbeater can be assured that is expanding.

295 However, one of the most significant changes that we have introduced this political term has actually been the considerable expansion of EV charging infrastructure on States' sites. I believe there are 22 and those are also accessible to residents who live in the area; I think by arrangement. So, there is a plan, in terms of the publicly accessible EV charging infrastructure, that I think he is probably thinking of but that is not the only thing that we are working on. So, I hope he is reassured by that.

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**The Bailiff:** Deputy Queripel.

**Deputy Queripel:** Sir, in her update the President referred to Clarence Battery steps recent repairs, which looks very impressive and serves a much-needed purpose regards access to and from the castle, but it is totally out of keeping with the original design because the original walls, the granite walls, are now at both ends of the new design and people have commented to me about that. So, is the President, able to tell me, please, why it was not possible to put granite back in place instead of the modern-day design with railings that is now in place?

310

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Yes, thank you. The answer is twofold.

315 The most important reason is that granite is simply too heavy. Deputy Queripel will be aware that the reason the steps disappeared in the first place was because of a landslip and the vast majority of the work that has been done has actually been to stabilise the cliff face.

320 So, the structural analysis showed that reinstating granite steps was just impossible because it was too heavy for the cliff face to be able to support that weight, which is why the materials were chosen as they were. But also, there was a very significant difference in cost and it already was not a cheap project. We all have to be mindful, obviously, of the sensible use of public funds. But I would say the most important reason was structural.

325 However, to hopefully put Deputy Queripel's mind at rest, I think part of the reason why there were some comments in the early days, in particular, was because the vegetation on the surrounding cliff face had to be cleared so, it made it much more prominent. But actually, if he has been there recently, he will know that that vegetation is growing back and, actually, we have had a number of compliments as well about the way that these steps look, but I am sure he will appreciate the wonderful poetry in both English and Guernésiais, and I hope he has experienced it himself.

**The Bailiff:** Deputy Falla.

330 **Deputy Falla:** Thank you, sir, and I thank the President for her update and I apologise for not giving advance notice of this question. Floral Guernsey has become, unwittingly, the victim of a change in emphasis of the awarding of grant from the Economic Development Committee. I wonder whether the President would be prepared to have conversations with Floral Guernsey given that, I believe, the funding previously came under the Environment Department's mandate and arguably it would be a better fit anyway with Environment & Infrastructure.

335

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Certainly, if Economic Development is contemplating returning the budget that was associated with that E&I, I think, the Committee would be very happy to have those discussions. I am not unsympathetic. I believe Deputy Falla is correct to say it was under the previous Environment Department, certainly in my involvement I have been a Member of the Committee *for the Environment & Infrastructure* since its inception, I do not recall that it has ever sat under E&I's remit *per se* but certainly I am aware that when it was under Environment, when it moved, it moved with the with the relevant budget and as Members will know, we have squeezed our budget to within an inch of its life as it is.

But I do agree in terms of the sentiment behind Deputy Falla's question, and I am sure if that budget were to be returned to, or transferred to, E&I we would be very happy to have those conversations.

**The Bailiff:** Deputy Blin.

**Deputy Blin:** Thank you, sir. I thank the President for her Statement.

I am going to go back, for some considerable time I have been asking about the situation with the excessive noise of vehicles. Looking through some of my notes, there was strong community engagement at the beginning, a lot of talks about these topics, areas covered, decibel limits, noise cameras, working with motorcycle clubs, Police community engagement, regular testing, spot testing.

Every Assembly, or as far as possible, I have raised it when there has been a suitable statement from either the President of E&I or the President of Home Affairs. Each time it has been explained to me that we are close. We are now coming to months to the end of this particular term. I would really be appreciative if the President could give me some information on what is happening and not just exchange it back to the others.

Thank you.

**The Bailiff:** Deputy de Sausmarez.

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

It was with Deputy Blin, particularly in mind, that I included the paragraph in my update Statement informing him of exactly that. So, that work has been a long time in the making, there has been a lot of work that has gone into it. The two Committees have worked collaboratively and I do take the opportunity to thank Deputy Prow, in particular, and his Committee for moving it along as well.

I am pleased to reiterate or remind Deputy Blin that, as I said in my Statement, we have now agreed a package of measures and while it is, I think, Home Affairs that are really holding the pen on a policy letter that I hope will be forthcoming before the end of the political term, and Deputy Prow is nodding his assurance on that point, we are very much supportive of those efforts and so we are looking forward to it every bit as much as Deputy Blin and we look forward to working with Home Affairs on delivering that policy letter to the States.

**The Bailiff:** Deputy Le Tissier.

**Deputy Le Tissier:** Thank you, sir, and I would like to thank the President for her Statement.

I would like to raise the issue of buses. With the imminent takeover by Stagecoach, could you tell me when fares and timetables will be published and, possibly equally important, will she assure pensioners that they will not have to pay, i.e. they will continue with their free bus passes?

Thank you.

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Yes, I can assure Deputy Le Tissier that there are no plans to change anything. The fares and schedules programme is as it always has been, as with the concessions, and, certainly, this Committee has made particular efforts to ensure that bus travel remains accessible, including economically accessible, to as many people in the community as possible.

395 I think that is particularly important for pensioners especially those who, perhaps, might be less comfortable driving, it is really important that they can access public transport. So, certainly I am pretty confident on speaking on behalf of the Committee that we are committed to continue with the conditions as they currently are.

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

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

Following the debate on the requête to establish a committee for housing in January, I understand that the President and the Committee have undertaken work to progress the establishment of a Housing Commission. Could the President update the Assembly whether any work has, indeed, been undertaken and what work the Committee is planning to progress until the end of this political term in establishing a commission?

Thank you.

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

**Deputy de Sausmarez:** No, I am afraid the Committee is not able to do that without severely undercutting the budget for the new Committee for Housing. So, it is not something we have been able to progress, as I explained during debate on the Requête.

415 **The Bailiff:** Alderney Representative Snowdon.

**Alderney Representative Snowdon:** Thank you, sir.

Yes, just thank you for the Statements from the Presidents. The Offshore Renewable Energy Commission that was talked about, would this include Jersey and Alderney working together or is this separately just for Guernsey and would there be some sort of regulatory system coming as well for offshore wind farms when that progresses?

Thank you.

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

**Deputy de Sausmarez:** Okay, so, some of this is in E&I's mandate and some of it is not. So, I will have to stick to the bits that are in E&I's mandate. The establishment of an Offshore Renewable Energy Commission was, actually, a specific Resolution agreed by the Assembly as part of the Electricity Strategy. But actually, what it does is it picks up an element within the existing offshore, I cannot remember what the name of the Law is, actually, Deputy Meerveld will probably remind me, but the legislation that already exists around offshore renewable energy in the Island, but that bit basically has not been commenced. A bit more detail needed to be added to it.

So, the policy letter that we are bringing to propose the establishment of the Offshore Renewable Energy Commission will be specifically relating to that one body. My understanding is that its jurisdiction is specifically Guernsey. That said, I am sure, as with all things renewable energy and marine renewable energy, we will be very happy, in a broader context, to work very collaboratively with our neighbouring jurisdictions and I know that Alderney Representative Snowdon will be aware that those conversations are, indeed, very much a live issue.

440 **The Bailiff:** Deputy Gollop.

**Deputy Gollop:** Thank you.

At least twice in her interesting talk Deputy de Sausmarez referred to the Marine Spatial Plan and the blue economy and I am aware that the blue economy may include fishing awareness, diving and all the rest of it and she is concerned about oysters and everything else and tuna fishing.

But my question refers to a matter of a little while ago, how can we mitigate the change in the species due, maybe, to global warming whereby octopuses – octopi – are coming in and squeezing out other fish? Will the Marine Spatial Plan look at, somehow, rebalancing our fish habitat as best we can to prevent invasive species?

**The Bailiff:** Deputy de Sausmarez.

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

I am going to do my best to answer Deputy Gollop without confounding everyone with too many acronyms because this is a very acronym dense policy area. There are a few different things that are relevant to Deputy Gollop's question. The first is the Marine Spatial Plan which is, effectively, the easiest way of thinking about it is that it is like a much lighter version of the IDP but for the marine environment.

Some of the things that can be included in a Marine Spatial Plan include marine protected areas, MPAs, and so those would be relevant for areas, for example, that are important breeding grounds for particular species in order to make sure that stocks can remain sustainable or sensitive or endangered species can be adequately protected and, actually, they are often very much welcomed by the fishing community I would add.

Separately to that, separately but related, there is also the Marine Biosecurity Plan and I know it is confusing because there are lots of similar sounding things, but the Biosecurity Plan does deal specifically with how we can mitigate risks around pests, invasive non-native species, disease that affects our marine wildlife.

So, that is something that is very close to fruition, that is going to be published in the next few weeks, I hope. The Marine Spatial Plan is at an earlier stage of development, but a number of colleagues took part in a training exercise, which I thought was actually really informative and helpful last week. So, both of those things should help –

**The Bailiff:** Deputy de Sausmarez, your time for answering is up. Now, 20 minutes have passed in a flash. But I will tell you what, I am going to extend the questions to the President and I will explain why. I would be surprised if the full 20 minutes of questions to the President of the Transport Licensing Authority are going to be used up, (*Laughter*) but that is for another matter. So, we will continue.

I will go to Deputy Dyke next as he has not asked a question yet

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

I thank the President for her wide-ranging presentation. Could I ask a question on housing, which you mentioned conversations with bills etc. I have very recently been discussing with one particular developer the cost imposed on developers by the current regulations regarding lead levels.

The figures I have got, I have not had a chance properly to digest this, is that to deal with an acre of land, taking out 30cm if that is what is demanded, costs approximately £240,000 and delays the project by 12 to 18 months. If you have to do it again, another £240,000 and another 12 to 18 months, has the President thought about this issue, had any conversations with Public Health about whether the levels are correct, given that once these things are built on, most of it is going under tarmac or under buildings?

**The Bailiff:** Deputy Dyke, there was a question there, which the President can answer, but that is your time for asking it.

495 **Deputy Dyke:** Thank you.

**The Bailiff:** Deputy de Sausmarez to reply, please.

500 **Deputy de Sausmarez:** Yes, Deputy Dyke does raise a very valid issue. It is one we are very well aware of and, actually, I did reference it in the very opening paragraph of my update Statement. When I mentioned the work that we are doing on housing delivery, having those side-by-side conversations, it is one of the issues that has been raised, more than once, and I did reference it in my update with the cost for testing and clearing brown field sites, that is what I was referring to.

505 Deputy Dyke is quite right, that is an issue and it is very much included in the scope of work that we are doing at the moment and it is one of the barriers that we are looking for ways to address; one of the issues that we are looking for ways to address. So, I hope he can take some assurance from that. I cannot obviously guarantee that we will find all of the solutions, but we are certainly working on it.

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

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

515 Sir, the President has referenced the Marine Spatial Plan on a number of occasions in responding to questions and, indeed, in her Statement alluded to it or to, I think, effectively, what would be the equivalent of rising up the underwater foothills of that work in terms of scoping.

Is she in a position to provide a timeframe for when that work will be complete, even if it is an aspirational timetable, when can we expect to have a Marine Spatial Plan?

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

525 **Deputy de Sausmarez:** Yes. I should probably explain that the timeframe has been largely shaped by its priority as part of the Government Work Plan. So, it was scheduled to really get going this year. That said we did manage to get a little bit of a jump on it. Deputy St Pier may be aware that Jersey is slightly further along and I should give credit, I know it is not very fashionable, but we do actually work really co-operatively with Jersey in all of our areas really and this is a really good example.

530 There is a lot of data that they have which is very helpful to us. Their experience in putting together and consulting on their Marine Spatial Plan has been very valuable and we have been consultees for their process and they have been very generous about sharing their work. So, to give Deputy St Pier a slightly firmer answer, I would say the work is really getting going this year. I cannot guarantee when it will be finished, I am afraid, but I will endeavour to find out for him.

**The Bailiff:** Deputy Trott.

535 **Deputy Trott:** Thank you, sir.

I would like to ask a question on a matter of great importance to many Guernsey residents. Is the President of E&I aware that all the stocks remain pleasingly healthy?

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

**Deputy de Sausmarez:** Not only am I aware, but I am absolutely amazed given the amount that Deputy Trott seems to get! (*Laughter*)

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

**Deputy Kazantseva-Miller:** Sir, alleviating traffic issues has been highlighted as absolutely key to unlocking the many housing allocation sites in the north. The Better Transport Plan was completed by a consultant at the end of 2022. My understanding is I do not think it has been published, but it forms part of the Traffic & Highways Business as Usual Plan. Could the President update the Assembly on what exact work has been undertaken in that period of time to alleviate the traffic issues to help unlock the many housing allocation sites in the north?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Deputy Kazantseva-Miller is half right. The report the evidence base, I suppose, underpinning or informing the development of the Better Transport Plan was, indeed, published some time ago. But actually, since then there has been a huge amount of consultation. Now, unfortunately, our timelines were completely derailed on that by the events that took place around the IDP Review because, as Deputy Kazantseva-Miller will be aware, we had to pull our resource in Traffic and Highway Services off the Better Transport Plan onto the IDP Review and, so we are only just able, in very recent weeks, to be able to pick that up again. But certainly, it has not been able to progress in recent months, largely because of the workload that was caused by the IDP review changes.

**The Bailiff:** Deputy Gollop.

**Deputy Gollop:** One issue that interests some people in the parishes on the Douzaines parish working group is the administration and collection of Dog Tax. In the context of the wider animal welfare reforms that Deputy de Sausmarez and her Committee are looking into, like puppy walking and the dog sitting will Dog Tax and the more efficient ways of registering dogs and licensing dogs and collecting revenue on them be considered holistically as part of a wider strategy for animals and pets?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Sir, I should probably clarify that I am not speaking on parochial matters, I am certainly no expert in parishes' administration of Dog Tax, my understanding is that it varies wildly and rarely has much to do with dogs other than being the nominal reason why the money is collected.

However, that said, there has been a community led effort to pull together a wider bit of work. I know that they have been very active in creating an evidence base, it is quite a long process and it is still ongoing, to understand the extent of some of the issues around dog litter and that, potentially, may lead to proposals going to a future Committee on the subject. But certainly, there are no proposals currently on the table that the Committee is considering.

**The Bailiff:** Deputy Le Tissier.

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

People have approached me and anecdotally, I think, there is a common thought that there are an awful lot of road closures at the moment, more than usual. Is the President content that with these closures there is an additional amount of pollution caused by these closures by queuing up and driving slowly and whatever and so, is she content with the additional pollution that we are currently experiencing?

Thank you.

**The Bailiff:** Deputy de Sausmarez.



**Deputy de Sausmarez:** Sir, I can assure Deputy Le Tissier that we do not pull up roads for fun; there is always a very good reason. A fraction of roads are closed for road resurfacing, which is something I referenced, that has been an example of, actually, ongoing business as usual, proactive investment in our infrastructure and I have to say that when we hosted the Island Games, the number of compliments we got from visiting Islands about the quality of our roads really blew me away. So, I do think credit where credit is due.

However, road works are the price we pay for infrastructure investment. The reason so many roads are up is because we are getting fibre laid across the Island; it is a really good programme. It is because the electricity grid is being upgraded to support our future electricity needs. It is because gas networks are being upgraded to keep us all safe. These are really vital infrastructure improvements and I am afraid, although Deputy Le Tissier is not wrong about the fact that it has some negative effects, I do think it is a price that is necessary to pay because this infrastructure investment is really necessary.

**The Bailiff:** Deputy Falla.

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

By all reports, the Guernsey Rally of last weekend was a great success. (**Several Members:** Hear, hear.) Does the President believe that the balance has been struck between recreational tourism and environmental concerns and issues around this event?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** I think, actually, the tourism question is probably one that better sits with Economic Development and I am sure the Committee would be very interested in any insights that they have on that. Certainly, there are tensions which are very difficult to reconcile. What I would say is that the reason for not being able to administer a rally for last year was because the process was so unwieldy and we worked with the rally organisers and, again, credit where credit is due, they were really co-operative.

They really understood the issues and they were really co-operative in finding sort of pragmatic compromises and we have now got a policy which does make the event much easier and less complex to administer, which is why it went ahead, I think, with far less friction, perhaps, than in previous years.

**The Bailiff:** Last question, Deputy Kazantseva-Miller.

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

In relation to my previous question about actions on the Better Transport Plan, the President mentioned that the delay has been due to the work necessary as part of the IDP Review. Well, I am very thankful for the Committee's work on that. My understanding is that work was required for about a six-week period in September and October. Since the evidence base for the Better Plan has been available since 2022 could the President clarify and confirm what work is actually going to be undertaken in the short term to prioritise this vital piece of work that has been delayed?

**The Bailiff:** Deputy de Sausmarez.

**Deputy de Sausmarez:** Yes, Deputy Kazantseva-Miller is quite right, there was a significant impact to the Better Transport Plan and the part of the process that we were in when it was derailed was we had undertaken a significant programme of consultation. There was amazing engagement with that and some of the forms of some of the representations of that consultation were very detailed proposals that, again, need careful consideration so that we can understand whether the original proposals are worth amending or completely replacing with them.

650 So, there is a lot of work that has to be undertaken in order to analyse the consultation responses, which is the phase of work that we are still in. So that is where we are at with that. It is partly because there was such great engagement from the community and so many ideas, suggestions, issues, etc. raised that have to be very carefully thought through. So, it is not something that can be dashed off, it is not something that just sits on paper. We have to make very sure that  
655 it is something that is going to work in real life and provide a real benefit to the people living in the area now and in generations to come.

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

660 So, we will move next to the Statement on behalf of the Transport Licensing Authority and I will invite Deputy de Lisle to deliver that Statement, please.

**General update –  
Statement by the President of the Transport Licensing Authority**

**Deputy de Lisle:** I thank you for that, sir.

665 As I mentioned in my previous Statement the duties and responsibilities of the Transport Licensing Authority are limited to the determination of applications for air route licences. Under the *quasi*-open skies policy approved by the States, a Guernsey Air Transport Licence is only required by airlines that operate routes that are designated as life line routes and these are the Alderney, Gatwick and Southampton routes.

670 I can report that no applications for Guernsey Air Transport Licences have been received by the Authority for any of these lifeline routes since my last Statement. The lifeline routes to the UK are operated by Aurigny to both Gatwick and Southampton and Blue Islands also provide services to Southampton.

675 Now, the Authority has successfully made arrangements with Aurigny and Blue Islands to provide regular six-monthly reports on the provision of services on the UK lifeline routes. The Authority has held meetings to consider this information, including a joint meeting with representatives of STSB and Aurigny, in order to determine whether the airlines have complied with the conditions of the licences that they hold for those routes.

680 I can confirm that during the periods that were reviewed both airlines have complied with the licence conditions. In that the responsibilities of the authority are limited to matters relative to air transport licensing the extent to which it, the Authority, can engage with an airline is confined to the licenses held by an airline for lifeline routes.

For the avoidance of doubt, sir, under the current air transport policies only lifeline routes require an Airline Transport Licence and, therefore, the Authority had no mandate to review services on any other routes. Finally, the authority recently welcomed Deputy Dyke to its membership.

685 I will be pleased to take questions on the matter within the mandate of the Committee and I remind Members that the TLA mandate is very narrow and relates to air route licensing on lifeline routes only.

Thank you, sir.

**The Bailiff:** Thank you very much. Questions within the context of the mandate.  
690 Deputy Vermeulen.

695 **Deputy Vermeulen:** Thank you for the update on the air licensing. Could you confirm that once a licence is agreed, if a wet lease comes in, do you do any checks on that airline, albeit operating a lifeline route, into their competency and just bearing in mind we have had a recent incident with Jump Air operating a wet lease for Aurigny?

**The Bailiff:** Deputy de Lisle.

**Deputy de Lisle:** Thank you for that question, Deputy Vermeulen.

700 We do not have that responsibility. The responsibility would be with either STSB or Economic Development.

**The Bailiff:** Deputy Gollop.

705 **Deputy Gollop:** Well, thank you to the President of the Transport Licensing Authority and Deputy de Lisle's team seem to be doing more than I did in you are having the regular updates. But my question is, given the emphasis Deputy de Lisle has placed on lifeline routes, has the Committee made representations to Economic Development or other bodies about, perhaps, including Jersey as a lifeline route?

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**The Bailiff:** Deputy de Lisle.

**Deputy de Lisle:** No we have not looked at Jersey as a lifeline route. This would not be our responsibility, actually, because Economic Development has that responsibility of policy development within the air transport industry.

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**The Bailiff:** Deputy Gollop, again.

720 **Deputy Gollop:** In response to that question and a more general question, one of the frustrations the Transport Licensing Authority had was we never got allocated in the end, the ferry licence ramps, nor bus or taxi licensing or other elements of our licensing. So, would the President of the Committee and the Committee be interested in exploring, as part of the Machinery of Government, not just their wind up but their reconstruction into, maybe, more of a board or a Ministry of Transport where there is responsibility centralised rather than diverse?

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**The Bailiff:** I do not really think that falls within the mandate of the Transport Licensing Authority, so there is no need to respond to that, Deputy de Lisle. Anyone else?

No, very good. So, we will move into –

730 **Deputy de Lisle:** Sir, if I may make one point.

With respect to the points that you made earlier on with respect to the Licensing Authority, it is interesting in terms of reducing costs and we are all concerned here with reducing costs, but changing policy on licensing by bringing in the change, re the *quasi*-open skies policy, has had an impact on the cost of the TLA, something which other Committees might consider policy change because there were 14 applications, some years for licences, before we brought in the quasi open skies policy and the average was six every year that came in terms of licensing applications. So, it does diminish the amount of legal work and Committee work by changing policy.

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Thank you, sir.

## Questions for Oral Answer

### COMMITTEE FOR ECONOMIC DEVELOPMENT

#### Tourism – Decline in visitor numbers

740

**The Bailiff:** All right. There is one set of questions being asked pursuant to Rule 11 and they are posed by Deputy St Pier to the President of the Committee *for* Economic Development.

So, your first question, please, Deputy St Pier.

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**Deputy St Pier:** Thank you very much, sir.

The mandate of the Committee includes to advise the States and to develop and implement policies on matters relating to its purpose, including the promotion and development of all sectors of business, including tourism. Given the significant decline in visitors reported in the 2024 Travel and Visitor Annual Report including, for example, a 21% decline in visitors staying at least one night since 2019, what policies does the Committee advise are now required to promote and develop the tourism sector and reverse that decline?

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**The Bailiff:** And the President of the Committee, Deputy Inder, to reply please.

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**Deputy Inder:** Thank you, sir.

Thank you, Deputy St Pier for the questions. In 2025, the Committee has committed £1.9 million of its budget to marketing Guernsey as a destination. That is an uplift from 2024 by £250,000, which is being used for additional shoulder month advertising, co-marketing with the carriers, which has already proven to be very successful, and event marketing.

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Our new ferry service will have direct links to France which provides us with a real opportunity to target French visitors. (**A Member:** Hear, hear.) Visit Guernsey is co-funding marketing activity alongside Brittany Ferries who have a database of some 500,000 customers which Guernsey will benefit from. We are already seeing an increase in bookings of around 80% compared to this time last year.

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As the year progresses, we are getting indications that there will be significant improvements on that figure. The biggest factor driving the reduction in the headline figure for visitor numbers is the decline in cruise day trip passengers. The cruise steering group is working hard to re-attract large cruise liners, along with STSB, and are considering the improvement to port facilities.

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**The Bailiff:** Is there a supplementary, Deputy St Pier?

**Deputy St Pier:** I have two supplementaries to this question, sir. First of all, with visitors by air down 3% on 2023 and 26% on 2019, does the Committee believe it is possible to reverse the decline in visitors by air?

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**The Bailiff:** Deputy Inder.

**Deputy Inder:** The decline in visitors does include business visitors. Quite significant, I think, we all understand is COVID certainly changed the way business is done. I would like to think that was possible, the reality is, I suspect, not. In terms of getting more visitors into the Island via air, whether we like it or not, the black swan events of last year did not help Guernsey at all and I will answer it in a separate question of which Deputy St Pier knows that the Committee *for* Economic Development has absolutely no control over whatsoever, sadly.

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**The Bailiff:** Second supplementary, Deputy St Pier.

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**Deputy St Pier:** Yes, thank you, sir.

As the Committee responsible for economic development, does the Committee have any plans to grow inbound air passenger numbers?

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**Deputy Inder:** We recently conducted a review. Aurigny, with the exception of 2024, the reliability was pretty good. The connectivity was, again, pretty good. The problem that we have as an Island, we believe, that by comparing to Guernsey and Jersey, Aurigny is looking somewhere between 15% and 30% more expensive than the comparative jurisdictions.

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Now, the direct question is what we as Guernsey can do about it. The Committee is of the view that the ports are economic enablers. Aurigny is an economic enabler. Under the current Machinery of Government we believe, and I think I have got a majority on that, is that ports are currently in the wrong place.

**The Bailiff:** Supplementary, Deputy Gabriel.

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

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Supplementary to the first answer which I am hoping I can squeeze in. We heard that Economic Development have allocated £1.9 million of their budget, which is an uplift of £250,000, to attract visitors here. Could the President explain why the Tourism Management Board has seen fit to deny funding to Floral Guernsey who provide an attractive vista across the Islands and is one of the many reasons why visitors choose to come to Guernsey?

Thank you.

**The Bailiff:** Deputy Inder.

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**Deputy Inder:** I do not think, sadly, Deputy Gabriel's presumptions are right. The floral displays in Guernsey are not an indication of why people come to Guernsey, but I will try and answer his question because, I think, it became it came via a Rule 12. For the events budget we allocate £123,000 and that is managed by the TMB.

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They had applications of £500,000, £500,000 applications of which, had the Floral Guernsey met the criteria, which it did not, it would have accounted for, basically, a third of their budget. Actually, what we ended up apportioning, we had 17 organisations receiving grants and to support their events and activities for the year and they ranged from Art for Guernsey, Art Sunday, Guernsey Food Festival, Festival of Guernsey Sports for the cricket women's and men's team, Eat, Drink & Eat, Guernsey Military Groups, Guernsey Literary festivals, the Guernsey Rally, the successful Guernsey Rally that we have just seen, the Beltane Festival, St James' events, International Chess Festival, Tornado Fitness Racing Series and walking festivals.

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Those are the real things that I am absolutely proud that the TMB has done. They have held the line and they have concentrated on what brings people into Guernsey.

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Thank you.

**The Bailiff:** Supplementary, Deputy Gollop.

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**Deputy Gollop:** Yes, in relation to the previous question. I was impressed to attend the Tourist Management Board presentation and the work done, Festung Guernsey, ports, arts, sports, literary events and so on. But to broaden that out, would there be a possibility of the Tourism Marketing Board looking at more of an environmental conservation festival, which might include events that would involve Guernsey produce and, come to that, Floral Guernsey as a way of attracting people to our unique ecosystem?

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**The Bailiff:** I am not convinced that arises out of the answer to the original question. So, Deputy Taylor, supplementary.

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

840 Deputy Inder has said that we are already seeing an increase in bookings of around 80% compared to this time last year. It is not immediately clear if this is an 80% increase across all modes of travel, accommodation, bookings or a combination, or if it is just an increase of 80% in Brittany Ferries bookings. So could he clarify this point and provide the Assembly with the actual numbers of these bookings in 2025 and 2024, so that Members may draw a proper comparison?

845 **The Bailiff:** Deputy Inder, are you able to answer that?

**Deputy Inder:** Only in part, sir. To answer Deputy Taylor's question, just for the point of clarification, that is the 80% uplift in bookings coming from France with our brand-new direct link. So, that is foot passengers effectively, some car passengers coming into Guernsey. I do not have the actual figures, but I have recently had and I will try and get some actual figures for Members, but I have had some indications overnight that over the Easter period Brittany Ferries will be bringing in at least 250 passengers a day straight into our Island on day trips which, of course, will not replace cruise passengers, it would have been great if we had cruise passengers and our current link, but it will help in some way. Almost certainly those day trippers are spending a lot of their time around Town helping retail and food and beverage.

**The Bailiff:** Supplementary, Deputy Dyke.

860 **Deputy Dyke:** Thank you, sir, and I thank Deputy Inder for his information.

He mentioned the figures from the Frontier Economics report regarding costs of flights to Guernsey being roughly 15% to 30% higher than Jersey and the Isle of Man. Obviously that is a huge negative in that we are competing largely with Jersey. We also have a considerable difference in connectivity between ourselves and Jersey. Is it now time to consider seriously, as opposed to not seriously, looking at the EMAS extension to our airport so that we can land A320s properly and have the options of dealing with other airlines to bring in cheaper services?

865 Thank you.

**The Bailiff:** Deputy Inder.

870 **Deputy Inder:** From memory, sir, I believe that option, or extending the runway in any form, only got four votes in this Assembly. So, I honestly think that is something for Deputy Dyke and, particularly, Deputy Vermeulen and those of you put it in your manifestos when you stand and let the people decide.

875 Thank you.

**The Bailiff:** Is this a supplementary, Deputy Vermeulen?

**Deputy Vermeulen:** It relates to the question from the original question from Deputy St Pier.

880 **The Bailiff:** Yes, well, supplementary, yes.

**Deputy Vermeulen:** Would the President agree with me that comparing air figures pre-COVID to last year is very different because pre-COVID the Island had Flybe supplying significant links to Guernsey and during COVID that airline ceased to exist. So, it no longer exists and it might be to recuperate the air numbers another airline is needed besides Aurigny?

**The Bailiff:** Deputy Inder.

890 **Deputy Inder:** Sort of yes and no and I do not like doing this. I think all Governments should have a benchmark. If something was good five or six years ago it is not unreasonable to try and get back to that good. Where I do agree with him is that if business activity is a significant part of that figure and is unlikely to return, we probably have to realign our expectations.

895 When I took the position in 2020, I was hoping that COVID would have passed and things would have returned to normal but, as I keep reminding Members, since then we have had Brexit, since then we have had Russians in Ukraine, since then we have had a cost of living crisis, since then we have had an energy crisis as well. So, we really have not had the luck or, certainly, we did not have the knowledge that we have now. I would like to have got us back to 2019 figures but I am afraid the world has, in part, been against us.

900 **The Bailiff:** Can I just say that I am not hugely attracted to people who are Members of the Committee asking questions of the President, who is responding on behalf of the Committee, which is one of the reasons I questioned whether Deputy Vermeulen should be asking a supplementary.

Your second question to the President, please, Deputy St Pier.

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

What is the Committee's policy response, if any, to the drop in the promoter score from 61 to 55 between 2023 and 2024?

910 **The Bailiff:** Deputy Inder to reply, please.

**Deputy Inder:** Thank you, sir.

If it helps before I answer, to your previous comment, I did not know that was coming from a Deputy Vermeulen so it was not a set up in any way.

915 It is, of course, never good to see any of the key indicators move in the wrong direction. But 55 is still considered excellent within the industry. It means more people are scoring Guernsey nine or 10 out of 10 than they are six or less out of 10.

920 We ask people the reason for their scores so we know one of the main reasons was last year's travel delays and disruptions. There is a direct correlation between the drop in scoring and Aurigny's issues in 2024. Something the Committee for Economic Development has little or no control over. That remains a concern for the Committee and we hope that Aurigny and STSB can deliver on restoring reliability, confidence and resilience to our air services.

**The Bailiff:** Supplementary, Deputy St Pier?

925 **Deputy St Pier:** Yes, please, sir.

The Committee is one of three with the responsibility for air connectivity. So has there been any tri-Committee dialogue with the States' Trading Supervisory Board and Policy & Resources in the last six months in relation to air connectivity?

930 **The Bailiff:** Deputy Inder.

935 **Deputy Inder:** There has been, I think, myself, Deputy Trott and Deputy Roffey met on one occasion. That has happened and the discussions over which we have discussed here, some were in confidence, did happen. There was a strong message from Economic Development, is that we are asking STSB to fix the problem of 2024. The best Economic Development can do is update the policy statements. But again, I can only re-emphasise that the air policy statement is only going to talk about lifeline links. It cannot fix the problem that we have had over the past 18 months with Aurigny.

940 **The Bailiff:** Deputy Burford, supplementary

**Deputy Burford:** Thank you, sir.

The President says that one of the reasons for the drop in the score was air connectivity or disruption to air connectivity. Was that the top reason and if not, what was the top reason?

945 **The Bailiff:** Deputy Inder.

**Deputy Inder:** I thank you for the question, Deputy Burford. I simply do not have that in front of me. But what I will do, and if officers are listening, is to commit to getting a full response.

950 **The Bailiff:** Deputy Taylor.

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

Very well timed, following Deputy Burford. Deputy Inder stated that last year's travel delays and disruptions were one of the main reasons for a drop in the promoter score but the 2024 Guernsey Travel and Visitor Survey states that in 2024, themes of those who gave a score of six or less out of 10 include, they have not seen much of the Island, found it expensive, experienced bad weather, there was too much traffic, a lack of open visitor attractions and the final one was travel plans were disrupted. So could Deputy Inder tell the Assembly what his Committee might be doing to address any of these extra points?

960 **The Bailiff:** Deputy Inder.

**Deputy Inder:** Well, I think Deputy Taylor has got to understand, maybe the industry has got to understand, our job is to market the Island; it is as simple as that. Our job is not to put bodies in beds, our job is not to set prices on food and beverage and our job is certainly not to build hotels. That is the job of Economic Development.

Those other issues raised by Deputy Taylor are factual; they are true. They are the responses, but the net promoter score is still very good. Guernsey is still a great place to come on holiday. It is a great place to eat. It is a great place to drink. (**A Member:** Hear, hear.) The people are welcoming and we remain ambassadors for what is a great product.

I will remind Deputy Taylor, for all the negativity sometimes promoted by the so-called representatives of the industry I remind you that there are millions and millions of pounds being invested in this Island. Look at what is happening in the Island, look at what is happening at La Grande Mare, look what is happening at the Bella Luce and look what the Little Big Company has done with the Peninsula hotel. The people who invest in this Island and developing their product would do well. Those who live in the 1980s simply will not.

975 **The Bailiff:** Deputy Burford, second supplementary.

980 **Deputy Burford:** Thank you, sir.

I am pleased to hear the President talking up aspects of the Island because, I think, we often fall into the trap of saying what is wrong without actually appreciating all the good things that we have got and in that regard, when the Transport Marketing Board did a presentation to Deputies recently, they stated that the constant talking down of Aurigny and air links was having a damaging effect. So does the President agree with me that an event that lasted for a few months, but which is still being talked about as though it went on for a period of 18 months, that perhaps we ought to look at that quite differently?

985 Thank you.

990 **The Bailiff:** Deputy Inder.



**Deputy Inder:** I do not disagree, in fact, I do not disagree with Deputy Burford at all. This constant haranguing by so-called professional bodies who claim to represent the industry, chasing them around the internet, chasing them via complaints does not help. We will do it to ourselves and, unfortunately, we have got enough problems, external problems, without basically eating ourselves. If I can advise the next President of Economic Development, if you can manage that kind of output good luck to you because it has been difficult for the past four years because this Island will eat itself.

**The Bailiff:** Second supplementary, Deputy Taylor.

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

I think it is clear to me and I think it is even clear to Deputy Inder that there is more to the declining promoter score than just travel and disruption. So, I would like to know if, in submitting this response to Deputy St-Pier, the Committee for Economic Development discussed any of those extra issues or just focused purely on air travel, which might be seen as burying our heads in the sand?

**The Bailiff:** Deputy Inder.

**Deputy Inder:** Well, if you are asking directly the question whether our Committee sat down and discussed these questions before they came out, the strict answer is no. The time did not allow it; that is not how it works. They come in relatively too close to, not too close no offence meant, but we just do not have the ability to sit down and discuss them and they are generally prepared in the main, in part by me and the data coming out.

But I take on Deputy Taylor's point about looking beyond the 2024 black swan event, there is no doubt about it, that had a significant impact but I will remind Members the net promoter score is still very good, it is still very high, Guernsey is still a great place to come to.

**A Member:** Hear, hear.

**The Bailiff:** Supplementary, Deputy Blin.

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

The timing is that NPS, that net score that 50, would the President clarify as well that NPS is industry benchmarked against others, because it is fine saying 50 or 55 is a good score? The other part is, besides the scoring of it, this separation of the different levels, like, for example, the visitor types, repeat visitors, business visitors, etc., does he think that it would be a good idea to actually expand, whether it be through TMB or through Economic Development, to expand on assessing better, given there are more factors like the black swan and everything else, to break it down further?

**The Bailiff:** Well, I think there were two questions there from Deputy Blin. So, if you can answer both of them.

**Deputy Inder:** I think I can answer them both and something come from Deputy Taylor and in part repeated by Deputy Blin. I think greater assessment we can commit to looking at more detail at some of the issues and, if this is all about policy, see what policies a Government can come forward with in the future. So, hopefully, that answers both Deputy Taylor's and, in part, Deputy Blin's question.

**The Bailiff:** Is this a second supplementary, Deputy St Pier?

1045 **Deputy St Pier:** It is a second supplementary, sir. The President has put great emphasis on the Committee's role as being responsible for promoting the Island. The mandate is clear that it is promotion and development. So, I am keen to understand the Committee's policy response in terms of the development of the industry in light of these parameters.

1050 **The Bailiff:** Deputy Inder.

**Deputy Inder:** Well, developments can mean many things to different people. If he means that we are going to start building hotels as a developer, the answer is clearly not. If he means that the Committee has supported the development of the product via the Victor Hugo Centre, the answer is yes.

1055 If he means that we commit £1.9 million to the M&T budget, which assists marketing and in part including the events budget, that is what the Committee does and we have, actually, myself and Deputy Vermeulen wanted to develop the visitor economy via an amendment on the Pool Marina. But again, I will re-emphasise that, as I said time and time again, and likely to say in any future election, that the problem that we have got is our Machinery of Government, not everything is in the right place.

1060 Thank you.

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

1065 **Deputy de Lisle:** Supplementary, yes, sir.

With regard to a more positive note, perhaps with respect to this, I have noted that advertising, particularly by sea, in St Malo and elsewhere by Condor in the past has highlighted Jersey first and foremost and I am thinking now that we have a change in the situation. Would the President agree with me that now that Guernsey is alone with Brittany Ferries and Condor will this not, actually, be favourable in terms of promotion of Guernsey and highlighting Guernsey in St Malo and other places rather than Jersey first?

1070 **The Bailiff:** Okay. Well, Deputy Inder, I think that is possibly a supplementary arising out of the answer to the first question rather than the second question, but I will let you answer it.

1075 **Deputy Inder:** Well, I can assure Deputy de Lisle that Brittany Ferries will not be advertising Jersey anytime because it is not going there. But it is almost certain that in reality Brittany and the St Malo area is quite a huge conurbation. There is no two ways about it, Jersey has previously focused on marketing in that area because, as he noted, it is practically a taxi service between the Jersey residents going to St Malo and Guernsey has played second fiddle.

1080 But what I can assure Deputy de Lisle with a very strong relationship we have with Brittany Ferries, which entirely dominates that port, along with our relationships and direct relationships with the Mayors and the Chamber of Commerce and the people that we have been meeting and act as ambassadors, Guernsey is in a very good position to take advantage.

1085 Guernsey is loved at St Malo right now for the work that we did for the contract that we signed. We are in a very good position (**A Member:** Hear, hear.) and I would encourage this presidency, whoever comes after me, to remember that. We have done the right thing by our Island and by our neighbour and Brittany Ferries. This Island did the right thing.

1090 **A Member:** Hear, hear.

**The Bailiff:** Your third question to the President, Deputy St Pier.

1095 **Deputy St Pier:** What is the Committee's policy response, if any, to the question, to what extent did promotion of Guernsey influence your decision to visit, which revealed very low rates of influence from certain forms of advertising?

**The Bailiff:** Deputy Inder to reply please.

1100 **Deputy Inder:** Thank you, sir.

From someone who is an advertising man who has managed many a media schedule, a mix of advertising is important to give Guernsey greater brand awareness across a range of demographic groups. Visit Guernsey focused more of its budget on online advertising and I am pleased that this is proving to be effective based on visitor responses. Some of the lowest performing forms of promotion are those which already make up only a small part of Visit Guernsey spend and those are reviewed regularly and drop from the media schedule where necessary.

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

1110 **Deputy St Pier:** Yes, sir.

What progress has been made on the development of a visitor levy to help fund the industry's promotion and development?

**The Bailiff:** Deputy Inder.

1115 **Deputy Inder:** Is that entirely related to the answer, sir?

**The Bailiff:** No, it possibly is not, actually, looking at the response. Do you want to have another go, Deputy St Pier?

1120 **Deputy St Pier:** I will perhaps attach that as a supplementary to the next question, sir.

**The Bailiff:** Yes, Deputy Gollop you want to ask a supplementary.

1125 **Deputy Gollop:** Obviously, Deputy Inder, has been a professional in media and looking at different methods of promotion from the old style print to social media to online advertising, who knows. One form of advertising was Guernsey was the place where Bergerac takes his holidays. We see *Bergerac*, allegedly, bringing Jersey a lot more tourism interest, why do we not invest in television and media and film in order to promote us from a locational point of view, to bring in worldwide visitors?

1130 **Deputy Inder:** Jersey has not said that. What they have actually said is that the web traffic to Visit Jersey has improved by a factor of seven, I think it was, I am not entirely sure it arises out of this question, but I will try and answer it as best as I can. Having been through a couple of these and I think it was the *Guernsey Literary and Potato Peel Pie Society*, I remember. Was that the whole? The Guernsey film, that is the easiest thing to say!

1140 The Island invested quite a lot of extra money in, I think, it was to the tune of about a £250,000, in Guernsey terms, to promote off the back of that. In my memory, there was not an awful lot of paybacks for that money invested. My advice, honestly, is to get the cost of getting to Guernsey down; that is where it should all start.

**The Bailiff:** Deputy Taylor, supplementary?

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

Deputy Inder referred to visit Guernsey's work being part of the Committee's policy response, The 2024 Guernsey Travel and Visitor Survey states that 12% of respondents reported that Visit Guernsey had a big influence compared with 33% who were acting on recommendations from friends or family whilst it also states that 93% of respondents said that the poster and billboard advertising had no influence.

In his election speech, for the role of President of Economic Development, Deputy Inder said there is a known argument to move Visit Guernsey out of Government completely to the private sector and I am clearly warm to that. Given the low response to Visit Guernsey's work does Deputy Inder believe that Guernsey has been well served by his Committee's decision to retain Visit Guernsey within Government?

**The Bailiff:** Deputy Inder.

**Deputy Inder** The short answer is yes. Now, Deputy Taylor has obviously ignored, as usual, some of the facts. We went through COVID, we went through Brexit, we went through a Russian war in Ukraine and we are still going through that Russian war in Ukraine, we have been through high interest rates and we have been through an energy crisis and the way we are going at the moment, nothing is looking to improve. To connect those to the question where my election speech, which was positive and I still remain positive about Guernsey and ignore the last four years of what has happened in the world is more a reflection on Deputy Taylor than it is on me.

**The Bailiff:** Deputy Blin, supplementary.

**Deputy Blin:** I am a bit confused by that last response, but I would like to say that my question is that Deputy Inder stated that the online marketing success. But from the report, the elements we take are the underperformance of the digital marketing, which I think has been said 12% of visitors were influenced by Guernsey's website, the social media weakness the tour operator partnerships only 14% of bookings were made through that and the failure of the traditional advertising.

So, that is not based on black swan events, etc. that is based on a report which has been commissioned and paid for. So, I would like to ask the President, even though he has said that the NPS is granular and could be improved, what other improvements, rather than just referring to the various events, what are they doing to improve for the season?

Thank you.

**The Bailiff:** Deputy Inder.

**Deputy Inder:** I think we are in this strange world where no one really listens to the answer to the previous questions. I have just explained that we have put an extra £250,000 into the tourism budget. (**A Member:** Hear, hear.) I have just explained that we are doing more co-funding with the very successful contract we signed with Brittany Ferries. I have just explained that the media schedules can be changed and those that do not work will be re-changed.

I have just explained that the Committee backs the Victor Hugo Centre. I have just explained that this Committee backed the Pool Marina. I have just explained that this Island is spending, privately, millions of pounds on developing its product with some very good investors. I have just explained the Grande Mare has been developed and I have just explained that Bella Luce, I do not know what Deputy Blin does not understand.

Thank you.

**The Bailiff:** Your fourth question. Now, I think we are going to have the fourth question to the President. You did not stand up quick enough, Deputy Taylor.

**Deputy St Pier:** What does the Committee regard as the highs and lows from the annual report, sir?

**The Bailiff:** And the President to reply, please?

**Deputy Inder:** That is a real question.

**The Bailiff:** Now, that was that was the real question. This is question four. We will start the timing again.

**Deputy Inder:** Yes, okay start again. Right, staying with visitors, to answer the question about highs and lows of the annual report, staying visitors increased by 2% in 2024 and that is really quite important. Staying visitors are bodies in beds. Staying visitors spend real money in the economy compared to 2023, which was the year that Guernsey hosted the Island Games. So, that is improvement on top of the Island Games.

The average length of stay for staying visitors has also increased to 4.9 nights in 2024, compared to 4.7 nights in 2019. The increase in staying visitors who spend more by virtue of the fact that they are here for longer and use local accommodation, is very positive. The longer the visitors stay the more it pumps into the economy.

Occupancy was 59% in 2024, compared with 56% in 2023 and the scores for the level of customer service and quality of accommodation are also very good. An 11% increase in visitors from France is also positive and that is a figure we expect to grow more this year with the Brittany Ferries service.

As already mentioned, the biggest factor driving the reduction in the headline figure for visitor numbers is the decline in cruise day trip passengers. The cruise steering group is leading the effort to grow the area. Cruise ships tend to plan their schedules three years in advance and efforts to re-attract some of the larger vessels are paying off, with four visits booked for 2026. The cruise steering group is also working with STSB to consider the improvement of port facilities. So hopefully that answers Deputy St Pier's questions.

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

**Deputy St Pier:** Yes, thank you, sir.  
What is required, sir, to re-attract the larger vessels?

**The Bailiff:** Deputy Inder.

**Deputy Inder:** In short, sir, the most significant piece is better port facilities and I am actually grateful, in this instance, for the work that Deputy Vermeulen is doing along with, and I do not know which member of STSB is on the cruise steering group, well, it is not a political Member, but there is another named officer and I understand they are working very well together and there is a solution coming to the surface.

**The Bailiff:** Supplementary, Deputy Taylor.

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

Figure 3.2.2 of the 2024 Guernsey Travel and Visitor Survey shows that virtually all promotional methods had largely no influence on visitor decisions. Does Deputy Inder agree with me that the increase in staying visitor durations is in spite of poor marketing performance and with a change of strategy, we might see further improvements?

**The Bailiff:** Deputy Inder.

**Deputy Inder:** No, I do not.  
Thank you.

**The Bailiff:** Deputy Gollop, supplementary?

**Deputy Gollop:** This question relates to the annual report. Although Members were pleased to get the presentation and I can support plenty of initiatives to improve service, would it not be better rather than questions and answers that we should, actually, have the annual report as an appendix with a policy letter to this Assembly so we could all debate tourism strategies and marketing as an input in that way, rather than relying on Deputy St Pier's questions?

**The Bailiff:** Deputy Inder.

**Deputy Inder:** I could not think of a worse scenario. (**A Member:** Hear, hear.) Having 38 dysfunctional clients who think they have been away to Lanzarote (*Laughter*) for a week, and I have had it before, and, in fact, Deputy Gollop is one of them. He said do not tell me about photography; I have got a camera. Well, that is it, mate, you have got the job. I could not think of a worse thing that could possibly happen. We have got 38 people choosing the colour of the brochure, sitting with a Pantone book saying, I do not like green. I want it a bit blue. No, it is very silly idea indeed and I would encourage no one to do that ever.

**The Bailiff:** Second supplementary, Deputy Taylor.

**Deputy Taylor** Continuing with the same theme, sir, if the decision to visit Guernsey is not based upon Visit Guernsey's marketing campaigns, what does Deputy Inder attribute the increase in staying nights to?

**The Bailiff:** Deputy Inder.

**Deputy Inder:** I think Deputy Taylor is likely to pursue this forever. The best I think I can answer is I will just get back to him later on.

**The Bailiff:** Your fifth question to the President please, Deputy St Pier.

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

What is the Committee's planned strategic response for the French visitor market ahead of the requirement for passports for all inbound visitors after September this year?

**The Bailiff:** Deputy Inder to reply please.

**Deputy Inder:** Sorry, excuses my mirth. Deputy Fairclough just sent me a note and he said he thinks the answer to Guernsey is *Bergerac*. I think that is absolutely genius. Right, a working group has been set up by our Economic Development, where our officers are working with industry, ports, Border Agency and Brittany Ferries to look at the coming year as a whole with a big focus on French visitors given the improved ferry schedule, increased bookings and potential for further growth. The immediate focus of the group is the introduction of the new ferry timetable which happens at the end of March, but changes to the passport requirements will require good, clear communication to the French visitor market and that answers the response to that question.

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

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

1300 Has any analysis been undertaken that indicates the likely impact on visitor numbers following the change in passport requirements?

**The Bailiff:** Deputy Inder.

1305 **Deputy Inder:** No there has not and neither, particularly, should there be. Talking to Brittany Ferries they are relatively positive that the numbers are going to hold up. The French do have passports, accepting the coming under the *carte detente* was somewhat easier, but a consequence of Brexit means that people coming to Guernsey will have to have a passport. To answer his question, there is no direct analysis but talking to our main supplier to that route they have every confidence that the visitor numbers will hold up and, indeed, improve.

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**The Bailiff:** Second supplementary, Deputy St Pier.

**Deputy St Pier:** Sir, does the President and the Committee believe that the development of a visitor levy to help fund the industry's promotion and development will play any part in the response to the French market and, indeed, any other market?

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**The Bailiff:** Deputy Inder.

1320 **Deputy Inder:** Well, I did not vote against it but if he is asking my personal opinion, I think it is going to yes, it will have a response. What you do not do when you have got a failing coffee shop you do not charge people to come in through the door. The use of the visitor levy, as much as it has been promoted by other people who are fans of it, is actually being used to stop tourists coming into certain destinations. We have got a tourism economy which is still recovering.

1325 I personally would not be charging, but I lost that vote and that is a resolution. (**A Member:** Hear, hear.) I think it is a very bad idea given where we are right now. But to answer Deputy St Pier's question, we are under Resolution, this is what this Assembly resolved to do and I think it was 23 to 17.

1330 I have committed to looking at it. I understand that we have got a paper coming to Committee within the next month or so, but that again, it will not be delivered for this term but I would advise any future presidency do not do this now. This will directly impact on what is a recovering economy. It is a very bad idea and it will not be building EMAS, it will not be building airports, it was entirely in lieu of GST and was supposed to go to general revenue.

1335 **The Bailiff:** Supplementary, Deputy Blin.

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

The President stated that it is not maybe, necessarily, important to have the statistics of the drop from ETA, the passport system coming in, and that Brittany Ferries, I understand, believes it will be positive. We are all aware that less than 40% of French nationals have passports and for the day trippers they do not need it.

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So, my question is, will he not agree with me that it is a very important factor because also the support we are giving *Manche Iles* with financial support and, I believe, another ferry financial support that could have a really detrimental impact when they are operating and there are a lot less people coming in?

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**The Bailiff:** Deputy Inder.

**Deputy Inder:** If it happens. I see, unfortunately, I have got to deal in facts where other Deputies can deal with opinion. Now, when you are talking to the Chair of Brittany Ferries, when you are talking to Chief Executive of Brittany Ferries, who is actually a Frenchman, who invests millions of

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pounds in the boats, who knows his people, he has explained to us that there will be challenges, but he is quite positive.

1355 That is the only response I can give and I do not doubt that there will be some challenges, but I do not look to the negative. If the people who are delivering the service are filling up their boats, as has been explained, that is a good thing. We can talk it down all day long and we can find a way to make it negative, but we are in a very good place.

**A Member:** Hear, hear.

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**The Bailiff:** Deputy Dyke.

**Deputy Inder:** Bring it on!

1365 **Deputy Dyke:** Thank you, sir.

Given Deputy Inder's answer to Deputy St Pier regarding the tourism levy, how does he think the imposition of GST will help on our tourism industry?

1370 **The Bailiff:** Okay, well, I do not think that arises out of the original answer. So, there is no need to reply to that.

Deputy Prow

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

1375 Does the President agree with me that the massive benefits of membership of the Common Travel Area, where the vast majority of visitors come from, and the enjoyment of frictionless controls and freedom of movement far outweighs the inability for French nationals to travel without valid passports for security reasons?

Thank you, sir.

1380 **The Bailiff:** Deputy Inder.

**Deputy Inder:** I thank Deputy Prow for that question and yes, I do agree. But the reality is we do have a French link and it has to be supported. So, yes, it is true. Our membership of the CTA is very important, but so is that connection with France and I will remind all Members here the only reason we are here today, because there was a referendum in another country which has cost us millions and millions of pounds, they made entirely the wrong decision and we are now paying the price.

1390 **The Bailiff:** Deputy Taylor, supplementary?

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

1395 In marketing to French visitors, will the working group be seeking to implement similar measures to those used in 2024 which, as demonstrated in figure 3.2.2 of the 2024 Guernsey Travel and Visitor Survey, and, therefore, reasonably considered factual, have had little effect?

**The Bailiff:** Deputy Inder.

1400 **Deputy Inder:** Well, in 2024 we had not appointed Brittany Ferries for the French route, as I have explained again, that we have a different relationship with Brittany Ferries. We have a direct route, there is different marketing activity going on, there is direct co-funding between the two Islands so there is no real correlation between 2024, we were under a different contract. In fact, we were not under a contract at all, we were under an MOU. So, I am just struggling to understand why Deputy



Taylor, who has been in business and has marketed his own, I do not really understand why he does not understand that.

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

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

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Does the President agree with me that because French and, indeed, Schengen area members can enter the Republic of Ireland on ID cards that it should be possible for us, in conjunction with Jersey, to come up with a similar arrangement in order to support and not put at risk our borders, for our tourism industry, particularly?

**A Member:** Hear, hear.

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**Deputy Inder:** If that is the case, and I have heard Deputy Le Tocq speak about this before privately, if not in the States, the only thing I could do is this Island will take anything at the moment; we really will. So, if there is an opportunity, all I could do is encourage and work with external agencies and with Home that Department and deliver that extra door to open for us.

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**The Bailiff:** Alderney Representative Hill, supplementary?

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**Alderney Representative Hill:** As we are on the subject of French visitors, obviously you might be aware that Alderney does have a lot of day visitors from France, but one of the things that we have noticed is the fact, the visitors from France, I do not want to be too rude, actually, there is a quite low yield. What is your experience, from here, on their real spend power as opposed to those that come from the United Kingdom?

**The Bailiff:** Deputy Inder.

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**Deputy Inder:** I have got to be careful about how I answer that. I do not know entirely what he means by low yields. I am very grateful for all visitors coming to our Island. So, I will be careful how I answer that, because I am not entirely sure of the question that has been asked. But what I can do is take that away and if you want to compare and contrast, I will ask our people to do a little bit of work on that, if that then helps.

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**The Bailiff:** Your sixth and final question then Deputy St Pier to the President.

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**Deputy:** Sixth and final question, sir, which I am sure will be of great relief to, not only Deputy Inder, but all Members. Has the Committee undertaken any analysis to ascertain the wider impact, beyond the travel and hospitality sectors, of a 34% decline in business visitors since 2019?

**The Bailiff:** Deputy Inder to reply.

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**Deputy Inder:** Thank you.

I know that visitor numbers clearly have a wider significance to our economy. A lot more people come here for leisure than they do for business and more visitors helps increase the sustainability of our air and sea links. The sustainability of these transport links, in turn, is essential to other business sectors.

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

**Deputy St Pier:** I think I only have one which is, does the Committee agree that good air connectivity and a high-quality hospitality sector are essential to our largest industry, financial services?

**The Bailiff:** Deputy Inder.

**Deputy Inder:** Entirely and I am glad he agrees with me, because I have been saying this for an awful long time. We have been through a review. Our connectivity is good, our reliability before 2024 was very good. 2024 did not help 15% to 30% cost in getting to Guernsey compared to other jurisdictions is not great, and entirely it will have an impact, it has an impact on business, it has an impact on people's choices to come to the Island. It is as simple as that.

But in terms of the product development, as I have mentioned before, without re-listing them, he will have heard from me over the course of the questions, which I am very grateful for, there are real people investing in this Island and putting real money into this Island. There is a very positive vibe going on in this Island. This is a great time to invest in Guernsey and I would really encourage those who think they are still in the 1980s, please go and stay there because our better days are ahead of us.

**The Bailiff:** Deputy Gollop, supplementary.

**Deputy Gollop:** I do not think I fully understood this question or the answer. But I wondered if it applies to everything done on, say, the wider impact on savings and the retail sector, or overall on Guernsey's business and economic links, because I would argue that a substantial part of the decline in business visitors has come from the Guernsey-Jersey route. So, really has there been an impact, not just on retail, but on certain elements of our economy and co-operation with other subsidiaries?

**The Bailiff:** Deputy Inder.

**Deputy Inder:** No, there has not. There has been the review of the air connectivity, which showed good reliability, good connectivity and an issue with price and what we have not done is spend any more public money looking further. If he wants us to spend a substantial amount of money on what we already know is likely to have happened, the lack of connectivity or the lack of visitors is bound to have an impact on retail.

I can spend £100,000 tomorrow telling you what you already know. We just need to get that activity, we already know that as much as we hear a lot from hospitality, where they are right is that general churn of people into the Island and from the Island is good for the economy. I can spend £300,000 proving what we already know and maybe Deputy Gollop, via Policy & Resources, can give us some money to do that. But even if they do; I would not do it.

**The Bailiff:** Deputy Blin.

**Deputy Blin:** We have listened, the question I have for the President here, so having reviewed that full report and the various questions I have had and every one has been answered by, well, if he had listened carefully, he would have said this and that. But everything that the President said is going forward.

So, all I can ascertain is that from the report, whether it be the perceptions of difficulty, the media, the marketing, all the things there. So, is the President, therefore, implying that in the next term all of the work that the Committee has done this four-year term will finally come to fruition and we will see figures then?

1505 **The Bailiff:** It does not really arise out of the answer, but Deputy Inder? Okay, well, that does conclude question time.

## ELECTIONS & APPOINTMENTS

### COMMITTEE FOR HOME AFFAIRS

#### 1. Independent Monitoring Panel – Re-appointment of Chair and Members – Propositions carried

*Article 1.*

*The States are asked to:*

*Confirm the re-appointment by the Committee for Home Affairs ("the Committee") of three existing members of the Independent Monitoring Panel ("the Panel"), to notify the States of the re-appointment of the Chair to the Panel and to notify the States of the resignation of one member of the Panel.*

**The States' Greffier:** Article 1, Committee for Home Affairs – Independent Monitoring Panel Re-appointment of Chair and Members.

1510 **The Bailiff:** I invite the President of the Committee, Deputy Prow, to open the debate please.

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

1515 This policy letter seeks to confirm reappointment of three existing Members and the Chair of the Independent Monitoring Panel and notify the Assembly of the resignation of Members of the Panel. The Committee is pleased to propose confirmation of the reappointment of Mrs Andrea (Andie) Fuller and Mrs Alfia Dance and Mr Nigel Bartlett to the Panel for a four-year term. The Committee is also pleased to propose the confirmation of the reappointment of Mrs Andie Fuller as Chair of the panel.

1520 The Committee is also formally notifying the Assembly of the resignation of Miss Lucy Cave from the panel and that of Mr Marc Cohen, who would not be seeking reappointment at the end of his term. The Committee wishes to take this opportunity to place on record its thanks to Miss Lucy Cave and Mr Marc Cohen for their service over the past four years.

Sir, I ask the Assembly to support these Propositions.

Thank you, sir.

1525 **The Bailiff:** I do not see any Members rising. The process, as I understand it, under the Prison Ordinance is that the Committee makes the appointments, but they require some form of confirmation from the Assembly. That is in paragraph 1.7 of whichever schedule it is, Schedule 3.

1530 Does any Member wish to vote separately on any of the Propositions? Can we combine them all then please, Greffier, and have a single vote? So there are five Propositions in total and I will ask the Greffier to open the voting on those five Propositions.

*There was a recorded vote.*

*Carried – Pour 38, Contre 0, Ne vote pas 0, Did not vote 1, Absent 1*

**POUR**  
Aldwell, Sue  
Blin, Chris

**CONTRE**  
None

**NE VOTE PAS**  
None

**DID NOT VOTE**  
Inder, Neil

**ABSENT**  
Cameron, Andy

Brouard, Al  
Burford, Yvonne  
Bury, Tina  
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  
Hill, Edward  
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  
Parkinson, Charles  
Prow, Robert  
Queripel, Lester  
Roffey, Peter  
Snowdon, Alexander  
Soulsby, Heidi  
St Pier, Gavin  
Taylor, Andrew  
Trott, Lyndon  
Vermeulen, Simon

**The Bailiff:** So, in respect of those five Propositions, there voted in favour, 38 Members; no Member voted against; no Member abstained; 2 Members did not participate in that vote and, therefore, I will declare all Propositions duly carried.

1535

## LEGISLATION FOR APPROVAL

### COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

#### 2. The Animal Welfare (Guernsey) (Amendment) Ordinance, 2025 – Proposition carried

##### *Article 2.*

*The States are asked to decide:-*

*Whether they are of the opinion to approve the draft Ordinance entitled "The Animal Welfare (Guernsey) (Amendment) Ordinance, 2025" and to direct that the same shall have effect as an Ordinance of the States.*

**The States' Greffier:** Article 2, the Committee for the Environment & Infrastructure – The Animal Welfare (Guernsey) (Amendment) Ordinance.

**The Bailiff:** Is there anything you wish to say, Deputy de Sausmarez, in respect of this measure?

1540

**Deputy de Sausmarez:** Not much sir.

Obviously, both this and the following Ordinance simply bring into effect the decisions made by this Assembly following debate on the relevant policy letter on the 18th July last year. So, I think it is a matter with which Members are pretty familiar and the legislation just gives effect to those decisions.

1545

Thank you.

**The Bailiff:** I do not see any Member rising to debate this draft Ordinance or ask any questions and, in those circumstances, I will invite the Greffier to open the voting on the Proposition as to whether you are minded to approve the draft Ordinance.

1550

*There was a recorded vote.*

*Carried – Pour 38, Contre 1, Ne vote pas 0, Did not vote 0, Absent 1*

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Helyar, Mark	None	None	Cameron, Andy
Blin, Chris				
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Haskins, Sam				
Hill, Edward				
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				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Snowdon, Alexander				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

**The Bailiff:** So, in respect of the draft Animal Welfare (Guernsey) (Amendment) Ordinance, 2025 there voted in favour, 38 Members; 1 Member voted against; no Member abstained, 1 Member is absent and, therefore, I will declare that Proposition carried.

1555

**COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE**

**3. The Veterinary Surgery and Animal Welfare  
(Amendment) Ordinance, 2025 –  
Proposition carried**

*Article 3.*

*The States are asked to decide:-*

*Whether they are of the opinion to approve the draft Ordinance entitled "The Veterinary Surgery and Animal Welfare (Amendment) Ordinance, 2025" and to direct that the same shall have effect as an Ordinance of the States.*

**The States' Greffier:** Article 3, the Committee for the Environment & Infrastructure – The Veterinary Surgery and Animal Welfare (Amendment) Ordinance, 2025.

1560 **The Bailiff:** And similarly, Deputy de Sausmarez, do you wish to say anything?

**Deputy de Sausmarez:** No, sir, apart from ditto.  
Thank you.

1565 **The Bailiff:** Deputy Kazantseva-Miller.

**Deputy Kazantseva-Miller:** Sir, I do want to speak in relation to the implications of the Assembly making decisions increasing regulation in certain areas. We have just, obviously, approved the Ordinance for animal welfare and this is the secondary piece of legislation that we did absolutely debate in the summer.

1570 But the implication of that is that additional resources have been put into this area and my understanding is that those additional resources are now being used to progress potential regulation in other areas. Hence we have got consultation coming out in relation to potentially licensing dog walkers and other animal handlers and I did see a comment, I do not remember where it was, that it was because of more resourcing put into the regulatory environment and providing more, effectively, internal resources to start looking into these areas the Committee is now able to undertake work to progress, potentially, further regulation in areas such as licensing dog walkers.

1575 So, I think this is the impact of increasing amounts of regulation that Government could put in and more regulation leads to more regulation. So, while I will be voting for this because that is what we voted for, I did want to highlight the secondary impacts of building regulatory functions within Government, which allows us to start looking and justifying having regulators to start regulating further.

1580 So, this is the unintended consequences. The more we regulate the only way is up and that is the implications of bringing regulations for anything and this is what is going to be coming in. In her update, Deputy de Sausmarez did state that they are looking into further regulations relating to dog walkers and other handlers of animals.

1585 So, this is what is going to come. The more resources we put in, the more people we appoint, the more civil servants, the more directors of whatever standards we appoint, the more they will be looking at what else can be regulated. So, this is this is where the road is. So, while we voted for this, I just really want to caution what that means. There is no end to regulation.

1590 Thank you.

**The Bailiff:** Deputy Gollop.

1595 **Deputy Gollop:** I voted for, and asked questions in the past about, animal welfare. I was concerned at one point when I sat on the legislation Committees that animal welfare was falling

behind and now things have caught up, so I cannot complain. Although I did feel, when we did discuss this, that possibly we went quite far. I mean unfortunately I went to a circus in France where they used wild animals and I was a bit uneasy.

1600 But these things rarely happen in Guernsey and, I think, there are other ways of policing, that sort of thing anyway, such as the transportation issues. So, I am sympathetic to some of what Deputy Kazantseva-Miller said, because the irony is, most of us in this Assembly, are always talking about the merits of prioritisation and smaller Government and not always agreeing to it, because we do tend to vote for these things, with the exception of one learned Member behind me, who had the

1605 courage of his convictions not to go for bigger Government.

So, yes I will support this, but what I always like to see with legislation is although legislation is a backbone and it is a protection for all of us in whatever area it is, and we will come on to other legislation shortly that I will speak on, but I think it has to be administered in a proportionate way and a way that looks at prevention, education, mitigation and conversation rather than bureaucracy and prosecution. Because I do not think we, as a small Island, have the resources for the latter.

1610

**The Bailiff:** Deputy Dyke.

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

1615 Deputy Kazantseva-Miller does make a point and it is a point well made at this time. When we initially voted for this, things were looking a bit different. We now know we have very severe financial constraints on our Island. We have spending issues, tax issues and everything we do that adds to the regulation, the cost of the regulation adds to our tax demands, adds to the number of people we have to come in to regulate these things, to run the registers and all that sort of thing and looking at this, this is all a fair-minded thing that can perfectly well come from an intelligent person.

1620

But do we need it now? I have owned dogs for most of my life and I do not think that any of this would actually have made any of my dogs' lives better. I would still have gone to the same vet. We never used dog walkers. So, I do not think we have to vote for this, I actually think we should pause, and there is some much bigger regulation coming on, just pause on whether we do any more of this. Should we add more taxes, more regulators, more people we have to bring into the Island we cannot house and, at some point say no? So, although this is a well-meaning piece of legislation I, personally, will not vote for it.

1625

Thank you.

1630 **The Bailiff:** Deputy Gabriel.

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

Not to excessively contribute to debate, but I need to make a declaration under Rule 17(15). A close relative is a clinical director of a local veterinary practice.

1635 Thank you.

**The Bailiff:** Okay, as no one else is rising I will turn to the President, Deputy de Sausmarez, to reply to that short debate, please.

1640 **Deputy de Sausmarez:** Thank you, sir.

I was trying to act in the interests of time and efficiency by not repeating any of the issues that we debated just a few months ago, but it does sound by some of the comments that have been made in this short debate today that some of those are, indeed, worth reiterating. So, Deputy Kazantseva-Miller is concerned about increasing levels of regulation. Well, if I can remind the Assembly that actually the reason we do this is not necessarily, well certainly not just, because we love animals and think that they need to be protected, there is actually a hard-nosed economic facet to this.

1645

As the Government Work Plan says, meeting international standards is critical to maintaining our economic competitiveness and to promote growth. We do have a number of free trade agreements with other jurisdictions and we have got a number of international conventions to which we are a party that include commitments to enforcing and enhancing animal welfare protections.

So, this is actually economically necessary and on the same theme, if I remind Members of the debate, during that debate I explained how, actually, the lack of regulation is an impediment to local veterinary practices being able to function efficiently and effectively in relation to, for example, the provision of the transportation storage of certain medicines.

So, this is something that just brings us into alignment. It is necessary for the smooth functioning of local veterinary practices and it is also necessary as part of our free trade agreements and obligations with respect to international conventions. So, I would like to remind Members that that is why these directions, these legislative drafting directions, were indeed agreed by the Assembly a few months ago.

However, I can also reassure Members that this is not just a red tape machine, as some Members are clearly concerned that it might be, there are no additional resources required, it was already resourced. We did not agree, in the policy letter for this, to any additional resources because they were already baked in. It is actually a really efficient service and it washes its face. So, it is not an additional cost to the States, this kind of regulation washes its face. So, Members can be assured that: (a) it is very proportionate; and (b) it is not in any way overly bureaucratic; but (c) it is also not costly.

While I cannot speak for international requirements in terms of free trade and what that might bring, I can certainly say that there are absolutely no aspirations to increase regulation beyond what is absolutely necessary and beneficial for Guernsey.

Deputy Kazantseva-Miller touched on an area which, again, is just something that is necessary to bring us in line with other jurisdictions and I think actually people who do own animals would expect that kind of regulation. It is not heavy handed, it is very light touch, it is very proportionate, it is very cost efficient. So, this legislation has, indeed, been drafted on the directions of this Assembly a few months ago and I would very much encourage Members to support it now.

Thank you.

**The Bailiff:** Members of the States, there is a single Proposition, which is whether you are minded to approve the draft Ordinance and I will invite the Greffier to open the voting, please.

*There was a recorded vote.*

*Carried – Pour 34, Contre 4, Ne vote pas 0, Did not vote, Absent 1*

**POUR**

Aldwell, Sue  
Blin, Chris  
Brouard, Al  
Burford, Yvonne  
Bury, Tina  
De Lisle, David  
De Sausmarez, Lindsay  
Dudley-Owen, Andrea  
Fairclough, Simon  
Falla, Steve  
Ferbrache, Peter  
Gabriel, Adrian  
Gollop, John  
Haskins, Sam  
Hill, Edward  
Kazantseva-Miller, Sasha  
Le Tocq, Jonathan

**CONTRE**

Dyke, John  
Helyar, Mark  
Le Tissier, Chris  
Oliver, Victoria

**NE VOTE PAS**

None

**DID NOT VOTE**

Inder, Neil

**ABSENT**

Cameron, Andy



Leadbeater, Marc  
Mahoney, David  
Matthews, Aidan  
McKenna, Liam  
Meerveld, Carl  
Moakes, Nick  
Murray, Bob  
Parkinson, Charles  
Prow, Robert  
Queripel, Lester  
Roffey, Peter  
Snowdon, Alexander  
Soulsby, Heidi  
St Pier, Gavin  
Taylor, Andrew  
Trott, Lyndon  
Vermeulen, Simon

**The Bailiff:** In respect of the draft Veterinary Surgery and Animal Welfare (Amendment) Ordinance, 2025, there voted in favour, 34 Members, 4 Members voted against, no Member abstained, 2 Members did not participate in that vote.

I will declare the Proposition carried.

#### COMMITTEE FOR HOME AFFAIRS

#### 4. The Road Traffic (Causing Death or Serious Injury by Driving) (Guernsey) Law, 2025 – Proposition carried

*Article 4.*

*The States are asked to decide:-*

*Whether they are of the opinion to approve the draft Projet de Loi entitled "The Road Traffic (Causing Death or Serious Injury by Driving) (Guernsey) Law, 2025", and to authorise the Bailiff to present a most humble petition to His Majesty praying for His Royal Sanction thereto.*

**The States' Greffier:** Article 4, the Committee for Home Affairs. The Road Traffic (Causing Death or Serious Injury by Driving) (Guernsey) Law, 2025.

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

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

Very briefly, sir, this is the first of three items of road traffic legislation before the Assembly today to modernise and update legislation relating to hazardous driving, drink driving and drug driving. This follows the Assembly's approval of the Committee's policy letter in February last year. I am, sir, therefore, pleased to present the Road Traffic (Causing Death or Serious Injury by Driving) (Guernsey) Law, 2025 to the Assembly for approval.

This is a new Law replacing legislation from the 1950s, which will create four offences causing death by driving dangerously, causing death by driving without due care and attention or without reasonable consideration for others, causing serious injury by driving dangerously and causing serious injury by driving without due care and attention or without reasonable consideration for others.

If a person is charged with causing death by driving dangerously, but the facts do not prove this charge and instead prove the lesser offence of causing death by driving without due care and

attention or without reasonable consideration for others, a court may convict the person of that lesser offence.

Similarly, if a person is charged with causing serious injury by driving dangerously and the facts do not prove this charge but instead prove the lesser offence of causing serious injury by driving without due care and attention or without reasonable consideration for others, a court may convict the person of the lesser offence instead.

Sir, this Law clarifies the meaning of driving dangerously, driving without due care and attention, driving without reasonable consideration for others and serious injury. I ask the Assembly to support this Law.

Thank you, sir.

**The Bailiff:** Deputy Soulsby.

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

When someone dies as a result of a road traffic incident it impacts not only the direct family members, but those close to them; their friends and their wider relatives. I know, my godparents lost their beloved only daughter as a result of a car crash when she was just 16. I was just 11 at the time and took the call from my godfather and, of course, it is not something I can ever forget. It understandably, completely traumatised everybody and, of course, my godparents and their lives changed forever.

So, Members will therefore understand why I took a good interest in both the policy letter and this legislation and I was happy with the policy letter as Deputy Prow has said that the existing Law is way overdue for review and change. I am happy reading the legislation that the definitions of dangerous driving and all the elements apart from, I did have concerns over the sentences which were not covered in the policy letter and so I did contact Deputy Prow and I said that I was mindful of considering amendments to the sentencing.

I have concerns about how quickly somebody could go back to driving after they have been sentenced and imprisoned and the ease with which people could just go back and start going back on the roads. I do thank Deputy Prow and His Majesty's Procureur for their responses to me and I was happy to leave things as they are and it is very much linked to the UK and I understand there is a lot of UK case Law that backs up the approaches taken. So, I am happy with that and as I said, I do thank Deputy Prow and His Majesty's Procureur.

However, I do think there should be and I think we did get an email from somebody yesterday who spoke about this and I do agree with them, I do think there should be clear guidance on enforcement and sentencing and there should be a higher likelihood of prosecution and stiffer sentences here than those imposed in the UK and I do so because we do have a much lower maximum speed limit.

The reasons for speeding here, it is a magnitude higher the speed limits that people need to be for the dangerous driving, the narrow roads, the need to pavement surf and particularly as things have changed as well with the Highway Code and the hierarchy of road users and I think that all those elements mean that we should be considering a less tolerant approach to that of the bigger Island and larger Island with bigger roads to the north. So, I would just like the assurance from the President that such views will be taken into account when preparing such guidance.

Thank you.

**The Bailiff:** Deputy Gollop.

**Deputy Gollop:** I would like to agree and endorse the sentiments and perspectives of Deputy Soulsby because I too received correspondence from somebody I work with on a sub-committee and know for his commitment to active travel, to better journeys, to environmentalism, to road safety and good corporate governance and to experience the field.

Although the person was pleased about the work that Deputy Prow and the Committee had done and very much welcomes this legislation and the next two, because the points will apply to the next two pieces, they not only make the point that Guernsey driving is more hazardous with no pavements on some sides, narrow roads, high verges, walls close to the road, road works as Deputy Le Tissier referred to in inconvenient places, high volume of traffic, guarded entrances they made the point about the hierarchy of road users and I think we sometimes forget as politicians in the Assembly, we always focus on policy and decisions made in Committee but we have a role in legislation too and this is legislation.

What we do not have a role in is interfering, rightly, with the judiciary or the judicial process or the prosecution process. But we do have a role, as Deputy Soulsby has reminded us, in possibly preparing guidelines and definitely setting the parameters in this legislation and a quick re-read of this shows that for the more careless driving issue, I think, the maximum sentence is two years and at least 12 months off the road and for the serious injury by driving dangerously is five years.

But I think the sentiment of the public would be for realistic sentences and one argument that has been put is the mitigation that sometimes impresses on occasion members of the judiciary that a person needs a car for work or employment may not be such a persuasive defence because, of course, arguably that person then uses their vehicle more and should take that into consideration before driving inappropriately.

So, I think what we would wish to see is Home Affairs and the team at Active Travel and the new Police Chief very much using these Laws as toolkits for a public information and education programme and enforcement, whereby they make it clear that careless and dangerous driving will not be tolerated and has very serious consequences for our community and for individuals.

**The Bailiff:** I might as well have everyone from P&R, so Deputy Murray.

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

I apologise for not giving Deputy Prow forward notice of this, but I did raise this during the original policy letter debate, or something very similar. It sounds fairly minor, but I would like some clarification on this and it is about item seven and we talk about the meaning of driving without reasonable consideration and it uses the word 'inconvenience'.

It seems to me that is a very imprecise description of what will be used to prove that one way or another. I am also rather unsure as to who would be the adjudicator of that. Is it the person who has been 'inconvenienced', is it a police officer attending an inconvenienced incident, will it be left to the courts? It does seem a little bit vague. So, I would appreciate some clarity on that from Deputy Prow when he sums up.

Thank you, sir.

**The Bailiff:** Deputy Gabriel.

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

I will be brief and building on, I think, what was the theme of Deputy Soulsby's speech, I would like to, when Deputy Prow sums up, address the disqualification from holding a licence. It would seem that for certainly the higher-level offences, which we are talking about here, that if a significant imprisonment was imposed on the offender that at the same time, at the time of conviction, their driving licence is disqualified.

But it would appear to me the sentences are not mentioned other than apart from the maximums, that they would be disqualified from holding that licence whilst imprisoned, which seems to go at odds and not be any deterrent at all because upon release they are able to re-acquire a driving licence through the correct channels.

Deputy Gollop mentioned it and how that may or may not contribute to the rehabilitation of offenders and them needing a driving licence when they are released from imprisonment. But if you are convicted of death by dangerous driving, certainly in my personal view, then if you are banned

1810 from driving that should be a significant ban and have an impact on your daily life once you are released from prison. So, if Deputy Prow could help me understand that when he sums up, I would be grateful.

Thank you.

**The Bailiff:** Deputy Ferbrache.

1815 **Deputy Ferbrache:** Well, I think the debate has taken a path that is different from what the actual policy letter is seeking. I hear about all the hang 'em and flog 'em in relation to motorists, let me tell you, as somebody who has actually practised in the courts over the years, that our sentencing policy in relation to motoring is much tougher than that of the UK already and it has changed over the years.

1820 For many years, when I first started, I used to get up and say, Mr Bloggs has been driving for 50 years, he is only just over the limit, he is 52 in a 35 limit, he should not get banned and more often than not he was not. Now he will be, almost invariably because the court has changed its policy. Occasionally there is a change of that, but not very often.

1825 Also, the Law changed some time ago. If you have got a three-year ban, for example, for drink driving X number of years ago, you did your three-year ban and then you could start driving again. Now you have to take your driving test again after you are banned for drink driving and certain other offences. It is obligatory that you have to retake your driving test.

1830 Also when I first started in Guernsey, I represented about 70% because you used to stand up, there were not that many advocates, they could pick you and I got picked about 70%. So, I think I have a reasonable history in relation to that and I represented a number of people for causing death by dangerous driving. I think only one went to jail and it was his second or third offence. The rest got a lengthy disqualification and a heavy fine.

1835 Now, if I was approached by somebody who was guilty of causing death by dangerous driving, I would advise them that they would almost certainly go to jail for a lengthy time and also the disqualification, Deputy Gabriel's point, let us say you get sentenced to a year in jail and a 10-year ban. That is the way it works, you do not generally get, for that kind of offence, say a year in jail and a year's ban. So, you are going to have a long period of disqualification thereafter.

1840 So, we already have a tough sentencing policy. I would think it is not for us, as Deputies, to interfere with the judiciary. The judiciary will decide that. It was the judiciary who decided the policy in relation to drink driving, for example, they sat down some years ago and said, these are the guidelines, if, for example, it is a second offence within a certain period of time you are likely to go to jail, etc. If you are over a certain reading, you go to jail.

1845 That is why we have separation of powers and I do not say that because I am a lawyer, long may that continue. Let the judiciary decide, they will take into account public policy, public concerns, but they sit there and they deal with these cases day in, day out, week in, week out. Let them decide, let us not have rhetoric on the floor of this Assembly.

**A Member:** Hear, hear.

**The Bailiff:** Deputy de Sausmarez.

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

1855 Deputy Ferbrache has just said it is for the judiciary to decide, but the legislation does stipulate the maximum sentence and this was something that E&I raised with Home Affairs when they were kind enough to consult us originally and we were a little bit surprised that it did not align with the UK, as that is what, generally speaking, the legislation was trying to do.

1860 So, the sentencing was a discrepancy between the UK's maximum sentencing provisions and ours. So, ours reflect the old UK legislation, but that was updated in 2022. I think we debated this in 2023 or maybe last year. But anyway, by that stage the UK's legislation had already moved on

and we did raise, at that point, our puzzlement as to why we were mirroring the old standard rather than the new.

1865 We did get an assurance from Deputy Prow at that time, during that debate and, indeed, in writing to our feedback, that while the Committee *for* Home Affairs, did actually understand the logic of that argument and would seek to ensure that it would be looked at in that broader review of sentencing policy and I would appreciate, I think, given the debate today, I think it would be helpful if Deputy Prow could, perhaps, confirm that that is still the intention.

1870 I am, generally speaking, very supportive of this legislation and grateful to Home Affairs for pushing it through. We were given an assurance when we debated the policy letter that we would be kept in the loop and consulted in terms of the drafting of the legislation, because we did have some specific concerns over some of the specific wording, that did not happen but certainly the legislation that is being proposed today is greatly overdue and a vast improvement on what is currently on the statute books and so I will be supporting it.

1875 **The Bailiff:** Deputy Helyar.

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

1880 It is really just to echo Deputy Murray's points and concerns and I just wanted to place that in juxtaposition, because the concern was about the word 'inconvenienced' and how that could be interpreted and it is very subjective, clearly. We have been told repeatedly for years, in fact, that it is not possible for a police officer to reach a view about whether a motorcycle is noisy, but we are being told in this legislation, it is possible for them to reach a view about whether something is inconvenient and, of course, that is a matter of perception.

1885 This does not appear, to me, to sit very clearly with what we are being told in other areas and it appears to me sometimes these things are being argued to suit a particular purpose. I am very concerned about the inclusion of words like subjective text like inconvenienced in the legislation and we shall wait and see what happens.

1890 I cannot vote against it because I think a lot of the other provisions are very sensible. But I am very concerned about things like this creeping into legislation. If we are going to have that sort of thing, then let us dispense with all the need for measurement and all the rest of it on motorcycles and just let the police officer decide whether something is noisy or not and then we can at least we could settle that problem.

Thank you.

1895 **The Bailiff:** Deputy Blin.

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

1900 Well, having listened to Deputy Ferbrache and Deputy Helyar, who are both lawyers in their own right, I listened with care with this because I have been contacted by some individuals and I just wanted to raise the point, I think, now that I have heard some of these things raised, I just wanted to outline. I will be supporting this, but it was for the same reason that there was some sort of questions shared and, I think, this will be the right point as representatives for our parishioners to come through.

1905 So, the queries were, they were on a number of the 1 to 6, but the overlap between dangerous and careless driving is subjective and, I think, the legal question is how will the prosecutors determine the threshold for each one? So, these are the same questions, but I think at least if it is raised during this and although I am also stating that it is time to have updates in it, also it came on the question of mandatory disqualification and judicial discretion.

1910 Courts must impose minimum bans unless special reasons apply and, therefore, the question was, what qualifies as a special reason to avoid disqualification? There are a number of these. I am not going to go through all of them because I think it raises it, but it is something I wanted to flag at this point as well.

Thank you, sir.

1915 **The Bailiff:** I will turn back to the President, Deputy Prow, to reply to that debate.

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

1920 I will deal with each query in turn, if I may, sir. I thank Deputy Soulsby for her support. I think she is absolutely right to bring to the attention of the Assembly the wider effects on others and the traumatic effect these types of offences have. On the question of consideration of not only the debate on the policy letter but this debate, of course, Home Affairs always continue to monitor this type of legislation which is massively important for safety on our roads.

1925 One theme that has run through some of this debate is around really about maximum sentencing. Deputy de Sausmarez very helpfully reminded us of that discussion in the original debate and the view of Home Affairs was that as part of the justice framework and the Justice Action Plan, that the reviewing of maximum sentence should be done across the board because it is not only this legislation but there is other legislation where it is believed that we should be looking at maximum sentencing across the *piste* and the efficient use of time and the fact that the justice framework did not make the full cut of the Government Work Plan. This is a job that is very much

1930 on the to-do list of the Committee for Home Affairs, which will come under the Justice Framework. So, Deputy Soulsby, I thank her for her support and absolutely this is a continuing process. Deputy Gallop endorsed some of the points of Deputy Soulsby, which I hope I have answered and this is a point very powerfully made in response by Deputy Ferbrache. The detail of sentencing is entirely a matter for the court and that is something the Assembly needs to bear in mind, because

1935 this theme has come out of some of the other comments on this matter. Deputy Murray and Deputy Helyar, the comments, and I agree that they were raised as part of the policy letter, we did take further advice from the drafting team on this and they actually believed that the wording does give the court the proper flexibility and ability to tease out the detail and perhaps through you, sir, I could ask His Majesty's Procureur to, perhaps, elaborate on that. I think

1940 it would be better coming from her than coming from me and I also do not want to mislead the Assembly. So, I leave that request with you, sir. Deputy Gabriel, I hope I have understood his question properly. This really arises around a matter of Law and around driving disqualification and the fact that it should run from the date of sentence. English Law is clear on this point and local judges would find that persuasive. But in any event, the

1945 release date would not be certain and would depend on whether the defendant gets parole or remission and I think the practical way, and this leads to the point made by Deputy Ferbrache, the practical way that the court can and probably will deal with this is by taking into account the fact that the defendant will be serving a prison sentence for the initial period and when deciding the appropriate length of disqualification.

1950 So, sir, I think and I hope I have answered Deputy Gabriel's point. The bottom line is the court, in due consideration, if it is giving a prison sentence and also wishes to have a disqualification, it is open to the court to make that period of disqualification beyond that of the prison sentence. So, I hope that deals with that. I thank Deputy Ferbrache because his comments are very helpful and saved me time in summing

1955 up. The sentencing is a part of separation of powers, this is a matter for the court and I think the Assembly should note that. Deputy de Sausmarez, I covered the points that she very helpfully made and I thank her for her support. Deputy Blin, as far as I can see, was repeating points that were already made. So, hopefully, sir, I have covered the points made and with your permission, sir, if His Majesty's Procureur could assist us, I would be very grateful.

1960 Thank you, sir.

**The Bailiff:** Madam Procureur.

**The Procureur:** Thank you, sir.

1965 Hopefully, I can assist Members on the point in relation to section seven and the wording of inconvenienced. It is not, I can say, a word that the drafting team have dreamt up or just come up with themselves it is actually a very well-established term taken from English statute from the Road Traffic Act 1988.

1970 There is plenty of Case Law on the subject, which is why we are following it. In the UK it is more looked at as inconsiderate driving, but the kind of examples are when people are flashing their lights, when they are perhaps misusing a cycling lane. It all depends on the facts and circumstances of the case, but what I can say is it is a very well-established term and on that basis, it has been used, as we often adopt English legislation in relation to driving and criminal offences.

Thank you, sir.

1975 **The Bailiff:** I mean all the definitions in this draft *projet* have been taken from the Road Traffic Act, it is as simple as that. I could add that there is a very good book called *Blackstone's Criminal Practice*, if I can get a plug in because I get a little bit of money every time somebody buys a copy. (Laughter) So, if anyone really does want to know more about these sorts of issues, then please buy the book!

1980 There is a single Proposition whether you are minded to approve the draft *Projet de Loi*, and I would invite the Greffier to open the voting on it, please.

*There was a recorded vote.*

*Carried – Pour 38, Contre 0, Ne vote pas 0, Did not vote 1, Absent 1*

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	None	None	Oliver, Victoria	Cameron, Andy
Blin, Chris				
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
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				
Hill, Edward				
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				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Snowdon, Alexander				
Soulsby, Heidi				
St Pier, Gavin				

Taylor, Andrew  
Trott, Lyndon  
Vermeulen, Simon

1985       **The Bailiff:** So, in respect of that single Proposition there voted in favour, 38 Members; no Member voted against; no Member abstained; 2 Members did not participate in that vote and, therefore, I will declare the Proposition carried.

## COMMITTEE FOR HOME AFFAIRS

### 5. The Road Traffic (Guernsey) (Amendment) Ordinance, 2025 – Proposition carried

*Article 5.*

*The States are asked to decide:-*

*Whether they are of the opinion to approve the draft Projet de Loi entitled "The Road Traffic (Causing Death or Serious Injury by Driving) (Guernsey) Law, 2025", and to authorise the Bailiff to present a most humble petition to His Majesty praying for His Royal Sanction thereto.*

1990       **The States' Greffier:** Article 5, the Committee for Home Affairs – The Road Traffic (Guernsey) (Amendment) Ordinance, 2025.

**The Bailiff:** Deputy Prow, is there anything further you want to say?

**Deputy Prow:** Only extremely briefly, sir.

1995       This is the first of two amendment Ordinances arising from the Committee's policy letter relating to hazardous driving, drink driving, drug driving, which was approved in February last year. The Ordinance amends the Road Traffic (Guernsey) Ordinance of 2019, in order to replace the offence in section 10 of that Ordinance with an offence of driving dangerously and clarifies the meaning of driving dangerously. In addition, the Ordinance amends section 11 of the 2019 Ordinance to clarify the meaning of driving without due care and attention and driving without reasonable consideration for others. I ask the Assembly to approve this Ordinance.

2000

Thank you, sir.

2005       **The Bailiff:** I do not see any Member rising, so I will simply invite the Greffier to open the voting on the Proposition, whether you are minded to approve the draft Ordinance.

*There was a recorded vote.*

*Carried – Pour 36, Contre 0, Ne vote pas 0, Did not vote 3, Absent 1*

#### POUR

Aldwell, Sue  
Blin, Chris  
Brouard, Al  
Burford, Yvonne  
Bury, Tina  
De Lisle, David  
De Sausmarez, Lindsay  
Dudley-Owen, Andrea  
Dyke, John  
Fairclough, Simon

#### CONTRE

None

#### NE VOTE PAS

None

#### DID NOT VOTE

Falla, Steve  
Matthews, Aidan  
Oliver, Victoria

#### ABSENT

Cameron, Andy



Ferbrache, Peter  
Gabriel, Adrian  
Gollop, John  
Haskins, Sam  
Helyar, Mark  
Hill, Edward  
Inder, Neil  
Kazantseva-Miller, Sasha  
Le Tissier, Chris  
Le Tocq, Jonathan  
Leadbeater, Marc  
Mahoney, David  
McKenna, Liam  
Meerveld, Carl  
Moakes, Nick  
Murray, Bob  
Parkinson, Charles  
Prow, Robert  
Queripel, Lester  
Roffey, Peter  
Snowdon, Alexander  
Soulsby, Heidi  
St Pier, Gavin  
Taylor, Andrew  
Trott, Lyndon  
Vermeulen, Simon

2010      **The Bailiff:** So, in respect of this Proposition on the draft Ordinance entitled The Road Traffic (Guernsey) (Amendment) Ordinance, 2025, there voted in favour, 36 Members; no Member voted against, no Member abstained; 4 Members did not participate in that vote but I will declare the Proposition duly carried.

#### COMMITTEE FOR HOME AFFAIRS

##### 6. The Road Traffic (Drink Driving) (Guernsey) Law, 1989 (Amendment) Ordinance, 2025 – Proposition carried

*Article 6.*

*The States are asked to decide:-*

*Whether they are of the opinion to approve the draft Ordinance entitled "The Road Traffic (Drink Driving) (Guernsey) Law, 1989 (Amendment) Ordinance, 2025" and to direct that the same shall have effect as an Ordinance of the States.*

2015      **The States' Greffier:** Article 6, the Committee for Home Affairs – The Road Traffic (Drink Driving) (Guernsey) Law, 1989 (Amendment) Ordinance, 2025.

**The Bailiff:** And similarly, Deputy Prow, is there anything you wish to say?

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

2020      Again, very briefly, sir, this is the third and final item of legislation arising in the Committee's policy letter relating to hazardous driving, drink driving and drug driving, approved in February last year.

This Ordinance amends the 1998 Drink Driving Law. It clarifies the meaning of driving without due care and attention and driving without reasonable consideration for others. It also introduces

2025 specified legal limits for controlled drugs and creates an offence of driving whilst over the prescribed limit for those drugs. It authorises police officers to require a driver to take a preliminary impairment test or preliminary drug test and creates offences of failing to comply with such a requirement. It amends the Laws to authorise registered healthcare professionals, in addition to doctors, to take blood samples, give advice and provide opinions.

2030 Finally, it removes the right of a person being investigated for drink driving to claim that by virtue of the results of a breath test specimen being below a specified statutory threshold, that the person's breath test specimen should be replaced by specimen of blood or urine. Again, sir, I ask the Assembly to support this Ordinance.

Thank you, sir.

2035 **The Bailiff:** Deputy Gollop.

2040 **Deputy Gollop:** In the explanatory memorandum that we had explained and repeated, I did not quite understand this paragraph and looking at the Law did not make it clearer for me. It removes the right of a person, which currently exists, being investigated for drink driving, to claim that by virtue of the results of a breath test specimen being below a specified statutory threshold, that person's breath test specimen should be replaced by a specimen of blood or urine.

2045 Well, if they are below the limit, then that is good. So, why would they want to change it, so I am a bit puzzled by that, that they had some choice before that is going but in reality, surely, the officers of the Law can use any appropriate test that they deem necessary. The other query was about the drugs because on the one hand there was a blanket prohibition of illegal drugs and drivers being under the influence of but whether the authorities have a clear view that you should not drive even with a tiny amount of cannabis in your system, or medicinal, I do not know.

2050 But there was also the view that a defence was if you had prescribed pharmaceutical drugs, that if the doctor or prescriber had not told you of their effect you could use that as a defence, but if they had warned you not to drive you could not and I suspect there will be some interesting cases that will come out of this legislation that have not already been thought through. But I do support the principles. I am just not muddled about the detail.

2055 **The Bailiff:** Deputy Le Tissier.

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

I support this and all I have is a question for Deputy Prow. This relates to motor vehicles. Is there a similar provision somewhere else for cyclists?

Thank you.

2060 **The Bailiff:** No one else is rising, so I will invite Deputy Prow to reply to that short debate.

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

2065 Yes, I can very briefly respond. Some of these matters were subject to debate when the policy letter was debated. I think just to simplify the point around a person being investigated for drink driving, it just removes the right, which is at present at the moment that by virtue of the results of a breath test specimen being below a specified statutory threshold, that a person's test specimen should be replaced by a specimen of blood or urine. So, it removes that option from it. As far as the Ordinance is concerned, we are talking about motor vehicles and, I think, the question of drink driving on a cycle is a matter of debate for another occasion.

2070 Thank you, sir.

**The Bailiff:** There is a single Proposition as to whether your mind is to approve this draft Ordinance and I will invite the Greffier to open the voting on that draft Ordinance, please.

*There was a recorded vote.*

2075

*Carried – Pour 38, Contre 0, Ne vote pas 0, Did not vote 1, Absent 1*

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>DID NOT VOTE</b>	<b>ABSENT</b>
Aldwell, Sue	None	None	Oliver, Victoria	Cameron, Andy
Blin, Chris				
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
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				
Hill, Edward				
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				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Snowdon, Alexander				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

**The Bailiff:** So, in respect of this draft Ordinance there voted in favour, 38 Members, no Member voted against, no Member abstained, 2 Members did not participate in that vote. I will declare the Proposition duly carried.

## **COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY**

### **7. The Income Support (Implementation) (Amendment) Ordinance, 2025 – Proposition carried**

*Article 7.*

*The States are asked to decide:-*

*Whether they are of the opinion to approve the draft Ordinance entitled "The Income Support (Implementation) (Amendment) Ordinance, 2025" and to direct that the same shall have effect as an Ordinance of the States.*

2080 **The States' Greffier:** Article 7, the Committee for Employment & Social Security – The Income Support (Implementation) (Amendment) Ordinance, 2025.

**The Bailiff:** Deputy Roffey, is there anything you wish to say in opening?

2085 **Deputy Roffey:** Just to remind Members that this Ordinance puts into legislation the policy decision they took recently, that any compensation paid to Islanders under the contaminated blood scandal should be disregarded for the purposes of calculating requirement rates for Income Support.

2090 **The Bailiff:** Well as no one is rising I will invite the Greffier to open the voting on this draft Ordinance.

*There was a recorded vote.*

*Carried – Pour 38, Contre 0, Ne vote pas 0, Did not vote 1, Absent 1*

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	None	None	Oliver, Victoria	Cameron, Andy
Blin, Chris				
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
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				
Hill, Edward				
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				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Snowdon, Alexander				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

2095 **The Bailiff:** So, in respect of this draft Ordinance, there voted in favour, 38 Members; no Member voted against; no Member abstained; 2 Members did not participate in the vote. So, I will declare that Proposition duly carried.

Before you call the next matter, Deputy de Sausmarez, how long do you think you are going to be in opening on the next matter?

2100 **Deputy de Sausmarez:** I have not actually done a word count, sir, but I can do that calculation very quickly. I have got a feeling it might eat into our lunch. I think it is going to be a little over 10 minutes, max 15, but I do not think it would be that long, I think it is probably in the region of 10 and I can speak quite fast if that would help. *(Laughter)*

2105 **The Bailiff:** I think in the circumstances it might be better to start afresh with that item after lunch rather than people having a two-hour break and maybe forgetting some of the words of wisdom that Deputy de Sausmarez is likely to impart.

So what we will do now is we will rise, we will come back at 2.30 p.m.

*The Assembly adjourned at 12.25 p.m.  
and resumed its sitting at 2.32 p.m.*

## COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

### 8. Legislative Changes for the Implementation of the Open Market Part A Inscriptions Policy – Propositions carried

*Article 8.*

*The States are asked to decide:-*

*Whether, after consideration of the Policy Letter entitled "Legislative Changes for the Implementation of the Open Market Part A Inscriptions Policy" dated 11th February 2025 they are of the opinion:-*

*1. To agree to amend the Open Market Housing Register (Guernsey) Law, 2016 regarding the inscription of properties in Part A of the Open Market Housing Register as set out in section 2 of the Policy Letter.*

*2. Only if Proposition 1 has been approved, to approve the Projet de Loi entitled "The Open Market Housing Register (Guernsey) (Amendment) Law, 2025", 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.*

2110 **The Deputy Greffier:** Article 8, Committee for the Environment & Infrastructure – Legislative Changes for the Implementation of the Open Market Part A Inscription Policy.

**The Bailiff:** I will invite the President, Deputy de Sausmarez, to open the debate please.

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

2115 This legislation is required to implement the Open Market Part A Inscriptions Policy. It is a bad sign that my voice is going at this stage of the day, because there is still some way to go! The policy itself is an operational policy, so that is not what the States is being asked to agree. The Propositions relate to the changes that need to be made to the legislation required to implement it.

2120 In its broader context if Members cast their minds back to October 2022, they may remember that E&I was directed, through the Population & Immigration Policy Review, to complete this work which was, in fact, by then already a work in progress. The policy was developed iteratively, very much shaped by a group of relevant stakeholders, including the Open Market Forum, which

represents residents, estate agents, other property professionals, architects, developers and Locate Guernsey.

2125 That process took many months, not least because there were some very different positions represented in that group, but through individual meetings, collective discussion and written input the policy evolved to secure broad support. I would like to put on record the Committee's thanks to all of those that contributed to the policy development for their time, expertise and collaborative goodwill.

2130 What all stakeholders strongly agree on is the need for this policy. Since the move away from the Housing Control Law to the system we have now under Population Management, there has been a provision in Law to newly inscribe properties onto Part A of the Open Market Register. However, without a policy setting out the circumstances in which such inscriptions could or should be made the Open Market is, potentially, vulnerable to destabilisation and that could have profound  
2135 consequences, not just for the Open Market itself, but also for the Local Market and the economy more generally.

So, while the policy letter is narrowly focused on the legislative changes required to make that policy operationally functional, I will summarise the policy itself to help put those changes in context. The Open Market Housing Register Law states that the Inscriptions Policy must accord with  
2140 the States' Population Policy, which Members will remember we debated back in October 2022, when we agreed that net migration targets should be plus 300 a year, which results in a growing population.

As was recognised in that Population & Immigration Policy Review policy letter, the Open Market is an important economic enabler yet over recent years and decades the number of Part A properties  
2145 on the register, in other words private Open Market homes, has actually decreased largely because of inscriptions moving to Part D of the register; which is houses of multiple occupancy.

This is why the Open Market Housing Register Law allows for new inscriptions to be made. This policy allows for that process to be carefully managed as after many years of being, effectively, closed to new inscriptions a sudden, uncontrolled influx would send the market into a spin. The  
2150 policy provides for a clear framework within which applications for new inscriptions can be transparently and consistently considered.

It will help the Open Market to function more effectively and better match supply with demand, both in terms of facilitating a carefully managed increase in the number of inscriptions and in terms of improving the quality of our Open Market stock, helping to enable the types and size of  
2155 properties on the register to more accurately meet the current and future needs of those living in, or looking to relocate into Guernsey's Open Market.

How? Well, first of all, there is a provision in the policy for totally new inscriptions, in other words, those that increase the overall number of properties on Part A of the Open Market Register. One of the key policy principles is to protect the stability of the market, so new inscriptions are capped at  
2160 an average of three a year, with some flexibility to make it practical.

The number of new inscriptions was the subject of much debate amongst stakeholders, where initial views included those who thought the number should be zero and those who argued for much higher. Collectively, we settled on three because of the principle of protecting the market. While none of us know for sure where the tipping point of new inscriptions is that might spook the  
2165 market, what we do know is that once that genie is out of the bottle, it is not going back in. So, we have erred on erred on the side of caution.

While revenue raising is not the primary purpose of this policy, new Open Market inscriptions are inherently valuable. So, one of the changes to the legislation States' Members are being asked to agree today is to enable the public purse to benefit from that through the charge that we levy  
2170 for new inscriptions. This will enable additional revenue to be raised of at least £1.5 million per year, starting this year.

The other legislative change required to bring this policy into effect with respect to new inscriptions is the creation in Law of Inscriptions in Principle or IIPs. IIPs are necessary because only

prospective new builds, rather than existing properties, will be eligible for a new inscription, a measure put in place to protect the Local Market.

Yet, by Law, only completed properties can be inscribed on the Open Market register. So, IIPs are a mechanism that guarantee that the property can be inscribed once the build has been completed. IIPs offer a reasonable period of time in which properties can be developed, but the conditions are also designed to encourage their timely delivery.

As well as new inscriptions the policy also enables the transfer of inscriptions and here there are essentially two avenues. The first is for long-standing Open Market residents who have lived in the Island for at least 20 years and are looking to downsize. Downsizing is a real challenge in the Open Market because the original criteria skewed heavily to larger homes and the limitations on new inscriptions meant the market could not evolve to meet changing needs and the increased demand for smaller homes.

What this means in reality is that there are Members of the community who have lived here for decades but do not have residency rights in the Local Market who, therefore, have much more limited choice if they are looking to downsize, which well they might if they moved here, say, 30 or 40 years ago and their children have grown up and moved out and now, perhaps, they are kicking around in a large house and maybe a garden that is too big for their needs and they are finding it increasingly difficult to maintain or even move around in it and what they want is something more manageable as they get older.

This policy does provide those long-standing Open Market residents an opportunity to transfer their inscription to a smaller, existing Local Market property that better suits their needs, releasing their former home to the Local Market. One of the core policy principles is to protect the Local Market so, this avenue needed very careful thought, but it is safeguarded in a number of ways.

Firstly, we anticipate, based on the evidence, that the number of people who are both eligible and keen to use this avenue will be relatively low as 20 years plus residency is a high bar. Also, the downsizing conditions mean that, realistically, those people will need to be prepared to take a hit in terms of the value of their asset, because their inscription will transfer from a larger property to a significantly smaller one, which is likely to be lower in value.

We do believe there are people who are keen enough to stay in the Island who would be prepared to make that economic sacrifice for a better quality of life in a smaller home, more suited to their needs but we do not think the number of applicants for this kind of transfer will be high enough to trouble the Local Market.

Also, the Local Market is likely to benefit from this policy from a net gain in homes. While transfers are obviously one for one, meaning no net gain to either market, a larger home being released from the open to the Local Market could have potential for sub-division or redevelopment, especially if it is a large plot in an area where housing development is supported, which could result in a net gain for the Local Market.

So, that is the first avenue to transfer an inscription. The second is mainly for developers, as it closely mirrors the popular MURA Policy that fell away with the change to the IDP. What it means is that an Open Market inscription can be transferred from a property that is not serving the market's needs well, to a property that is part of a new development, as long as certain conditions are met and without going into too many details, it essentially guarantees a net gain in Local Market properties.

We know from the previous incarnation of this policy, the MURA, that the ability to include a transferred Open Market inscription can mean that developments that would not otherwise be viable can progress. So, this is an important tool for supporting and incentivising the delivery of housing in the Island generally.

The changes to the legislation enable both these transfer routes to become operational. Another legislative change enables us to regularise anomaly properties where, for reasons lost in the mists of time, some Open Market homes currently have a room that its occupants may not legally be allowed to use, which is a totally unnecessary headache, but is currently tricky to resolve.

2225 Further, there are some technical clauses relating to the delegation and ordinance-making powers, both of which will support the smooth operation of the policy and, finally, we have included transitional arrangements that cover applications that have been submitted while the policy was in development. It was made very clear to all potential applicants that no applications will be processed until this new policy was in place but, nonetheless, we want to give those that have paid an application fee the assurance that we will not be pocketing their money.

2230 Another important assurance this policy gives is to the Open Market community. This does not, in any way, affect or alter the residency rights of residents in any part of the Open Market, nor does it affect or alter inscriptions already on the Open Market housing register. Members will, I am sure, be aware of the sensitivity of the Open Market and understand the nervousness that exists around debating it in the States.

2235 It is worth reiterating that this is not a review of the Open Market. The States is not being asked to agree the policy, but to agree the enabling legislation. Because of the sensitivity the Committee sought permission from the Presiding Officer to bring the necessary policy letter and amendment Law to the same States' meeting so that it will not be subject to multiple States' Meetings.

2240 What this policy will do is allow a market that has been rather frozen in aspic, the opportunity to evolve and adapt to the Island's needs for those that already live in the Open Market and for those that are looking to move here and, indeed, for the Local Market as well. It has been co-developed with and is supported by industry experts and other stakeholders, which should give Members confidence that it is both sensible and practical.

2245 While the primary aim of the inscriptions policy is to improve the quality and availability of Part A properties, enhancing and protecting the stability of our housing market and supporting the economy it introduces the potential for the States to raise additional revenue at a time when public funds are under acute pressure. I would like to thank Members for their engagement on this issue in advance of the States' Meeting and, for what I hope will be their sensitivity in debating the legislation.

2250 Thank you.

**The Bailiff:** Deputy Dyke.

2255 **Deputy Dyke:** Thank you, sir.

I think this is a very good piece of legislation, a very good proposal in terms of encouraging things to happen and some flexibility on the Open Market, particularly the in-principle approvals for the new inscriptions. One point I would raise, and I do not know whether this can be dealt with in the regulations, in my view it would be better if, rather than having a maximum fee for a full inscription ...

2260 Ah, just a note to remind me to say that I live in an Open Market house.

The one suggestion I would make, and I do not know if this can be handled in the regulations, is in section 3.8 on page 4 we have put a maximum fee of £750,000. I wonder if Deputy de Sausmarez and her Committee might consider whether it might not be better to, actually, auction these inscriptions to see if that could possibly bring in more funds or if the fee that they decide on does not bring any action an auction is self-correcting. So, that is the only small suggestion I have, but I will certainly vote in favour of this.

2265 Thank you.

2270 **The Bailiff:** Deputy Gollop.

**Deputy Gollop:** Yes, I appreciate that this format has been useful to ensure that the debate is clear and appropriate. I do not live in an Open Market house, but my mum did and I did as a child on Fort George, which is mentioned as the one area excluded from transition, which is unusual to have a geographical limitation.

2275



I missed some of the presentation and could not technically line it up, so I have one or two issues there. Deputy Dyke has raised an interesting point about the auction because the policy letter in itself is quite generic, it mentions regularisation of anomaly properties. I think I knew somebody who was a titled person, actually, who could not use part of their Open Market house and they had it as a separate annexe for somebody who was like a housekeeper; they were those kinds of people.

But times move on and I think one of the areas that has shocked me about the Open Market is that it has shrunk from what it used to be, nearly 2,000 properties, to this number. Some people have speculated that is because of lodging houses or guest houses being re-designated or people transitioning over time, who fell upon harder times or older age.

But, whatever, we were missing out on the opportunity there because I see the Open Market as an economic generator, as a factor in labour mobility, as a way of encouraging digital nomads, investors in the Island, new families we say we are short of young people and all those kinds of things and, indeed, when I was a child there were people in that situation who were coming to the Island and still are.

I think it is important to talk up the Open Market and accept that, maybe, although we have had it for at least 60 years, it has to change. At one time, I believe, houses were rated according to their proximity to St Peter Port or the number of bedrooms or their proximity to a coal hole or a bus stop or something and it was based on rates and underestimated the countryside in relation to the Town.

What we do need to do is to have a range of Open Market properties that are very attractive to high net worth individuals and people who would wish to come from other jurisdictions and I salute Environment & Infrastructure for attempting this. Three properties a year, to me, sounds a little bit low but, then again, we do not want to weaken the market by too many. The policy letter is not very forthcoming on what I would call more operational policy in some of the chatter about this, but maybe that is wise.

But going to the legislation, if we look at page 2 of the legislation, inscription and principle for prospective new properties and exceptional circumstance properties well that, I think, gives flexibility but, perhaps, one would need more clarification on that but I would presume it would be like a windfall or a development zone or something exciting on, say, a harbour side or something of that nature.

I have picked up on the fees point as well that Deputy Dyke did on page four. When I heard loose talk of the price of having a licence of half a million, which would be high to some people but low in relation to other properties, here the figure is £750,000. Maybe, in certain circumstances, that is a bit too low and Deputy Dyke's shrewdness would be borne out with what the taxpayer could possibly gain more than that.

Something I did not understand fully, though, comes down to according to 3(B)1(b) that a transfer of existing inscriptions to development properties, land in respect to which planning permission within the meaning of the Land Planning Development (Guernsey) Law, 2005, this is on page six, has been granted for the construction of two or more prospective new build properties.

It then comes on to page eight saying, the total number of properties on the land referred to in subsection 1(b) that may be described is whichever is the lower of eight and the whole number nearest to one third of the total number of dwellings to be constructed on the land related to in subsection 1(b).

Now, I might have misunderstood this but the inference to me would be it is possible for a development to have up to eight, but that would be arguably two or three years' worth but it may well be a development that we, collectively, would wish to see for economic or lifestyle or industrial reasons. I do support the downsizing but, of course, we have to be careful that people do not downsize into the Local Market.

I think Deputy Inder was right all along that we should have thought about the Open Market when we did the Population Management because I think accidentally – although I did foresee some of these problems at the time, not all – we ended up with a situation where certain tenants were able, if they were short termers, to have less rights on the Open Market than they hitherto did, but more rights on the Local Market and they moved to the disadvantage of both markets, because

the Open Market, effectively, dropped a bit and the Local Market gained at a time when we needed more availability for local people and lower prices.

2330 So, that is where we are at. If this if this delivers a slight increase in the number of Open Market properties, a raising of the quality, an ending of anomalies and a set of architectural designs that are worthy of awards that benefit our society, then let us support this and get on with it today.

**The Bailiff:** Deputy Inder.

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**Deputy Inder:** Sir, Members of the Committee were consulted on this policy letter and I am just minded to say that the two things we do not put in sentences is review and Open Market in the same sentence which is exactly where that led us in about 2012, 2013. The Committee, I think, supports the policy letter as it stands.

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There were some reservations and I am only going to concentrate on one part where, and it is really up to Deputy de Sausmarez to explain really to Members before we go through this process, what actually happens if nothing happens. What I mean by this is that what I am, well it is not really hearing it is what I know, there is an awful lot of pent-up demand in the Island. There is a lot of people that want to start developing new properties rather quickly on available land and they do

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not particularly want some of the properties that are currently in the stock. This is where the three per year comes and that is going to generate, if it works, £1.5 million as set out in 2.1 referenced the footnote of eight.

My only concern is that I know the pent-up demand is there what I do not know, speaking to those people, if they are prepared to pay the £500,000 for the new inscriptions. So, really the question is, because the control of this once this is voted through this Assembly it becomes an operational matter, where I am not clear is the reporting lines should we, effectively, miss the boat at any point where someone wants to invest in Guernsey, does not particularly like the £500,000 note attached to it and we lose that opportunity because, as I understand it at the moment and Deputy de Sausmarez can put me right on this, is currently there are no inscriptions being agreed at the moment until this is through, am I correct?

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So, she is nodding in agreement, so we have potentially lost a couple of years with opportunities there will be no inscriptions at all. So, really, what I would like to understand, I do not think three is enough, but I could be proven wrong, if three are enough more power to their elbow.

But I have concerns over the £500,000 note attached to each inscription and what, I think, certainly Economic Development need to know and probably the wider community, me great – I say great fear, I am probably over-emphasising – my fear is that if this policy letter does not work either by the virtue of the three and the £500,000, when does the States get the opportunity to revisit it?

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I think Deputy de Sausmarez mentions a monitoring report but often the case is the opportunity arrives on a Monday and it can be lost by a Friday. What ability does E&I have under this operational, effectively, mandate to inform either Economic Development or Policy & Resources that is either A, working, or B. not working?

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Thank you very much.

**The Bailiff:** Deputy Oliver.

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**Deputy Oliver:** Thank you, sir. Sorry, I am losing my voice.

I am really pleased that, actually, a lot of consultation was done on this and it does seem that industry is actually behind this. I have to say I did have some of the same worries of Deputy Inder because I think at the moment there is a real demand for more Open Market houses and particularly good stock Open Market houses.

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I am slightly concerned that three is not enough and it is on the same vein that I know also, you also had that in 2.5 you can transfer large Open Market properties into local Open Market properties and then you can build that up. So, is that in addition of that three? I just want to be clear on that –

2380 I give way.

**Deputy de Sausmarez:** I appreciate I have an opportunity to reply to debate, but as Deputy Oliver and Deputy Inder have raised this, I think it is actually a good opportunity, perhaps, to clarify now. So, in terms of new inscriptions that add to the overall total number of Open Market inscriptions, those are the ones that are capped at three per year. However, that is not the same as meaning there would only be three new properties on the Open Market because the transfer, which delivers no net gain, does still deliver new properties themselves. So, I hope that helps to clarify Deputy Oliver's point.

2390 **Deputy Oliver:** I did think that was the case but thank you ever so much for that clarity. The second point is just, if this is not working will E&I just come back to the drawing board and make sure? I have to say what Deputy Dyke said about an auction I actually thought was a really good idea and actually a way to actually make sure that you are getting the top amount of money for it, but also the amount of money that people are willing to pay as well.

2395 **The Bailiff:** Deputy Moakes.

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

2400 Like, Deputy Dyke, I want to register an interest, I also live in an Open Market property. Whilst I am up, I thought I would just add a few notes. So, whilst the Open Market makes up a relatively small part of the overall market itself it is, nevertheless, is of vital importance to Guernsey. (A Member: Hear, hear.) It is a massive economic enabler. It attracts high net worth individuals, entrepreneurs, investors, business people amongst others and those people make a huge contribution to the Island's economic and social wellbeing.

2405 So, as a result I think it is of paramount importance that we support the Open Market and ensure that we do not do anything that risks destabilising it, as is said in the policy letter. Therefore, any proposed changes must be reviewed carefully to ensure that they support the Open Market and do not have any unintended consequences.

2410 Sir, 1.4 of the policy letter states, the inscriptions policy was carefully developed and co-designed with industry stakeholders, including estate agents, property developers, Locate Guernsey and the Open Market Forum. 1.3 states that the reason for presenting the policy letter and the amendment Law together is to reduce the possibility of seriously destabilising the Open Market, etc.

2415 Therefore, I would like to ask the President to expand upon what consultation has taken place, again given that the policy letter was carefully developed and co-designed with industry stakeholders? Usually we get a lot of letters from people in favour of something or not, as the case may be, and we have not in this particular instance, that I have seen anyway.

2420 So, I would be interested if the President can just confirm that all of the stakeholders who they have been talking to and have helped to put this policy letter together in one way or another are happy with the final version of what we are seeing today and if not, why not? Just to a couple of points that have been made, I think three is plenty to begin with and I also think that Deputy Dyke's idea of an auction is possibly a better way for us than having a fixed amount.

Thank you.

2425 **The Bailiff:** Deputy Helyar.

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

2430 This is a matter where I wish I had a special interest, but I do not, and that really is the point I would like to make about the policy. It is not possible to amend the policy as a result of the way this has been presented; I fully accept that is a perfectly satisfactory way to do it. But what this policy is missing, in my view, when I grew up and looking through the 1970s and 1980s, there was a

substantial gap between the Local Market and the value of Open Market property, a very substantial gap for a very long time.

I think it was well understood locally that there was a reason for the Open Market being here and that was to attract people from outside that would bring investment and so on. Those days are gone and there is now a very substantial overlap between what is the bottom of the Open Market and the quality of that property and the value and prices at the top of the Local Market and this policy prevents those things from swapping when houses are owned by Local Market people and the houses are already bought.

In other words, it is fine for somebody to come and ask for an inscription on the register for a newly built property, it is not possible for somebody living in a high value. I would like to see the policy amended so that it was possible to apply for a swap for properties which are high value in the Local Market. (**A Member:** Hear, hear.)

I think that would be a good thing because the thing one thing, when I read through this, it looks very much directed at people in the Open Market and not sufficiently directed for locals who, for example, might want to downsize but into an Open Market property that will become a local one, thereby enhancing those properties that are in the Open Market and I think that is wrong.

I think this is insufficiently ambitious. I think the price is too high and for that reason I will not be voting in favour of it and, I think, it has taken far too long, because by the time we find out whether this has worked or not we will probably have already missed the boat. So, it gets a no vote from me. (**A Member:** Hear, hear.)

Thank you.

**The Bailiff:** Deputy Ferbrache.

**Deputy Ferbrache:** Sir, I agree with the points well made just now by Deputy Helyar, but I am coming to a different conclusion because you have got to start somewhere. Three is not enough. The policy is too prescriptive. It is not ambitious enough. It is, for the reasons that Deputy Helyar, has said, and I am sure in a good way giving advantage to Open Market people really over Local Market people.

Now, I have not got a property that would be inscribed in the Open Market in the way that Deputy Helyar has said, so I would not have that advantage, but that does not bother me but other people might. The problem is, Deputy Helyar is right, we used to look – I know it does not look like it but I am older than Deputy Helyar – we used to look at the gap between the open and the Local Market and there was a massive gap, two or three times the value of even the best Local Market property.

Well, that has gone now for the reasons we all know and because of the way the Open Market was set up there are some pretty grotty properties on the Open Market because it was a rateable value for a time, but people naturally took advantage of it and put their property on the Open Market.

There was also a bar for a time which was got rid of where if you did inscribe a property in your Local Market on the Open Market you lost your Local Market status. But that was got rid of because that was not thought to be human rights compliant, etc. Where we are at a disadvantage to those folk just 20 miles or so away, I know they have got nearly twice our land mass, we do not have enough top quality, Open Market properties that are going to attract sufficient wealthy people to this Island.

They do not all want to live in brand new, and I am sure they will have all the gadgets, all the widgets and all that kind of stuff and indoor swimming pools and helicopter pads on the roof and all that kind of stuff, they will have that, but some of them want older properties, a different kind of property.

This does not really allow for it, as far as I can see, there is the one category about exceptional etc., but we have got to start somewhere. If we just say no all the time we are not going to get anywhere, so I am going to vote in favour of this but I do think we have to be much more ambitious

and quickly much more ambitious because otherwise, to use Deputy Helyar's phrase, will miss the boat.

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**The Bailiff:** Deputy Brouard.

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

I am just going to counteract what my friend and colleague Deputy Helyar said about the Open Market. For me, growing up here in the 1960s and 1970s and then getting into work in the 1970s, it was really galling to me that some of the nicest houses on the Island were then put well out of my reach and when you take nearly 2,000 of the best houses, I know there are some anomalies with regard to how you rated the houses then because you had an extra rateable value if they had a wash basin in the bedroom and how much distance they were from St Sampson's to have coal delivered and things of that sort, but overall, there are some really nice houses that I would have liked to have aspired to that were just taken well out of my reach.

So, I am quite pleased now that the two markets have almost come together from that point of view. I am also a little bit concerned as well with some of the new buildings that go up. We have local people that sometimes struggle to put an extra lounge onto their house, and I know it has probably changed now from what it has been, but we had a lady out in Torteval where they were not allowed to permission to raise their kitchen so they would not hit their head when they went to the sink on the roof height and yet we see some of the buildings that we see now going up on some of our cliffs and that which are really for the Open Market.

I just want to make sure that the same standard of availability, and I mean that in the broadest terms, is available for local people who aspire to those sorts of properties, as it is for all the efforts we make for our newcomers and friends who want to join us in Guernsey. I prefer it to be a fair and equitable place rather than making special arrangements for some people and not for us donkeys.

Thank you.

**The Bailiff:** Well, as I do not see any other Member rising, I will turn – Deputy Blin.

**Deputy Blin:** I apologise for the last second I was just asking my colleague a question. I just had a few questions to ask. I was very impressed by the speech of Deputy Helyar but I, like Deputy Ferbrache, am also not sure. I would like to vote in favour of this, but I have got a couple of questions if I could put them for summing up.

One of the questions is, why was Fort George explicitly excluded from the downsizing and just the other one is, what sort of work has been done on calculating the proposed inscription fees? Before we were looking at £500, now it is £500,000 on the sales of the property markets within Open Market and taking into account they might look at a transfer later; just those questions.

**The Bailiff:** So I will now invite the President, Deputy de Sausmarez, to reply to the debate.

**Deputy de Sausmarez:** Thank you, sir, and I thank Members for their contributions to what, I thought, was a very useful debate. A couple of running themes, there were not that many speakers, so I will just go through in order just to make sure I have not missed anyone off, but I will try and group things into themes where that makes sense to do so.

Deputy Dyke was the first person to mention the idea of an auction and that, indeed, was the Committee's first idea as well. We were actually talked out of it by industry stakeholders who explained some of the complexities around it, not least one of the problems, there are various complexities around what reserve price you set, etc., which are easy to overcome, but, really, from the stakeholder's perspective one of the biggest downsides of an auction is that it would actually delay applications.

2535 So, because you could only hold auctions at certain times of the year, potentially even one a year that would mean that there would be no opportunity for people who wanted to apply for a new inscription to be able to just get that processed and know the answer quickly. So, that is the reason why we have not gone for the auction mechanism. It was something that we were very keen on but the practicalities, once they were explored, did persuade us otherwise. It is not to say that in time that system could well be adopted but I think, certainly for the time being, the preferable route, as expressed by the stakeholders, was just the one that we have got.

2540 Deputy Dyke also talked about the rate of the fee or the level of the levy, that was brought up by a number of people, Deputy Blin most recently, and I am happy to explain how we came about that. Again, this was subject to much conversation between stakeholders and, actually, a couple of developers were good enough to open their books.

2545 So, to explain, it is likely that the new inscriptions will, they are for new developments, so it is likely that it will be developers who are buying these inscriptions and that cost will be factored into the cost of the Open Market property. Which is an elevated, given that it is likely to be the high end of the Open Market to Deputy Ferbrache's point, it is likely to be part and parcel of that anyway.

2550 Developers were good enough to open their books to explain the economic dynamics of how that would work and that was how we arrived at that price, because that was as much as we could push without it becoming economically unrealistic or unviable. But we are confident, because we have had that assurance from industry, that the level that it is currently levied at is realistic and about right. But ultimately, the only way we are going to know is to suck it and see.

2555 Deputy Gollop raised the question of Fort George, as did Deputy Blin. Fort George is, actually, under its own Ordinance; it is a real special case. So, basically, it is properly preserved in aspic, you cannot transfer inscriptions out of Fort George because it is governed by its own Ordinance. However, in the circumstance that Deputy Gollop described, it would still be possible for someone in Fort George to sell their property, buy another one and possibly transfer that, if that is what they wanted to do. So, I think it is worth just remembering that these options, as set out in this policy, are not the only options, the classic option of buying and selling your home is still very much there.

2560 Deputy Gollop was also right to comment on the fact that the Open Market has shrunk. Yes, he is correct that is largely because of transfers to other parts of the register. He was one of the first, I think he was the first person, to say that three new inscriptions a year sounds a bit low, but he was quick to say that he understood why we got there and, actually, this debate was reflective of the stakeholder conversations we have been having as well because, actually, we have had people presenting the view, as Deputy Inder did and Deputy Ferbrache, saying, well, I think it could be much higher, it should be much more ambitious and Deputy Moakes was making the case to say, no three is just fine.

2570 I think really, as I explained when I opened it is about the fact that we do not know where that tipping point is. We absolutely accept that number could possibly be higher, but the genie is not going to go back in the bottle and that is why we think we need to start at three and see what happens.

2575 I think it was Deputy Inder and Deputy Oliver who both asked, well what happens if that number, it quickly becomes apparent that, actually, there is more headroom and it would be perfectly safe and beneficial to raise it? We have baked in monitoring of the policy to make sure that a future Committee is across the impacts that this is having, this policy is having, its effectiveness etc. and should a future Committee decide there is a good case to change that number, they could, indeed, do so by regulation. So it is very straightforward, it is absolutely not being set in stone at this point. We do appreciate that it probably will need to adapt over time, evolve over time. So, that is how that bit would work.

2580 Deputy Gollop talked about the exceptional circumstances policy. Yes, that is all set out in a guidance document which I hope we provided links to. But just to explain it briefly here, there are, essentially, two types, two categories of exceptional circumstance. One relates to historic or buildings that have got a particular importance. We imagine probably historic or cultural or potentially particular architectural importance.

It is a very high bar, that is the first thing that needs to be said but if there is, for example, a historically important building, home, that is, perhaps, a historic monument or something like that and it is clear through demonstrable evidence that it cannot attract the investment that it needs through the Local Market but it could on the Open Market, then that is the kind of case that would meet the conditions of that particular avenue of the exceptional circumstances policy.

The other avenue in the exceptional circumstances relates to strategic benefit. So, it is possible that a case could be made but, again, it is a very high bar and we are not anticipating that such cases would be a regular occurrence, it is possible that a case could be made that including an Open Market inscription, potentially even more than one in a particular plan, may well help to deliver something of strategic importance to the Island.

Now, that may be housing related, it might be affordable housing, it might actually be something that is not even housing related, it might be a social or leisure amenity that otherwise would not be deliverable but if the Open Market inscription makes it viable, it is worth doing. So, we do not know what circumstances are going to come but we wanted to make sure when we were shaping this policy that we did not exclude or preclude those possibilities and that is why the exceptional circumstance clauses exist.

Deputy Gollop, I think, was possibly confusing, he talked about what we have referred to as the MURA-like policy and Deputy Gollop may remember MURA from Planning Laws of old when it was talking about up to eight, etc. There are certain conditions, but I think the point that I would like to clarify is that those are not eight new inscriptions, that is one of the transfer routes.

So, all of those inscriptions would be transfers from existing Open Market properties and those inscriptions would transfer into that new development. Actually, this touches on a theme that has been raised by a couple of other people, particularly Deputy Helyar and Deputy Ferbrache, who were talking about the quality of the Open Market housing stock and this is, indeed, a problem.

It is one of the problems that we set out to try and address because we do appreciate that over the time that has passed since some of these Open Market properties were first inscribed onto the register some of them have not been particularly well maintained or, for whatever reason, are not necessarily working very well for that market and actually the transfer mechanisms within this policy do enable a refresh of Open Market housing stock.

As I said earlier, particularly through that MURA-like policy-avenue, it does enable new properties to be sold on the Open Market or to be brought to the Open Market without there being a net gain in the number that might risk destabilising the market; the point that Deputy Moakes raised.

Deputy Inder, I do thank not just Economic Development but also Home Affairs and P&R for their responses and their contribution to the consultation, the various rounds of consultation and I hope that the point that I have just explained goes some way to addressing Deputy Inder's concern about the demand for new properties.

Just to reiterate, while the total number of Open Market inscriptions will only increase under the new inscriptions avenue, that is not the same as there only being three new Open Market properties to the market per year, because there is another avenue under the transfers. He talked about the fact that there have been no inscriptions since this policy has been in development. Well, actually, realistically, there have been barely any new inscriptions that add to the overall number since 2001, that is when the register was effectively closed.

I think I have touched on is three enough. The answer is, we do not know but that is where we, we collectively being the stakeholders, think that is safest. I think I have also touched on Deputy Inder's point about his concern that, maybe, £500,000 was not going to be something people would be willing to pay.

Well, it is based on the evidence of what we have been told by the people likely to buy them. So, that is why it has been set at that fee but, again, that is something that could be tweaked if necessary but, essentially, that is a cost that could be borne by developers and costed into the price of the property at the end of the day.

I think I have addressed Deputy Oliver's points, but I am sure she will wave at me if I have not. No, she looks happy. Deputy Moakes brings a valuable perspective to this and I can certainly say that his view, in terms of no more than three being absolutely the right place to start, that was a view that was very strongly and very cogently represented among some of our stakeholders.

In terms of who we consulted with, it was a very detailed consultation process. We wrote to every individual Open Market household over a year ago now and off the back of that several to quite a few individuals did get in touch and we met with them and heard their views. On top of that we also had the Open Market Forum, who is a representative body for Open Market residents who were very active in the consultation.

We also had various industry professionals ranging from estate agents, who specialise both in Open Market and, of course, in Local Market because the two are interdependent and have effects on each other, architects and developers and such like. So, it was quite a broad range of stakeholders and the type of consultation ranged from individual meetings, where people could say things in confidence, especially if they were discussing sensitive financial information and also some collective discussions.

One of the stakeholders did actually say to me after one of these collective discussions, he said well, I was just sitting back ready to pop out the popcorn and watch chaos ensue because it was quite clearly such a big range of very different opinions. But it is amazing the power of conversation and we did, actually, manage to reach at the end of that very vocal session, we did actually manage to reach a point of consensus, which I thought was wonderful and, actually, quite reflective of what we do in this Chamber when it is working well. Also, of course, there was internal consultation, as I have mentioned, with Economic Development, of which Deputy Moakes is a Member, Home Affairs and P&R and I thank everyone for taking part because it really did make a big difference.

Deputy Helyar talked about the gap, historically, between the Local Market and Open Market and, I think, I have addressed this to an extent in that, actually, we have got avenues to do exactly this. To make sure that the Open Market can more adequately refresh its housing stock and better meet the needs of the people that are looking to buy on the Open Market.

I mean to some extent, though, I think this focus on the gap, or lack thereof, between the Local Market and the Open Market in terms of price is a little bit of a red herring because, I think, the important thing to focus on is whether each market is meeting its need and I think the reason some of the Open Market properties have fallen in value is because they are not necessarily that suitable these days to be on the Open Market and actually this policy does enable them to effectively transfer out, for example, and it does give the Open Market that possibility of a fresh lease of life and I think that is something that has been denied the Open Market, really, over the last couple of decades in particular.

Deputy Helyar was a fan of being able to swap high end Local Market properties for an Open Market inscription and I have to say this one of the core policy principles is to protect against that, actually, because that is what could potentially destabilise both markets. It would be very difficult in any case to consider what conditions might apply, but you would also find it would have a very skewing effect on the market and it was exactly what we wanted to guard against, because it is effectively cannibalisation of the Local Market in a way that, we think, could have very negative consequences and certainly stakeholders were very concerned about that risk, so that was exactly why the policy stipulates conditions that it does need to be a prospective new build.

I think I have addressed most of Deputy Ferbrache's points. The only thing in addition, I would point out when he is saying that some people do want an older Guernsey home and they are looking for an Open Market home that is an old Guernsey farmhouse or whatever, well those properties do already exist. So it is not like our new inscriptions and our transfers are the only way to create Open Market properties.

We do need to remember that there is already a range of Open Market properties available. But certainly we took a lot of advice. One of the stakeholders that I forgot to mention, who is very important, was Locate Guernsey and we took a lot of advice from Locate Guernsey about what the



Director of Locate Guernsey sees in terms of the people coming to the Island and the same with the estate agents who are very involved in the front line of trying to meet their client's needs.

2690 So, we got some really excellent feedback and, actually, one of the things that became clear in the early stages of developing this policy was that, I do not mind admitting that I had quite an un-nuanced view of the Open Market before or in the early stages of this process and I tended to think that the Open Market was really there for the high net worth individuals.

2695 Actually, what I very quickly learned from talking to the industry stakeholders was that, actually, the Open Market is a much more nuanced thing and it has a much greater role to play than just serving the needs of the high net worth individuals and actually where some of the most important demand is, is actually some of the lower price points which are homes for people who come over as entrepreneurs in professional roles and it serves the kind of economic enablement that Deputy Moakes was talking about.

2700 Well, that is the bit of the market that really comes good for that as well. So, it is not just about the shiny bauble of the really high profile, high end Open Market properties it is about making sure that we got the full range.

I do not think Deputy Brouard asked any particular questions. He mentioned the standard of availability and I think the one point that is worth making in response to what he said is that, 2705 absolutely, the Local Market was a very important consideration while we were developing this policy and we did give it very careful thought. I am pleased to say that, actually, the policy that will be enabled through this legislation, if the Assembly supports it, will incentivise the creation of more Local Market property as well as serving the needs of the Open Market.

2710 I think I have addressed Deputy Blin's questions already. The only thing he said he was considering voting against this, just to reiterate a point that I made in my opening speech. The one thing the stakeholders all agreed on, very strongly, was the need for a policy to be up and running. That was the most important thing and that is why it is got such broad consensus.

I think Deputy Moakes asked to what degree it was supported. There is broad and strong consensus for this. Now, yes, there are going to be opinions. There are still going to be variances of 2715 opinions within the stakeholders where you have still got some people who think, actually, we should have 15 new inscriptions a year and other people who still think, I am feeling even nervous about the prospect of three.

2720 So, those opinions still exist, I am sure, but we have had very detailed, very considered feedback from a great many of our stakeholders and I think it is fair to say that there is strong support for what we are putting forward, but even stronger support for getting a policy in place at all, because until we can do that we are really not going anywhere. Actually worse than not going anywhere, it actually risks destabilising the market again.

2725 So, I would encourage Deputy Blin to set aside any concerns over some of the detail and vote on the broad principle of getting this Open Market policy in place, taking assurance from the fact that it has been very rigorously road tested with a lot of people who are very close to this on the ground. So, I would just encourage Members to support the Propositions set out in the policy letter and ultimately the legislation.

Thank you.

2730 **The Bailiff:** Well, Members of the States the second Proposition is dependent upon the first Proposition being approved. So we will have a vote on Proposition 1 first, please. I will invite the Greffier to open the voting on Proposition 1.

*There was a recorded vote.*

*Proposition 1.*

*Carried – Pour 35, Contre 1, Ne vote pas 2, Did not vote 1, Absent 1*

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>DID NOT VOTE</b>	<b>ABSENT</b>
Aldwell, Sue	Helyar, Mark	Hill, Edward	Mahoney, David	Cameron, Andy
Blin, Chris		Snowdon, Alexander		
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				
Fairclough, Simon				
Falla, Steve				
Ferbrache, Peter				
Gabriel, Adrian				
Gollop, John				
Haskins, Sam				
Inder, Neil				
Kazantseva-Miller, Sasha				
Le Tissier, Chris				
Le Tocq, Jonathan				
Leadbeater, Marc				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Parkinson, Charles				
Prow, Robert				
Queripel, Lester				
Roffey, Peter				
Soulsby, Heidi				
St Pier, Gavin				
Taylor, Andrew				
Trott, Lyndon				
Vermeulen, Simon				

2735

**The Bailiff:** So, in respect of Proposition 1, there voted in favour, 35 Members; 1 Member voted against; 2 Members abstained; 2 Members did not participate in that vote. So, I will declare Proposition 1 carried, which means that we can now have Proposition 2 as to whether you are minded to approve the draft Projet de Loi.

2740

Once again, I will invite the Greffier to open the voting on Proposition 2, please.

*There was a recorded vote.*

*Proposition 2.*

*Carried – Pour 35, Contre 1, Ne vote pas 2, Did not vote 1, Absent 1*

<b>POUR</b>	<b>CONTRE</b>	<b>NE VOTE PAS</b>	<b>DID NOT VOTE</b>	<b>ABSENT</b>
Aldwell, Sue	Helyar, Mark	Hill, Edward	Mahoney, David	Cameron, Andy
Blin, Chris		Snowdon, Alexander		
Brouard, Al				
Burford, Yvonne				
Bury, Tina				
De Lisle, David				
De Sausmarez, Lindsay				
Dudley-Owen, Andrea				
Dyke, John				

Fairclough, Simon  
Falla, Steve  
Ferbrache, Peter  
Gabriel, Adrian  
Gollop, John  
Haskins, Sam  
Inder, Neil  
Kazantseva-Miller, Sasha  
Le Tissier, Chris  
Le Tocq, Jonathan  
Leadbeater, Marc  
Matthews, Aidan  
McKenna, Liam  
Meerveld, Carl  
Moakes, Nick  
Murray, Bob  
Oliver, Victoria  
Parkinson, Charles  
Prow, Robert  
Queripel, Lester  
Roffey, Peter  
Soulsby, Heidi  
St Pier, Gavin  
Taylor, Andrew  
Trott, Lyndon  
Vermeulen, Simon

2745      **The Bailiff:** So, in respect of Proposition 2, there voted in favour, 35 Members; 1 Member voted against; 2 Members abstained; 2 Members did not participate. I will, therefore, declare Proposition 2 also duly carried. So, both Propositions have been carried.

## **COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE**

### **9. Introduction of Housing Standards Legislation – Legislation and policy letter – Debate commenced**

#### *Article 9.*

*The States are asked to decide:-*

*Whether, after consideration of the policy letter entitled "Introduction of Housing Standards Legislation – Legislation and Supplementary Policy Letter", dated 11th February 2025 they are of the opinion:*

- 1. To note the contents of sections 3 to 6 of the policy letter, in clarifying differences between the previous policy letter entitled "Proposed Introduction of a General Housing Law" dated 28th February 2020 and the contents of the Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2024.*
- 2. To approve the inclusion of Management Orders within the Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2024, as set out in section 7 of the policy letter.*
- 3. To approve the inclusion of Disqualification Orders within the Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2024, as set out in section 8 of the policy letter.*
- 4. To approve the creation of the position of Director of Housing Standards via the Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2024, as set out in section 9 of the policy letter.*

*5. Only if propositions 2 to 4 have been approved, to approve the Housing (Standards, Landlord Registration and HMO Licensing) (Guernsey) Ordinance, 2024, as set out in Appendix 1 to the policy letter and to direct that the same shall have effect as an Ordinance of the States.*

**The Deputy Greffier:** Article 9, Committee *for the Environment & Infrastructure* – Introduction of Housing Standard Legislation – Legislation and Supplementary Policy Letter.

2750 **The Bailiff:** Before I invite Deputy de Sausmarez to open the debate, can we circulate the sursis that has been submitted so that people have that in their hands as well when listening to the opening. Does every Member have a copy of the sursis now? Thank you very much.  
Deputy de Sausmarez, I invite you to open the debate, please.

2755 **Deputy de Sausmarez:** Sir, with huge apologies if anyone is getting sick of the sound of my voice, I know I am. Anyway, housing is quite rightly the States' top domestic priority and this legislation before the Assembly today is an important part of the vision that underpins the Guernsey Housing Plan 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.

2760 This legislation has been long in the making. It arises from Resolutions agreed in 2020 and has been a feature of every iteration of both the Government Work Plan and the Guernsey Housing Plan throughout this political term. We publicised the consultation extensively and took the feedback from that consultation into careful account. The legislation before the Assembly today has broad and strong support from across a range of sectors including private tenants, private landlords and home owners.  
2765

So, I will just take the opportunity to summarise some of the consultation findings: 74% of respondents thought that the proposed minimum standards are fair and reasonable; 73% thought that the proposed registration information is fair and reasonable; 75% think that the proposed online registration portal is a fair and reasonable method and there were strong levels of support, in the high 80s, for the conditions around the HMO licences and what they should specify. HMOs are houses in multiple occupancy.  
2770

There was also majority support that the proposed overcrowding standard is fair and reasonable, 62% of respondents thought that and 59% thought that the proposed timescale of a landlord's registration is fair and reasonable. So, what does this Ordinance actually do? It achieves several things.  
2775

Firstly, that dwellings in Guernsey are free from hazards. Secondly, that rented dwellings comply with basic minimum standards. More than a quarter of Guernsey households live in our private rental sector, so this legislation will ensure that all of those individuals and families can exercise their right to live in a home that is fit for human habitation. I am really struggling to believe that I am saying that in 2025.  
2780

They are, thankfully, very much the exception but I am sure all Members will be aware of the horrendous conditions that some people in this Island, in this day and age, have to live in because of the current lack of any legislative requirements for properties to meet a basic standard. Now, earlier I circulated to States' Members an email which included a link to the consultation finding and also had appended to it a document that showed some of the pictures of the conditions that this legislation is trying to address or will address.  
2785

I know not every Member has a digital device with them, but I really would encourage those that do or those that are, perhaps, sitting next to someone that does to have a look at those pictures and take a look at the kind of conditions that people in our community are currently living in and I am glad that it is after lunch because, I think, had it been before lunch a lot of people would not have been able to enjoy their meal. So, this Ordinance will also help to ensure that dwellings do not become overcrowded and, again, that is a serious risk and we know that there are households in this Island that do struggle with overcrowding.  
2790

Fourthly, it will mean that landlords, their representatives and their properties are registered. Again, it is a real surprise to many people that in this day and age, our private rental sector is currently unregulated, even in this most basic respect.

Finally, it will require HMOs to be licensed. HMOs, typically, house guest workers who work often in essential roles, yet who are often not particularly well paid and often have English as a second language. So, it is important that these properties are well regulated so that those people are adequately protected.

Because this has been a substantial piece of legislative drafting that has been shaped by stakeholder consultation that has taken place over the course of that process, there are a few details that differ slightly from the original policy letter and this supplementary policy letter explains those slight differences. They are set out in sections three to six in the supplementary policy letter attached to the legislation before us today, but I will summarise them very briefly here.

The first relates to overcrowding. In a nutshell, the original 2020 policy letter suggested that the overcrowding standard may need to change, but the subsequent consultation that we carried out has confirmed that the standard itself is still fit for purpose, and most people did support it, but what was lacking was an effective means of enforcing it. Now, that is what is addressed by the legislation for which we are seeking the approval of the Assembly.

The next difference is about the basic human habitation standard that is referenced in the original policy letter for rented properties. This is really just a clarification of how such a standard is interpreted in the proposed legislation, which is through two sets of criteria. One is the minimum standards and the other is the Housing Health and Safety Rating System (HHSRS). Well, that is a tricky one to roll off the tongue.

Lastly, there is some clarification around licensing and registration, especially in relation to fees for HMOs. The original policy letter slightly conflates these two processes but, in practice, they do need to be two distinct processes. So, our policy letter simply makes clear that applicants will not be double charged. The supplementary policy letter also explains some additional mechanisms that the legislation will introduce in the form of Management Orders and Disqualification Orders.

So, those are the minor variations between the original policy letter and the legislation before the Assembly today. I have summarised the content, I think, of the legislation. I do not really want to test the Assembly's patience by going into it in fine detail. So, I think I will just make some more general comments, because I do appreciate that the original debate that led to this direction was, indeed, quite some time ago.

Guernsey is an absolute outlier. We are an absolute outlier. I attend various British-Irish Council meetings in respect of housing and people are shocked. We are such an outlier as a jurisdiction for not having this very basic regulation in place. Now, I know that we have had cries this morning of handwringing about the fact that we are overregulated, the fact of the matter is we are under-regulated and people are suffering as a result.

**A Member:** Hear, hear.

**Deputy Dyke:** Can I make a point of correction?

**The Bailiff:** Point of correction, Deputy Dyke.

**Deputy Dyke:** Deputy de Sausmarez says we are an absolute outlier but in the UK there is no general registration of landlords, that is not something. What has happened with this is, with respect, Deputy de Sausmarez has gone around the world to find the most extravagant regulation we can find and then put it all together. *(Laughter)*

**The Bailiff:** Deputy de Sausmarez.

2845 **Deputy de Sausmarez:** Deputy Dyke is, in fact, he is quite right that it is packaged up differently in different jurisdictions but, actually, what we are proposing here is much less extensive than the regulation that exists in other places and the fact is that until we introduce it we have got a very under-regulated housing landscape, especially with respect to the private rental sector.

2850 So, Deputy Dyke touched upon the registration of landlords and properties. This is a really basic thing to understand, what are your private rental properties, who are the landlords? Until you have got that most basic data it is very difficult to make sure that people are being adequately protected and not exploited.

2855 So, it is a very light touch thing. Deputy Dyke, I think, is terribly concerned but actually we consulted extensively with landlords and they were very concerned initially that this was going to be a hammer to crack a nut, sledgehammer to crack a nut, it was going to wind them up and red tape and it was going to cost them loads of money. It is not.

2860 Let me assure Members this is very proportionate. It is very low cost and the consultation has shown that we do not have armies of people up in arms about this. I think someone pointed out earlier today that we often get emails about things that are concerning people; well that has not been the case we have consulted extensively.

2865 The consultation shows that people are in strong to very strong support of what we are proposing, on average, and we have not had armies of people getting in touch. It has been very carefully thought through, there are a lot of interdependencies. It has been kept very carefully phased so, the order in which certain things are being introduced through the legislation has been quite carefully choreographed to make sure that people have got sufficient time to make sure that all the systems and everything are up and running and to make sure that things are done in a logical order. So, that is why it is one comprehensive package.

2870 As I say it has been absolutely years in the making but I think we should not forget that people's lives, especially those people who live in the private rental sector, are fundamentally affected by this and until we have got a legislative basis for some basic minimum standards, and we are not talking gold plating we are talking really quite basic standards, that people can too easily and too often find themselves in homes that are very bad for their health.

2875 I can remember various very tragic news stories around children that have died because, for example, they have been living in a rented property that has caused them to be exposed to mould. I can think of several such cases, one of them was actually not long after we agreed these Resolutions, I think it was in the same year, a toddler, a two-year-old, I think, who died as a result of mould exposure.

2880 So, this does have very real-life ramifications. We know that they are the small exception, but people are currently being exploited and are having to live in absolutely unacceptable conditions and that is why this is a really positive step forward. It is reasonable, it is proportionate and I would ask Members not to be, I think, led astray by claims that this is in any way over the top.

2885 It has been pretty thoroughly road tested and that is not the experience that we had in consultation on this legislation. I did not get any questions from Members on this ahead of today. We have obviously publicised the consultation, there was a little bit of conversation around that. I do not know if any Members had a chance to take part in the consultation themselves.

But yes, I would heartily recommend this legislation and I really would say it is about time we got on with it. I think people have been living in, some people in this Island, have been living in substandard accommodation for too long (**A Member:** Hear, hear.) and we really need to show good on our promise that we are taking housing in this Island seriously.

2890 Thank you.

**Procedural –  
Motion to suspend Standing Orders to allow sursis motivé –  
Carried**

[Procedural Motion](#)

*The States are asked:*

*To suspend Rule 24(2) of the Rules of Procedure of the States of Deliberation and their Committees to the extent necessary to permit the amendment below to be debated.*

**The Bailiff:** Well, Members of the States, you will have received a copy of a sursis which is preceded by a motion under Article 7(1) of the Reform (Guernsey) Law, 1948. We will read that as if it was to permit the sursis to be debated rather than an amendment, which is what is on the face of it, but if you want to move that motion, Deputy Kazantseva-Miller, then I will invite you to do that.

2895

**Deputy Kazantseva-Miller:** Sir, yes this is the motion that we, according to the Rules of Procedure, have been advised that we need to suspend the Rules because we are talking about an amendment to the Ordinance or a motion to an Ordinance it requires the deadline for the lodging would have been last Monday.

2900

**The Bailiff:** And, Deputy Haskins, do you formally second that motion?

**Deputy Haskins:** Absolutely, sir.

2905

**The Bailiff:** The reason that the motion is required is, of course, because of the inclusion of Proposition 5 relating to the draft Ordinance. Can I just put that to you aux voix? Does anyone wish to say anything?

Deputy Brouard, on the motion only.

2910

**Deputy Brouard:** On this debate, sir, I will not take part I am declaring an interest. I have a rented property.

**Deputy Ferbrache:** I also have an interest, but I may speak if allowed.

2915

**The Bailiff:** Yes, okay.

**Deputy Dyke:** Can I declare an interest as well? I own an Open Market rental property.

**The Bailiff:** All right. Deputy Oliver.

2920

**Deputy Oliver:** I am a director of a property company and they do have rentals. But I do not have any day-to-day running of them, sir.

**Deputy Inder:** I declare an interest as a landlord, sir. But I will be voting.

2925

**The Bailiff:** Deputy de Lisle.

**Deputy de Lisle:** Declaring an interest, sir.

2930

**The Bailiff:** Deputy Burford.

**Deputy Burford:** Yes, I do have a cottage attached to my house that is rented.

**The Bailiff:** Anyone else? Has anyone not got an interest? *(Laughter)* Deputy Taylor.

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

You did ask if there was any debate. I suppose the question I would just ask is, why has this come so late, why do we have to suspend the Rules, why could this have not been done last week or a few days before, whenever the deadline was? I do not have anything to declare.

Thank you.

**The Bailiff:** It is simply a motion that is required because the deadline for any sursis or any secondary Proposition, because of the draft Ordinance that is included, needed to be last week. Deputy Bury.

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

I do not know if this applies. It is potentially an interest in the very opposite sense that I am a private rental tenant.

**The Bailiff:** Yes. Right and now we have got a raft of interest what we will do is we will roll those interests forward for the remainder of the debate rather than everyone having to leap up every time there is a vote. But the motion at the moment is to permit the sursis that is set out below to be debated. Those in favour, those against?

*Members voted Pour.*

**The Bailiff:** I declare that carried. Yes, there is a request for a recorded vote and I will invite the Greffier to open the voting, as a recorded vote has been requested.

*There was a recorded vote.*

*Carried – Pour 25, Contre 11, Ne vote pas 3, Did not vote 0, Absent 1*

POUR	CONTRE	NE VOTE PAS	DID NOT VOTE	ABSENT
Aldwell, Sue	Burford, Yvonne	Brouard, Al	None	Cameron, Andy
Blin, Chris	Bury, Tina	Ferbrache, Peter		
De Lisle, David	De Sausmarez,	Snowdon, Alexander		
Dudley-Owen, Andrea	Lindsay			
Dyke, John	Fairclough, Simon			
Gollop, John	Falla, Steve			
Haskins, Sam	Gabriel, Adrian			
Helyar, Mark	Parkinson, Charles			
Hill, Edward	Roffey, Peter			
Inder, Neil	Soulsby, Heidi			
Kazantseva-Miller, Sasha	St Pier, Gavin			
Le Tissier, Chris	Taylor, Andrew			
Le Tocq, Jonathan				
Leadbeater, Marc				
Mahoney, David				
Matthews, Aidan				
McKenna, Liam				
Meerveld, Carl				
Moakes, Nick				
Murray, Bob				
Oliver, Victoria				
Prow, Robert				
Queripel, Lester				
Trott, Lyndon				
Vermeulen, Simon				



2960 **The Bailiff:** So, in relation to the motion under Article 7(1) of the Reform (Guernsey) Law 1948, there voted in favour, 25 Members; 11 Members voted against; 3 Members abstained; 1 Member was absent and that is why it was declared carried.

2965 **Deputy de Sausmarez:** Sir, may I please request an adjournment because the Committee has not had an opportunity to look at this sursis, the first time I saw it was when it was put into my hand in the printed version. It may well have been circulated electronically before that, but I was obviously on my feet speaking, so I would like to request an adjournment, if that is okay, so the Committee can consider it.

2970 **The Bailiff:** Fifteen minutes, will that suffice?  
Why are you standing up, Deputy Blin.

**Deputy Blin:** Sir, I am taking some consideration. My company manages some properties, so I should declare an interest, I did not know.

2975 **The Bailiff:** You did not declare it before the first vote.

**Deputy Blin:** Sorry it was just to clarify.

2980 **The Bailiff:** Okay, well, we will list you as well. So the motion is that the States should stand adjourned for about 15 minutes, so that will probably take us through to about 4.10 p.m. or thereabouts. Those in favour; those against?

*Members voted Pour.*

**The Bailiff:** I will declare that carried. So we will now rise until 4.10 p.m.

*The Assembly adjourned at 3.55 p.m.  
and resumed its sitting at 4.10 p.m.*

## COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE

### 9. Introduction of Housing Standards Legislation – Legislation and policy letter – Sursis motivé – Debate commenced

#### Sursis motivé

*To sursis the propositions until no later than the end of the second quarter of 2026, and in the meantime to direct the Committee for the Environment & Infrastructure:*

- a) To consider a phased introduction of the matters contained within the current draft Ordinance, prioritising areas which require more immediate regulatory intervention;*
- b) To conduct, and include in the subsequent policy letter, a regulatory impact assessment (RIA) of the regulation on the rental sector, taking into account the ongoing housing crisis and economic sensitivity of the rental market and detail any potential effects such regulation would have on the housing market;*
- c) To develop a more detailed analysis of the funding requirements of regulation and enforcement given the proposed scale and depth of proposed regulatory powers and the*

*number of properties involved to support the internal resources and finances of the regulatory authority;*

- d) To consider any synergies that have been sought with Jersey or other jurisdictions in enabling the delivery of such regulation, as intended in the original policy letter in 2020;*
- e) To consider the requirements for any IT systems that may be necessary to enable accessible and efficient registration of properties and regulatory compliance and their readiness for launch at the time of legislative enactment;*
- f) To consider providing a longer lead-in time for the market to get ready before relevant legislation is enacted; and*
- g) To revert to the States no later than the end of the second quarter of 2026 with a Policy Letter addressing the above matters together with suitable Propositions, which should include the results of any consultation process which has taken place.*

2985

**The Bailiff:** So, I will invite Deputy Kazantseva-Miller to move the sursis motivé next, please.

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

2990 Members, it is with a heavy heart I felt that I did not have any other option but to bring this sursis motivé because the only other option would, potentially, have been to vote against the Propositions and I thought it would not have been desirable to leave us in that position. I felt there was probably a similarly strong sentiment also in the Assembly that is the way it might go.

2995 The issues are this Ordinance runs to over 300 pages and is probably one of the most extensive pieces of legislation brought to us this political term. It was launched three weeks ago and it was brought forward from the March 19th debate to this debate through the change in the future business schedule.

3000 So, given how busy the States' agenda currently is, we have had absolutely zero time to actually look at it. Just for information Deputies who receive physically printed packs these have only been sent by post to Deputies, I think, I believe on Monday or Tuesday. So, we have had one day to go, in depth, through a 300-page document appreciating, obviously, it is available online.

3005 So, the reason is that this is an extremely significant Ordinance with very significant powers, including new powers of intervention such as access to properties, powers to take over the management of properties for up to five years, powers of disqualification, criminal offences, etc. We have not had any presentation on this topic whatsoever, we are being told in the opening speech that this is proportionate and very light touch legislation but we have nothing to judge that against. Absolutely, there is no information provided in how this Ordinance compares against other jurisdictions.

3010 The policy direction for this legislation was set in the previous political term in 2020 and so we have not had a chance to actually debate the policy direction under this Ordinance this political term. So, based on what I received, effectively, on Monday I just did not feel I had enough to absolutely make a decision.

3015 I could have done the easy thing, which is just nod through the Ordinance like, maybe, sometimes we do with a certain document but I just did not feel it was a responsible thing for a parliamentarian to do. Now, I have no doubt that the Committee has undertaken a lot of work. Obviously, this has been a priority for several years and it has been a priority in the Housing Action Plan that was published in 203. The policy letter included with the Ordinance runs to about 10 pages.

3020 So, I have given the Committee a heads up that this may have been coming and Deputy de Sausmarez has, as she mentioned, already circulated some further information to Deputies. The key points, I felt, that were not addressed in the accompanying policy letter and information provided were the following, they are outlined in this motivé part of the sursis and are the following.

The first one is to consider much more of a phased and proportionate introduction of areas in this Ordinance, prioritising those which are absolutely the most critical. It feels like there is a huge

number of areas coming all at once, noting still the intention that the registration of landlords might be coming in six months' time. But by far the vast majority of it is due to come in imminently.

The second point and this is something which, I think, is extremely important and we, as an Assembly and legislators, we should be taking much more notice of is the impact of regulation on industry, on the community, on the sectors. I am seeking that we undertake a better regulation impact assessment, an RIA, in relation to this very substantial piece of legislation.

Why? Well, not only should we understand better the impact of regulation whenever we bring that in, but also because, obviously, the market has changed. The situation in the housing market in 2020 was very different to what we have got today. We are in a housing crisis and the rental market is in a housing crisis and very sensitive prices and there is both the supply side of the equation and the demand side of the equation.

I think, from what I understand, there are risks that this Ordinance could act as a destabilising mechanism for the rental sector and disincentivising, potentially, landlords to come in or stay in the sector. I think this risk is important and this risk, I have not seen this risk being addressed. The need for the Regulatory Impact Assessment has been highlighted to us through the work we have undertaken in Economic Development reviewing the GCRA. This is a concept that I really believe we need to be much more on top of. What is the impact of the regulation we continue to bring to the community?

The third point is in relation to what are, really, the funding implications to resource the regulator, because the policy letter and the Ordinance, there is no information about what is the likely cost and the staffing requirements, because of the amount of the volume of properties that will be involved, we are talking about 9,000 properties being involved and the extensive powers of what is possible.

A few difficult cases which start going through courts, where remedial action is required, etc., they could take hours and hours of work. Right now, the implications are that all of that is going to be managed through the Office of Environmental Health Protection with the Director there, effectively, undertaking the Director duties for the housing standards as well.

We do not know how much income this regulation is expected to achieve. We do not know where this income is going to be spent. I think there is a real sense of underestimation of the funding requirements required to properly resource the internal regulator and none of this information has been provided.

The fourth point is in relation to the synergies that may have been thought by working through with Jersey or other jurisdictions and this was very much the intention of the original policy letter that was debated in 2020. There is nothing in this policy letter that talks about the synergies that might have been sought over the past five years. This is the thing, this has been in play for five years, what has been achieved through trying to find synergies of bringing housing standards and legislation with Jersey or other jurisdictions?

The fifth, which I think is also important, is to consider how will this be actually administered, because administering 9,000 registrations for landlords for different properties, it is like running a company registry. So, what kind of IT systems will we need? Because I really hope this is not going to be a manual process where people need to email a word document. It has to be a simple and efficient system which landlords are able to access, edit, submit and see the evolution of their applications and registrations. Again, I did not have a sense of, logistically, whether we were ready to be passing this legislation and enacting regulations so quickly as proposed by the Committee.

The penultimate point is that because this is so substantial, I felt that there had to be, potentially, a longer lead in time for the market, for the industry to get ready for such significant changes. We have had really long lead in times for some of the substantial legislations brought forward by the Committee for Employment & Social Security, with secondary pensions, with discrimination, etc. It felt that do everything now and maybe something in six months felt extremely over the top.

Last but not least, there has not been any reference in the supporting documents about the actual consultation that has taken place. I appreciate Deputy de Sausmarez has sent us an email

3075 outlining some of that, but it has not been included in the substantive documents of this policy letter. It has not given us time to be able to analyse, to properly look into it and to interrogate.

3080 So, I did not feel this very important part, in terms of what was the consultation undertaken, and, most importantly, what changes to the Ordinance were made in response to the consultation. It felt, because it is such a substantial document, that this document has been drafted a long time ago and that the consultation was, actually, a tick box exercise to just confirm what the drafting that had taken place over the years brought forward.

3085 So, I felt I could not have just nodded through and I did not feel it would have been responsible for me to vote the Propositions down. My proposals are to, potentially, take a breath and consider a more phased, proportionate approach. Now, having said all of this, I am very open to hearing the views of the Committee, Deputy de Sausmarez said she has got all the information she is able to provide and I will be very happy if she is able to allay some of my concerns.

3090 I think it is an issue that such concerns will have to be allayed through debate rather than through properly written accompanying policy letters with the assessment of how this Ordinance compares to other markets, etc. So, I do have an issue that if it is just going to be laid in debate whether it is enough. So, I just want to say that I am very open to listening to the Committee and to this debate, but I felt it would not have been right to just nod through this important piece of legislation.

Thank you.

**The Bailiff:** Deputy Haskins, do you formally second the sursis?

**Deputy Haskins:** Yes, sir.

3100 **The Bailiff:** And to remind Members of what Rule 24(5) says, which is when a sursis of a matter has been proposed and seconded debate should be limited strictly to the sursis and no other issues relating to that matter, including proposed amendments, shall be debated until the sursis has been voted upon. So it is a fairly confined debate.

Deputy Dudley-Owen.

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

3105 I will confine myself to the reasons why I think that this sursis has merit and without labouring the points that Deputy Kazantseva-Miller, I think, has well-articulated. This Chamber needs to be well informed when we are making decisions (**A Member:** Hear, hear.) and the time frame that has been given for us to inform ourselves, in my view, has been insufficient.

3110 Deputy Kazantseva-Miller has said that it was lodged three weeks ago, which I appreciate is absolutely in line with our Rules, however, for such a large piece of legislation, for such a large Ordinance coming through with such detail and so many questions around it I think it would have been helpful for the Committee to have presented the Ordinance to take the States' Members through it, because I should imagine that there is many questions, I certainly have many on the 11 pages, only 11 pages of a policy letter to a company.

3115 I know that it is a piece of Ordinance and I do have a real amount of sympathy for Deputy de Sausmarez because I suspect that what is behind this is a real enthusiasm to try and get a lot of pieces of work over the line before the end of the term, but that is not the way that we should be doing this and it was always my fear, certainly sitting in a Presidents' meeting a couple of weeks ago when we were discussing how much work was coming through, and obviously the Policy & Resources Committee are tasked with the unenviable action of trying to organise all of that and push it into the Assembly, that people were going to be trying to rush to get items over the line. In actual fact at the last States' meeting, Policy & Resources amended the schedule exactly in order to do that and I think that this particular piece of legislation has fallen foul of that process. Again, we have not really shown good governance in front loading this particular States' Meeting, it is going to be short and we have got others that were really full, without really thinking about what it was that was coming forward.

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I looked back at the original debate in June 2020. We were in COVID at that time and, actually, looking I was thinking, gosh, I remember being in that debate and that was a really difficult debate. We were discussing the abortion policy letter at the time and a lot of concentration was held in different areas and, I think, people have slept since then, other people were not involved in that debate, so really needed some background information.

There needed to be tracked changes of what the policy proposals were then and what we are coming back with now and, suffice to say, it looks like it is a very solid piece of work. What we just do not have is sufficient detail in the accompanying notes, which we call a policy letter, in order to give us that assurance and to answer some of those questions which ordinarily we would have done – Sir, Deputy de Sausmarez will have time to respond to the debate, so I would rather not give way.

But we do have an awful lot of questions. I have littered my notes here and I am not going to go through them all now because, obviously, I need to confine my remarks to the sursis, but I would encourage others as well. Let us spend time over this, let us give a future Assembly the time to really understand this and properly debate it from an informed stance.

Thank you, sir.

**The Bailiff:** Deputy Ferbrache.

Sir, just sticking to the very clear strictures that you have given, of course, people will be concerned about the delay but what the sursis asks for is to sursis to Propositions until no later than the end of the second quarter of 2026. So, 15 months or thereabouts, maximum, and in the meantime to direct the Committee *for the Environment & Infrastructure* and this is the only part of this sursis I am going to read a. to consider a phased introduction of the matters contained within the current draft Ordinance, prioritising areas which require more immediate regulatory intervention.

If you look at section 198 of this Ordinance, which is commencement, now what we often see, this Ordinance will commence on the 1st April, 1st May whatever, this one says, this Ordinance comes into force on the day appointed by regulations of the Committee and different dates may be appointed for different provisions and different purposes.

So, I doubt very much and I am grateful to Deputy de Sausmarez for her clear outline when she opened this debate, if she could say, look, we think we would be implementing this by June, July, August, two years' time or whatever, or it may be that she is not going to be able to answer that because that work has yet to be done because there is a heck of a lot of work, even if the Ordinance were approved in full today, tomorrow, that needs to be done before, it seems to me, any or many of these provisions could be implemented. So, it would be helpful to see, because one of the questions that might be in some Members' mind is, is the sursis just delaying it? I do not see, at the moment, that it is really delaying anything.

**The Bailiff:** Deputy Gollop.

**Deputy Gollop:** I have not made up my mind on this, so it will be up to the speakers to make me think. The thing is the policy letter does raise issues such as a new Director of Housing Standards but that person is the same as Environmental Health & Protection; but is identified in the sursis in a different way as regulatory intervention, regulatory compliance and addressed it to suitable Proposition. So, the sursis does request a more detailed analysis of the funding requirements of regulation.

The thing about the sursis is, on the face of it, it looks like it will delay this piece of legislation and I remember being on ESS in the last term when Deputy de Sausmarez, and the then President Barry Brehaut, did a lot of work on this and we on ESS were broadly supportive of improving housing standards.

Now, an unknown in this is it would appear to me that if the sursis is approved then some of the tasks in the sursis motiv   will not be done by Environment & Infrastructure, although they may well

be commenced, they will be done by the new Housing Principal Committee, which would add another complexity.

Point B on this talks about conducting a Regulatory Impact Assessment of the regulation, taking into account the ongoing housing crisis and economic sensitivity to the rental market. Now, that is a big piece of work. An even bigger piece of work in point C is to develop a more detailed analysis of the funding requirements of regulation and enforcement given the proposed scale and depth of proposed regulatory powers.

Point A talks about phasing, prioritising areas surprisingly, perhaps, which require more immediate regulatory intervention and then we have got synergies with Jersey. Now, I have not caught up exactly with what Jersey is doing but, I think, they were going as far, if not further, than us with this legislation but they had several setbacks, they had several defeats, whereas we had supported it during the COVID era a long time ago, but we have just been a bit tardy, a bit slow in delivering this. It is a pity that Environment & Infrastructure did not have the resources to bring it, let us say, last year.

I think we are going beyond where Environment & Infrastructure are with this talk about IT systems and a longer lead-in. I was criticised earlier today in my question and answer when I did a supplementary to Deputy Inder, he said do you really want P&R or any other Committee to spend several hundred thousand pounds on further reports telling you that there is a problem when it already?

Well, I think we do know there is a bit of a problem and a lot of this work will not make the problem go away. I suppose the temptation to support this is not only are we transferring some of the functions from E&I to Housing but there is a change in the economic circumstances and a possibility that existing landlords will be unhappy by these measures, will leave the market, letting properties either go derelict or be used by family members or, maybe, be bought by first-time or other buyers, which could be good.

But what would be bad if people find themselves evicted sooner rather than later and the States has not got enough properties through social housing through States' housing to accommodate them. Then we would worsen our key worker problem, worsen our rent problem, worsen the impact of homelessness. So, that is where I am a bit undecided. So, I really want arguments to persuade me that on the better judgement we should get this legislation done today or tomorrow.

**The Bailiff:** Deputy Inder.

**Deputy Inder:** Sir, sticking to, under your direction, the points raised in the actual sursis motivé, some of which have been covered by Deputy Dudley-Owen, and I am glad Deputy Gollop has gone before me because he has repeated what I have said. But I am going to go through each of the items.

I think it was Deputy Ferbrache who said the direction is to come no later than the end of second quarter 2026. Well, that is 15 months away, but you can come before. It does not mean you have to come on second quarter 2026, I think that leaves a longer lead in time for a greater consultation and an impact assessment.

Of, A, within the sursis, Deputy Kazantseva-Miller made her point there in her opening and I do have genuine concerns about the RIA on this and the rental sector. I took the survey myself and I think it is something that Deputy de Sausmarez will have referenced as part of the consultation, and I have said this before and I will say it again, it was done via Survey Monkey. I actually only got halfway through and I just got really quite bored (*Laughter*) and I bailed almost immediately because I was sent by, I think, it was the Landlord Association.

I then saw it being touted around on social media or via some other email. But the reality is, Members, Survey Monkey and you have heard me say this time and time again, you start on page one, you finish at page whatever it was, something like 22, and it thanks you for taking the survey and you think you have completed. It is easy to game this, you go to your histories, you clear your

3230 cookies and you take it again. You take it again and again and it really does happen and I know it happens because I used to do it! If you really are good –  
I will give way.

**Deputy Trott:** Seems a bit of a waste of time, bearing in mind, through you sir, that Deputy Inder only managed to get halfway through the first one! *(Laughter)*

**Deputy Inder:** Now that is fair comment, but it was not on this one. As I said, I knew what we were setting ourselves up for and I genuinely think if we are a Government, and I will say it until I am blue in the face or in my case probably yellow in the face, I just do not think it is acceptable to conduct surveys or consultations on, effectively, flaky systems that can be gamed, put them into  
3240 policy letters and claim them as consultations. It is just not acceptable.

But just on what Deputy Gollop said, and I do not like saying it, but it is the first time you have ever heard me say it and it is the unintended consequences and I do not think they have been considered. Having owned properties, of course, there is a benefit and there is a profit, but it can  
3245 be hard work.

When you listen to some of the nonsense out there from those who think all landlords are making an awful lot of money, generally, landlords take probably a month's rent, sometimes you will see three months', but nowadays it does not take much for a for a property to be absolutely wrecked.

3250 It is going to cost you £2,000 to do a floor, spilling wine down the back of the TV, a dog, children, whatever it is, really, to redo a house that has been looked after badly by an inconsiderate tenant can cost you, probably, £15,000, if not more, to redo the property. Now, what does that mean?

Well, what that means is some of the landlords have hit a certain age and if you do get a bad tenant or you do get anything that impinges more on what is a sector, which many do not like, but  
3255 they do provide a service, I genuinely believe there will be a percentage of the market, and this is from experience this is not from guessing my way through it because I do know landlords, I think you have got an unintended consequence of people just selling the properties.

They will have come to end, the capital growth is in the property, they have got to a certain age, they probably need the cash, anything that looks too or more difficult, why not sell the thing? Well,  
3260 what does that mean? We have not built any homes at all, well nothing of any use, since we got elected four years, five months ago.

The unintended consequence of that, if this comes in with an immediate effect the good thing, I think, is some of these properties will be sold off, which is actually great because I actually prefer home ownership because home ownership is better for the company. As I have said before, a rented  
3265 horse is of no use. No one really looks after rental accommodation; there is no reason for them to do that. It is better to own something

But the consequence of that is that, potentially, we could find a number of people that just do not actually have accommodation anymore because the unintended consequences, you may have 50 or 60 houses, and I am allowed to pick figures out of the air because this is what seems to happen  
3270 an awful lot, and suddenly you have just dumped 200 people on the market and that has not been considered in any way, shape or form.

I understand why E&I have done this, and I do know that –

**Deputy de Sausmarez:** Point of correction.

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**The Bailiff:** Point of correction, Deputy de Sausmarez.

**Deputy de Sausmarez:** Thank you.

3280 It is just not true or accurate to say that these things have not been considered, that was exactly what the consultation was for and the consultation, incidentally, went a lot wider than just the

survey. So, I think it is incorrect for Deputy Inder to assume or claim that these things have not been considered. Of course they have.

**The Bailiff:** Deputy Inder.

**Deputy Inder:** Well, I cannot see in the, I will give way in a minute, I have got to respond at least to Deputy de Sausmarez, because she says it has been considered if she could point in the policy letter where the consequence –  
I will give way.

**Deputy de Sausmarez:** Thank you.

I did attempt to just explain this during Deputy Dudley-Owen's contribution to debate. But just to explain why the policy letter is only 10 pages long or short is because this is legislation. So, the policy letter that we all debated was very much more substantial and that is what led to the drafting directions and this legislation has been through the LRP to establish whether the drafting legislations have indeed followed the direction of the States.

So, the policy itself was all in that original policy letter. This is not a policy letter explaining the whole thing. This supplementary policy letter simply explains a couple of details where there are minor differences or clarity needed compared to that original policy letter. So, that is why the policy letter is short. This is the legislation stage, not the policy decision stage. We have had that debate.

**Deputy Inder:** Well, okay, I am not entirely sure whether what happened five years ago has got any relevance to what happened today, because I remember when, I think it was around the COVID period, we were all taken, the previous Assembly was taken, into a room by the Head of Public Health who said if we do not close the Island by Thursday there will be 1,300 dead. That is what we were told.

I went home the next day, well that day in fact, it was not the next day, I actually went home that day, told the wife what was likely to be happening and I think my next sentence was to her, well that means every house in Guernsey, the cost of the houses is going to collapse overnight. How wrong we were.

What happened five years ago has got nothing to do with the state of the market now. Those people who have now got older, their capital growth has expanded quite radically over that past four years and I will maintain my position that there is no up-to-date information that Deputy de Sausmarez can point to that can disabuse me of the assertion that I am making.

There is a danger that there may be a route out of the tenancy sector. Some of these may go on to the market and talking to people within that sector, who I know particularly well, they are making signals that if things become more difficult than they are now, for the reasons that I have mentioned previously, they will put them on the market. Now, those tenants leaving those houses because they have gone to the market will be handed to people like Deputy Roffey and, in fact, Deputy Lindsay de Sausmarez as VP of ESS.

So, that is the point of the unintended consequence and that has not been considered this year, irrespective of what happened five years ago. Deputy de Sausmarez has a chance to respond to debate later on, but I think I am allowed to speak to the sursis; no one disagrees with that? Thank you.

So, also I remember in that there was some, and I will allow Deputy de Sausmarez to respond, but I do remember going through that and there were some questions about self-catering and I was not entirely clear whether self-catering units came into scope, but I am happy to give way to Deputy de Sausmarez. Well, she does not want to answer the question I have asked, whether self-catering comes into scope. It is not clear whether self-caterers are, actually, considered landlords from the policy letter. I am just not sure.

I saw it made mention in the survey, which I got bored of, and then at that point I left so, that is why I think there are unintended consequences. There is a danger that we will get houses sold fairly



quickly and those tenants have got nowhere to go and that simply has not been considered in the decision that you have to make today, Members.

3335 Now, of course, I think it was, possibly, Deputy Gollop, possibly Deputy Kazantseva-Miller, who mentioned the funding costs. I see Director of Housing; well, it is not going to be one person, is it? It clearly is not going to be one person. If you go through the legislation and look at all the things that this chap or chapess may have to do, it means a cast of thousands because it always does. It will not be one person and that has not been costed in the policy letter.

3340 So, you are already looking at, without even thinking about it, a quarter of million pounds, if not more. It does feel like the more, more, lower, lower but it will be a lot of money. It is simply not going to be one Director of Housing doing all of that work.

Deputy de Sausmarez, she is shaking her head, as usual, she can correct me if she wants me to give way.

3345 **Deputy de Sausmarez:** I absolutely will take the opportunity to correct him. Well, I do get a chance to spell it all out, but Deputy Inder, he is barking up several wrong trees. He is talking about the wrong consultation, for a start he is thinking of the one, I think, about landlords' rights and obligations; I think that is the one that he got bored of.

3350 But in terms of the resourcing, the resourcing requirements have been very carefully thought out, they have been very carefully factored in, they all wash their face, it is not a case that we have to have people out inspecting every single property. It really is quite light touch. The resourcing implications are exactly as they have been set out, it has all been in train for a lot of time, it has been thoroughly road tested. So, I can disabuse Deputy Inder of his misconceptions on that point.

3355 **Deputy Inder:** Well, I will give Deputy de Sausmarez the chance to either respond in debate, but if she could show me her homework, I would really be interested because the only thing I have seen in this is a Director of Housing. So, if this is the job to make decisions of where there are fiscal impacts, this is the place to show the homework. It is just not acceptable to get up and tell me off, I do not know what I am talking about and do something called trust. If there is one thing I do not do is trust. I want to see the work. Do not tell me the work and it is not in the policy letter.

3360 So, I will move on. I am less concerned about D mentioned in this sursis, I do not entirely know what that means but I am more concerned about the unintended consequences and to consider the requirements of any IT systems that may be necessary. I do not entirely disagree with that. 3365 Something that looks relatively simple, from someone who has worked in IT for nine or 10 years, almost certainly, will have a ridiculous overcomplicated cost on it in some way, shape or form and only, I think, Deputy Kazantseva-Miller can make the argument on that and Deputy de Sausmarez but I do not have an awful lot of faith right now in IT systems. That is a statement of fact. So, I think there is something in that as well.

3370 Longer lead in time that touched in by the sursis in itself in the second quarter of 2026. It does feel, to me, even though the work, I think, is somewhat reasonable. We have we have recently seen an email, which the public will not have seen, sent by Deputy de Sausmarez, of some pretty horrendous, or certainly a couple of horrendous, examples. But the question I would not mind asking and, again, I am probably going to be told I am wrong, we have got an Environmental Health 3375 Office that is quite happy to go down to the Valette bathing pool and to find that the diving is too deep. But it just wanders –

**Deputy Bury:** Point of correction.

3380 **The Bailiff:** Point of correction, Deputy Bury.

**Deputy Bury:** The Valette bathing pools had nothing to do with Environmental Health, it was the Health & Safety Executive.

3385 **The Bailiff:** Deputy Inder.

**Deputy Inder:** Well, in any event, the point I made, I was trying to be funny and it did not really work, it will not be for the first time and I doubt it is going to be for the last! (*Interjection*) Now, now. But the point remains we spend a lot of time on Health & Safety, Environmental Health, we are really just annoying the public down at the Valette bathing pools. We have got mould by pictures sent by Deputy de Sausmarez, where is it in Government that has not dealt with that and why do we need a Director of Housing to deal with something that has been going on for years?

3395 So in short, sir, Members of the States, I am likely to support the sursis, mainly, because I have a fear that, to be honest with you, I understand the sentiment, I think there is some good work there, it is just more work needs to be done. The second quarter of 2026 probably could be done by a new Environmental & Infrastructure Department, they can bring it earlier, but this seems to be a mad rush to get something done by the end of term and, to that end, sir, I will be supporting the sursis.

3400 Thank you.

**Deputy Meerveld:** Could we have a vote please on Rule 26(1)?

**The Bailiff:** Right, can I invite those Members who wish to speak in debate on the sursis to stand in their places. Is it still your wish, Deputy Meerveld, that I put a motion pursuant to Rule 26(1)?

3405 **Deputy Meerveld:** Yes please, sir.

**The Bailiff:** And there has been a request for a recorded vote as well. So, I will not even put it to you aux voix and I am going to invite the Greffier to open the voting on the motion that Deputy Meerveld has proposed pursuant to Rule 26(1).

*There was a recorded vote.*

*Not carried – Pour 15, Contre 21, Ne vote pas 3, Did not vote 0, Absent 1*

**POUR**

Ferbrache, Peter  
Haskins, Sam  
Helyar, Mark  
Le Tissier, Chris  
Le Tocq, Jonathan  
Mahoney, David  
McKenna, Liam  
Meerveld, Carl  
Moakes, Nick  
Murray, Bob  
Oliver, Victoria  
Parkinson, Charles  
St Pier, Gavin  
Trott, Lyndon  
Vermeulen, Simon

**CONTRE**

Aldwell, Sue  
Blin, Chris  
Burford, Yvonne  
Bury, Tina  
De Lisle, David  
De Sausmarez, Lindsay  
Dyke, John  
Fairclough, Simon  
Falla, Steve  
Gabriel, Adrian  
Gollop, John  
Hill, Edward  
Inder, Neil  
Kazantseva-Miller, Sasha  
Matthews, Aidan  
Prow, Robert  
Queripel, Lester  
Roffey, Peter  
Snowdon, Alexander  
Soulsby, Heidi  
Taylor, Andrew

**NE VOTE PAS**

Brouard, Al  
Dudley-Owen, Andrea  
Leadbeater, Marc

**DID NOT VOTE**

None

**ABSENT**

Cameron, Andy

**The Bailiff:** So, in respect of the motion proposed by Deputy Meerveld pursuant to Rule 26(1), there voted in favour, 15 Members; there voted against, 21 Members; 3 Members abstained; 1 Member did not participate and, therefore, I will declare it lost.

Deputy Roffey.

**Deputy Roffey:** Thank you, sir.

Through you, I would like to suggest to Deputy Gollop that there is a counter narrative to the point that he put forward because I think what he was saying is, look the housing situation is pretty desperate at the moment, it is very tight, we would not want, by putting any extra burden on commercial landlords or private landlords, to drive any of them out of the sector because where would the people go.

I would argue that where there is almost no spare availability of accommodation, it is even more crucial to protect tenants with some basic legislation over standards because what happens when there is some wriggle room in the market is that downright rotten accommodation, people just vote with their feet because they can go somewhere that is more fit for human habitation.

It becomes extremely difficult in the kind of situation that we have at the moment for that to happen. To me, this is really, I am not going to labour the point because we were actually motoring along quite well with our business before and now we seem to have slowed up, so I am just briefly going to say this, to me, is really quite black and white.

Guernsey is, extraordinarily, one of the few places in the western world that does not have basic standards enshrined in Law. I know there are some under the Environmental Health Department, but the sort of standards that other countries have to protect private tenants against conditions that we would not want to live in ourselves and we would not want any of our family to live in.

As for it being a rush to get it through this term, if anything, I am critical of E&I that they have taken so long, five years, although I know there are drafting priorities and other things that have taken priority over this, but I actually think it is a shame that it has taken five years. I am quite ashamed to live in a community that does not provide this sort of basic safeguard and to kick it back further, and I say to Deputy Ferbrache, I think it will be a delay.

We will not start considering things again or, we are the States, the collective we, it will not be me or him, probably, for another 15 months and we all know that what dates you actually put in it, it always slips if you have not been able to do it. Yes, with a complex bit of legislation it is not unusual to say that various parts will be turned on on different dates, as is true in this legislation; I think that is really quite commonplace.

But I think the basic question for Members is, are they happy in their own consciences to carry on a year longer in a situation where commercial tenants, tenants in the private sector not commercial tenants, residential tenants in the private sector, do not have the sort of protection that everywhere else affords and, a second question, why would any decent landlord have anything to fear from this legislation? I just regard it as a matter of conscience. I think we should have done this a long time ago and I am not going to kick it further into the long grass and I am going to vote against the sursis and in favour of the legislation.

**The Bailiff:** Deputy Gabriel.

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

I am going to speak against the sursis and address some of the items in there already that you have directed us to, items A to E, specifically. Not much has been mentioned about the IT system, Item E, that we have to go away and reconsider the requirements for any IT system. Well as part of this project, the Director of Environmental Health, one of my questions to him when this came to Committee, probably two years ago, was I was extremely concerned around the capabilities of the IT, the funding for any system and how it was going to be delivered.

He assured me, at the time, there was already a migration project in place and he has confirmed, already, that exactly what Environmental Health do is license operations and that is a significant

3465 amount of licensing as well. We know we have got, well we do not know which is one of the reasons  
why we are doing this, we do not know how many rental properties we have got, how many  
landlords are in place but we do know that we issue 99 tobacco licences a year to sell tobacco, 33  
waste management licences, 83 tattoo operators, 49 tattoo premises, 471 waste transfer licences,  
3470 81 waste transport exemptions, 12 air pollution licences and 28 water pollution licences, which  
brings a total of 856 licences.

Not forgetting, of course, all the ones that you will see when you are out and about purchasing  
food from restaurants etc. the stars on the door, those total 784 of those and, surprisingly, public  
address permits they are also issued. So, there is a significant amount of licences issued already and  
in place and live IT system. So, I cannot see any reason why we would have to consider any more IT  
3475 systems. So, they are already in place.

But what I further want to address, sir, is that by supporting this sursis, Members, we really are  
cementing that we are the States of inaction. (**Several Members:** Hear, hear.) Housing, I have said  
it before, Deputy Trott stands up and says it nearly every time, housing is our number one priority.  
If we cannot even get this right, get some standards set in stone and agree some legislative  
3480 standards for the tenants, our people, 26% of our population are in rented accommodation.

If you could see the emails that I see, people living in substandard accommodation, you have  
already seen some of the pictures and these people are in fear of being evicted, summarily evicted,  
if they complain about these standards. This gives them a voice. We have heard about worrying  
about funding as well.

3485 At Traffic & Highways we operate a cost recovery system because we are bound by States'  
legislation to do so. We cannot make a profit on anything like that and if we follow the same line  
for this, the registration of a property pales into insignificance to the amount of rent that a landlord  
would receive.

A three-year licence, the fees are not mentioned here, but on a cost recovery basis 9,000, or  
3490 however many properties we have, the absolute fee would be minimal and any decent landlord  
would be pleased to be on that register to show they are complying, get a star on their door and  
show that they are a decent landlord and they protect tenants in the way that we would expect in  
2025. So, Members, I urge you to reject this sursis and get on with approving this legislation for the  
protection of tenants in Guernsey in 2025.

3495 Thank you.

**The Bailiff:** Deputy Dyke.

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

3500 I thank Deputy Kazantseva-Miller for bringing this sursis. I think she has explained herself very  
well, as she always does. I think the key here is that we really do not have a proper regulatory impact  
assessment. Deputy Inder has followed up with a lot of issues that arise from that, but it is natural  
to want to look after the tenants and for them not to have damp patches and all that sort of thing  
and that is obviously quite right. But is this really going to help?

3505 Well, what we have not looked into are the unintended consequences as to what this will do to  
a very strange rental market that we have got at the moment, it is quite overheated. We have a lot  
of landlords already who are not finding it much fun owning and renting properties. There is interest  
to pay, the tax deductions for interest and expenditure on upgrades is limited and not unlimited.

From what I am hearing landlords are already moving out of the market. As tenants move out  
3510 some properties are being withdrawn and going on to be sold privately for ownership which, in a  
way, is great. I agree with Deputy Inder that it is great to have people in their own homes; I think  
that is the ideal scenario for most people. Not everyone, but for a lot of people.

But here if we start doing things that suddenly cause a ruption in the market with consistent  
sales and withdrawals from the rental market then we will send the rental market into a crisis, people  
3515 will not have anywhere to rent, possibly people who cannot afford to buy. So, the point is that we

need to look into this. We need to look at what could happen, what is likely to happen and will this actually help or will it hinder and I do not see that we have really done that.

Looking at another issue, the cost of all this, I really do not think this has been looked at. Deputy Gabriel said that the guy who will do the licensing already looks after 850 licences. Well here we are  
3520 looking at, potentially, registering 8,000 or so properties, licensing a number that I do not know of them as HMOs.

What are the costs of that, how many staff exactly are you going to need, what sort of computer systems are we going to need? I do not think you can translate 800 restaurant licenses and the other things mentioned into 8,000 housing arrangements. So, all of this really does need to be  
3525 looked at or we risk doing something in a hurry, and this is in a hurry, I do not think Deputies here are really on top of all this. So, for those reasons I am going to support Deputy Kazantseva-Miller on this.

Thank you.

3530 **The Bailiff:** Deputy Haskins.

**Deputy Haskins:** Thank you, sir.

Just quickly, in response to Deputy Gabriel who seems to think that no IT system is needed, well let me just point to his policy letter – well he is a Member of – 10.2, right down at the last sentence:

This preparation will include further practical work surrounding the application process (including IT work to enable such applications to be submitted online) ...

3535 So, there is IT work that needs to be done, that is for sure. The fees, he says the fees are not in the policy letter, well they are not that is, I think, one of the problems that Members are left going how much, how much is this all going to cost? Now in the original policy letter it does state that a three-year licence period is going to be of the order of £100 a year. So £99, I think, is the one mentioned in the policy letter. (*Interjection*)

3540 I am also going to highlight a few reasons why I support the sursis and, actually, I would support further, but I will stick to the sursis in this instance. Sir, I might as well start by saying that I do not believe this policy letter is right, i.e. I think it is wrong and the reason I say that is to just use one instance, which is paragraph 8.1.

It says, paragraph 5.8 of the original policy letter does, however, state that and it quotes the  
3545 policy letter. However, it does not quote the original policy letter, it quotes 5.9. Now it has been through the IRP, now the IRP does not look at this, but it would have seen in this policy letter that it should not, it does not relate to the same paragraph. That is my understanding, sir, and, in fact, in the Ordinance itself I did pick it up and now you have, Members, Sir, you do have an amendment in front of you later that will correct the issue that some of the numbering is incorrect.

3550 So, we were about to approve this Ordinance knowing that it is just technically incorrect. So, I say, sir, that this is just an example of why this should be sursised and this should be relooked at. Sir, interestingly, 5.8 in the original policy letter does actually state it says additional enforcement actions would provide greater scope to be able to ensure appropriate changes are made to provide basic conditions and properties, but the Committee is not looking to vary the general approach or  
3555 standards from what is currently required.

Well, sir, I suggest in this Ordinance this is not the case and I think Members here are worried that this is not really the case. It is mentioned in the policy letter that this does not go against, the policy letter does not contradict the policy letter, but I think Members are asking for more time to consider the implications of this.

3560 Sir, Deputy Kazantseva-Miller did touch on the consultation. Now, of course, the consultation survey that was completed last year in August, it was not included in here. They have, or it has, been only an hour or two, or possibly more now, been circulated to Members. But I suggest, sir, that this is not enough time for Members to really have the confidence how this relates to this Ordinance

because the policy letter, as brief as it is, does say that is an integral part. Members 116 people were in that consultation period, that is it –

**Deputy de Sausmarez:** Point of correction.

**The Bailiff:** Point of correction, Deputy de Sausmarez.

**Deputy de Sausmarez:** It is quite correct that I do not think that was exactly the right number for the survey, but the consultation was actually broader than that. Now, the consultation findings are what were circulated in the report. If Deputy Haskins was so concerned and thought the consultation findings were so absolutely central to his support for this legislation, I am just a bit mystified as to why he did not ask for it earlier.

**The Bailiff:** Deputy Haskins.

**Deputy Haskins:** Sorry, sir. Did you rule that that was a valid point of correction? I could not hear.

**The Bailiff:** No, I did not say anything. I just invited you to continue.

**Deputy Haskins:** That was absolutely not a valid point of correction. *(Laughter)*

**The Bailiff:** That is a matter for me to determine, Deputy Haskins. *(Laughter)*

**Deputy Haskins:** Sir, are you willing to make that determination?

**The Bailiff:** No, no I am not.  
Just continue, please.

**Deputy Haskins:** Absolutely, sir.

To me, sir, I have already read enough not to have confidence in the Ordinance and I ask Members to support the sursis if they believe the same. I was not saying, contrary to what Deputy de Sausmarez was saying in her attempted point of correction, I was not saying that the consultation feedback was so crucial for my support, I was simply saying that this policy letter stated that it was integral to this, but Members are not sure of that because the consultation findings were not even included.

Now, in the previous policy letter they were appended in my mind, sir, this should have been too, hence why Deputy Kazantseva-Miller and myself are saying really this should be taken back with these options, A to E, included. Now, sir, a lot of Members have queried over the cost and the fees. Well, as I have mentioned, the original policy letter said £99 per year. Well, what Members are not aware of is how much, in total, is this going to be 8,000 properties now, 9000 properties?

Now to me, sir, the policy letter being silent is okay because Rule 4(1)d comes in where it says that there are no financial implications. Well, to me, Members, that is very telling because whatever comes in will be spent on the resources needed which takes me to the workload. Now, the original policy letter stated in relation to the housing Health and Safety rating system, the formal introduction of this system would not impact the routine operations. But paragraph 10.2 of this policy letter mentions, brand new and significant workloads and the significant workstreams that this will create.

So, my question, Members, is has the original workload, their workload, got a significant gap in their time that they can fill with this significant workload because there is no need for additional resources? Now on page seven of 13, it is paragraph 4.5, the policy letter stated that paragraph 4.3 of the original policy letter, it goes on to give some of what that policy letter did say, but it omits a

certain line which said, their answers – and this relates to the self-certification from landlord owner – their answers allow a risk assessment to be carried out.

Now, a risk assessment to be carried out on what; on 8,000 people, on 8,000 properties? Sir, I would suggest that is workload that is rather high; hence, again, the impact that, I think, Members are saying we should probably have a look at this and make sure that the impact on the whole sector, especially given our housing crisis, is looked at.

I will be short because I am not sure how long I have got left. The other thing that I would like to mention is the HMO definition. Now, in the original policy letter it referred to the HMO definition in the UK. Now, that is five people or more, but the definition here is two; two people or more, it is section 108 of the Ordinance. Now, there is A, B, C and D, but more than two people occupy the dwelling as living accommodation, more than one household and they do then have to share either cooking facilities, a hand basin, a bath, etc.

My point is, sir, that the definition being so tight in this opens up those 9,000 properties, instead of just being 8,000, sorry 7,000 related to the original policy letter that used figures from 2018, it is circa 9,000. Now, the issue with the HMO being only two people means that there is going to be a much wider net. That means the original policy letter did not consider the impact of this many HMOs at this level of licensing fees and requirements and impositions. That is why, sir, I really do support this sursis and I really hope Members will do the same.

Thank you.

**The Bailiff:** Deputy Soulsby.

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

Fascinating debate, but I thought I would look at the Rule 4(1) information, like the new Rule 4(1) information that was going to make things so much better and Members will have to follow. It says in B, in preparing the Propositions there has been consultation with the Committee *for the* Environment & Infrastructure.

Well, from my looking at the body language of Deputy de Sausmarez and from what I understand given they have needed just to have a breakout to talk about it, the consultation must be in the loosest sense of the word. So, I do find it odd that so many people are criticising E&I about the extent of the consultation when there has been diddly-squat when it comes to this sursis.

Actually on that this does not go back to a year ago or four years ago, there is a whole debate, this whole beginning of looking at housing legislation, goes back to July 2018 and there was evidence of significant consultation with relevant stakeholders at that time. In fact, there is a whole appendage to the policy letter in 2020 that Deputy Dudley-Owen referred to, there is a whole schedule setting out what the ideas were and what would be considered and getting feedback from relevant stakeholders.

So, it is not as if it is all very Survey Monkey-ish and they have relied on that, this goes back to 2018; so, it is not exactly overnight stuff. That is B, then we have got D, there are no financial implications to the States of carrying the proposal into effect. *(Interjection)* Well, delay of course, delay always leads to greater costs. We have spoken about that in previous other debates, if only we had done something sooner we would not be in the position we are in, so I find that strange.

But also there is a lot of talk about how we have got too much regulation and I get that and I can see the manifestos now, *(Laughter)* we need to get rid of all this regulation, we have worked that out and it is really bad. I can see it, at least half of them will be saying that so, good luck to the electorate trying to find out how to sort between candidates on that basis. *(Laughter)*

But there are other financial implications. There is regulation and then there is regulation. There is a regulation I would like to get rid of, there absolutely is. There are certain areas that we have currently got and I do question the value. But when it comes to standards of housing and supporting the poorest in our community, and bear in mind the poorest people in this Island are generally the ones that are having to rent out accommodation, then that is something, I think, should be of significant concern and priority to Members.

Because we talk about the cost of regulation but that is not where our biggest costs are in the States, the biggest costs come in health and social care and where do the biggest costs come from, people who are ill and who are the people who are ill, the people who are ill are, generally, the poorest in our community and there is an absolute link between health and wealth on this Island, as there is elsewhere.

So, if we are happy to say, right, we are not bothered about this legislation because it only affects poor people and it is all too much and these poor landlords, well I get it, it will be more work for landlords but, actually, if we care about keeping our health and social care bills down we need to look at how can we prevent people from getting ill in the first place and one of the big causes of ill health is poor living conditions.

It was actually a fact in the policy letter of 2020, which said in terms of the UK, and this was like back in 2020, the cost was over £2.4 billion of the impact of substandard housing. So, when we talk about costs and regulation and it might need another civil servant, well, it pales into insignificance in terms of the cost to people's lives for living in accommodation which is making them ill.

When it comes to, I think, Deputy Dudley-Owen talked about it was difficult back then when we were debating it during COVID. Well, interestingly, during COVID, we had issues when it came to outbreaks of the disease and, in many cases, we found that it was a really big issue in houses of multiple occupation and when staff had to look into how did they support the people living there, the standard of accommodation they saw people living in was actually quite shocking. It was only through having to do the work on COVID that they found out the conditions people were living in.

Anyway, this is all about housing, I think it was only about a month ago it might have been, goodness knows each debate rolls into the other, but this sursis says, to sursis the Propositions until no later than the end of second quarter 2026 and in the meantime, to direct the Committee *for the Environment & Infrastructure* to do blah de blah.

But this is not going to get done then until after the next Election by which time we have a new Committee *for Housing*. So, surely this sits fairly and squarely into the Committee *for Housing* (**A Member:** Hear, hear.) and, if it does, I thought the key thing for the Committee *for Housing* is getting houses built.

Well, that is going to suck up all their time, is it not, when they have got to start doing regulatory impact assessments and detailed analysis of the funding requirements of regulation. What difference is that going to make to building one more house? I do question that also when it comes to the Committee *for Housing* and Deputy Inder talking about, oh we need this regulated, we are going to just have a cast of thousands. I know that E&I have said it will only need one Director of Housing, but it will be a cast of thousands.

Well, people just voted for a new Committee *for Housing* which will need (*Laughter*) more staff and, on that note, P&R have already been advised that it will cost more than what was set out in the original Requête.

So, Deputy Inder might be right but we have voted, Members including him, have voted to increase the cost of civil servants anyway. So, I do not think that is really a relevant argument and as Deputy Gabriel made clear, resources are already covered in this and I think that is already set out in this policy letter.

So, I just think this is very last minute, we have not had any chance to consider whether there is any merit in any of at this point and in some of them there might be merit, I do not know, I have not had a chance to think about it. But I do know that the Committee *for the Environment & Infrastructure* have had a long time to consider this, both in this current Committee and the previous one and Deputy de Sausmarez being on both will have been all over this at the same time. So, for that reason and, particularly, having a sursis to stop something, which I consider very important, I cannot support this sursis.

**The Bailiff:** Deputy St Pier.

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



3720 I declare an interest in a rental property and with that interest I have no problem with this policy letter and legislation. But focusing, sir, on the sursis a lot has been made about the need for consultation, but I would be interested to know what consultation has taken place in preparing this sursis with either landlords or tenants. What is the view of the Guernsey Private Residence Landlords Association, an association with which I have no association myself, but they would be an obvious party to comment.

3725 I think, if there were significant concerns about what had been presented before us, we would have heard from one or more private landlords. We have not heard from anyone on this topic, to my knowledge. We have had dozens of emails on the colleges, we have had several dozen emails on the diving board at the Valette and we have had complete silence on this issue, which has been running, as Deputy Soulsby said, for six or seven years.

3730 Deputy Soulsby, I think, has addressed all the issues in relation to the Rule 4 information with the exception of the fact that the knock-on effect on the prioritisation in the next term needs to be factored in as well. This will affect the capacity of the States in the next term to crack on with its other work.

3735 The idea that this is not causing a delay is, frankly, for the birds. Inaction this day is the consequence of this sursis, (**A Member:** Hear, hear.) inaction this States is the consequence of this sursis, inaction this year is the consequence of this sursis. It is without a merit, in my view, if Members do not like the legislation, (*Interjection*) they do not like the Propositions, they should vote against the Propositions at the substantive stage rather than wasting time with a sursis and it is very disappointing that it has come, as Deputy Soulsby said, so very late in the day but, more importantly, without consultation of any of those who will be affected by the Propositions.

**The Bailiff:** Deputy Taylor.

3745 **Deputy Taylor:** Thank you, sir.

I have got to wing it with this speech, sir, I was going to write something at lunchtime but I did not know about this. (*Laughter*) I think probably one of the best points, I think, was raised in opening, by Deputy Kazantseva-Miller, was actually an administrative point about Members only receiving this document on Monday. That is unfortunate and, I think, given the breadth of the document that is quite a short amount of time to actually read it.

3750 I do, however, feel that could have been addressed by just reorganising the debates and, perhaps, adjourning so this could have been considered in our next Meeting, it could have been something that was raised when we did reorder debate in our last Meeting. It does raise a question about some of the administrative resources.

3755 Now, we have got a lot of meetings going on and if Members are not getting their papers, I do have to wonder whether it is a good use of resources to have a Greffier sitting at the front looking at a stopwatch when they would, presumably, be doing otherwise, if they were not doing that. But anyway, the sursis itself, I think Deputy Ferbrache touched on an important point which I think goes to paragraph A about the commencement because, yes, the direction I think in section 198 is that commencement would be by regulations and then in paragraph or section 191, I never know if you call them paragraphs or sections, sir, but anyway 191 says that it would have to be regulations laid by the States as soon as possible, which could be annulled.

3760 So, it is not like there is going to be a whole stream of stuff suddenly getting enforced on people without any further say, from the Assembly. So, in terms of that paragraph A of considering a phased introduction of the matters contained, that could already have been done. I am sure if that was what was discussed in this debate, the overriding theme that E&I and their successors in the next term would go for a phased implementation.

3765 The next B, an impact assessment; I just wonder what else are they expecting to hear? I do not think it is unreasonable to think that landlords will always, not all landlords, but landlords will not want more regulation, tenants will want more regulation; that is the nature of it. In terms of a risk assessment, again, because we are in a housing crisis, times change and the idea is that Laws and

Ordinances are long-standing. You make them for a long period of time and do not just react to slight changing of economic conditions.

3775 So, I do not think that is necessary. It is understandable there will be an impact on the rental market but, hopefully, that impact will be positive in some regards for the tenants and it may come cause a financial impact for landlords. Again, that is protecting the most needy in our society and, I think, if there is a price to pay, I think that is a reasonable price.

3780 Next paragraph, C, I did not know what to make, do the sursis-ers envisage every single rental property being slapped with notices? Because that is what it sounds like in here, it is like to develop a more detailed analysis of the funding requirements of regulation and enforcement. I do not think whoever is tasked with this job is going to try and tackle a whole problem in the first week. I think it will be staged, I think they will tackle it bit-by-bit, they will probably go for the worst offenders; that is how it normally works.

3785 So, again, to develop a detailed analysis of the funding requirements, I could bet my bottom dollar, sir, that we are tight on resources so we will not be able to do everything but someone will get on with something if this Ordinance goes ahead. So, I do not think we need a detailed analysis of the funding requirements and blah, blah; it is what it is

3790 Where to next? D and E, I expect that could still be done again. E&I, Housing Committee, whoever it is can still consider the synergies with Jersey, working together and consider any requirements for IT systems; again it is going to be done. F, to consider providing a longer lead-in time for the market to get ready, I think that just reiterates point A. I do not think that adds anything else, why else would you phase it other than to allow people to get used to the changes, so I do not think that is any more necessary? And then to revert to the States no later than the end of second quarter.

3795 Now, I am surprised it ended there because listening to the points coming up in debate and people supporting this sursis it is that they do not really agree with the thrust of the Ordinance and some of the provisions that would come forward, that seems to be the issue, but the sursis does not really direct it to change, unless I am just really missing this.

3800 We will do all those checks or we will consider a phased approach, we will do an impact assessment, develop an analysis of the funding requirements and whether we can work with Jersey, but the Ordinance itself, there is no direction for E&I to change it and that seems to be the rub for most of the people who are looking to support this sursis.

3805 So, on that basis, sir, I am not going to be supporting this, you can probably tell from the tone of my voice and I would hope other Members will vote against this sursis. I was going to say so that I can go swimming with my son on Friday but, no, I hope that Members will vote against this sursis because this is an important piece of legislation that we need to get on and approve.

Thank you, sir.

3810 **The Bailiff:** Can I just get an indication as to how many people wish to speak on the sursis? I think on that basis that there is no merit in seeking to extend the sitting today. So, we will adjourn until 9.30 a.m. tomorrow.

*The Assembly adjourned at 5.32 p.m.*